

HATE CRIMES IN THE OSCE REGION - INCIDENTS AND RESPONSES

ANNUAL REPORT FOR 2009



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Foreword

Hate Crimes in the OSCE Region – Incidents and Responses is prepared annually by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) as part of the OSCE's efforts to combat hate crimes.

Despite the continuing efforts by the OSCE and participating States, this report shows that hate crime remains a significant problem in our region, with the potential to escalate into wider social conflict. In 2009, a large number of people were killed, injured or otherwise targeted for no other reason than being seen as belonging to a specific ethnicity, "race", religion or other group. Combating hate crime must, therefore, remain a priority. Addressing hate crime effectively requires that we more accurately identify the nature and extent of the problem, a challenge made more difficult by the scarcity of data, by the way in which analysis of available data is complicated by the different systems for its collection and recording, and by the fact that hate crimes are generally under-reported. We hope the publication of this report will be a step towards addressing these issues.

This year's report again focuses on the collection of data on hate crimes, the need for which the OSCE Ministerial Council has specifically acknowledged. Most of the data presented here are from governments and other official sources, although a number of additional sources have also been used. Along with data collection, other aspects of addressing the problem of hate crime are covered to the extent that new developments were reported in 2009.

OSCE bodies and institutions devoted significant attention to the problem of hate crime over the course of 2009. Most notably, the Ministerial Council in Athens adopted the first OSCE decision related directly to hate crime, expressing concern about the problem and outlining a series of steps to address it. These included improving legislation in this area, training law-enforcement agencies and assisting victims of hate crimes. The Supplementary Human Dimension Meeting "Hate Crimes – Effective Implementation of Legislation" was also held in Vienna in May.

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 the collection of data on hate crimes, organizing field visits and sponsoring seminars, as well as providing training for law-enforcement agencies, civil society and inter-governmental organizations. ODIHR also produced two important publications in 2009 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 list of valuable resources.

This report would not have been possible without the co-operation of participating States and, in particular, the National Points of Contact on Combating Hate Crimes. ODIHR also appreciates 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 (ODIHR)

Acronyms

BBC	British Broadcasting Corporation
ECRI	European Commission against Racism and Intolerance
FRA	European Union Agency for Fundamental Rights
ICARE	Internet Centre Anti Racism Europe
IGO	Inter-governmental organization
ILGA	International Lesbian and Gay Association
IOM	International Organization for Migration
LGBT	Lesbian, gay, bisexual and transgender
NGO	Non-governmental organization
NPC	National Point of Contact on Combating Hate Crimes
ODIHR	Office for Democratic Institutions and Human Rights
OIC	Organization of the Islamic Conference
OSCE	Organization for Security and Co-operation in Europe
TANDIS	Tolerance and Non-Discrimination Information System
TGEU	Transgender Europe
UN	United Nations
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 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 crime.¹ All of these commitments recognize the gravity of hate crimes and their potential to sow the seeds of wider violence and international conflict.

This report is the result of a requirement established by the OSCE Ministerial Council for the Office for Democratic Institutions and Human Rights (ODIHR) to serve as a collection point for information and statistics on hate crimes and to make this information publicly available. Thus, the purpose of this report is to provide hard data and other information on the extent and types of hate crimes in the OSCE region in 2009, including information about the principal victim groups, developments in legislation and responses to hate crimes by governments and NGOs.

The report for 2009 follows the format, structure and methodology introduced in the 2008 report. This approach emphasizes the presentation of official data provided by governments. Much of the information and data contained in this report was provided in responses to an ODIHR questionnaire by the National Points of Contact on Combating Hate Crimes (NPCs) appointed by the governments of participating States. In accordance with ODIHR’s mandate from the OSCE Ministerial Council, the report also includes information from inter-governmental organizations (IGOs) and NGOs.

Hate crimes are criminal acts committed with bias motives. They 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 2009, hate crimes continued to be a serious problem in many OSCE participating States, including instances of intimidation, threats, vandalism, arson, assault and murder.

A variety of OSCE activities in 2009 were aimed at assisting states, IGOs and NGOs address hate crimes, including the Supplementary Human Dimension Meeting “Hate Crimes – Effective Implementation of Legislation”, which took place in Vienna in May.² ODIHR issued two new publications in 2009 to assist participating States and civil society organizations address hate crimes more effectively, and also conducted

1 OSCE Ministerial Council, Decision No. 9/09, “Combating Hate Crimes”, Athens, 1-2 December 2009, <<http://www.osce.org/item/41853.html>>.

2 Supplementary Human Dimension Meeting on “Hate Crimes - Effective Implementation of Legislation, Final Report”, Vienna, 4-5 May 2009, <<http://www.osce.org/item/39747.html>>.

training for law-enforcement officers aimed at increasing awareness of hate crimes and developing effective responses.

Information submitted by participating States

The full extent of hate crime 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 2009, it is clear from the information provided to ODIHR that significant gaps in data collection remain a major obstacle to understanding the scope and nature of hate crime 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.

Where states do collect data, the approaches and methodologies often differ so greatly that the information gathered does not lend itself to meaningful comparisons. In various participating States, data on hate crimes may be collected by the police, prosecutors, ministries of justice or interior, statistical offices or other agencies. In some countries more than one agency is involved in the collection of data.

Another significant factor that complicates statistical overviews is that different countries include different categories when they record hate crimes. In information provided to ODIHR by participating States, victims were most often categorized according to ethnicity, “race” or religion. Some states break these categories down further and record, for example, anti-Semitic crimes or crimes against Muslims as hate crimes, but might not report crimes against Christians as such. Some OSCE countries include additional categories in their statistics, such as crimes against individuals based on their language, disability, sexual orientation or other characteristics.

All of these factors contribute to the difficulties in comparing data from different states. Moreover, 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 improvements made to legislation dealing with hate crimes for 2009.

Additional information gathered by ODIHR and information on specific target groups

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 crime, 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, information provided by NGOs can be a good indicator of the extent of hate crime, particularly in instances where official statistics are limited. Both NGOs and IGOs expanded their reporting in 2009 on government responses to hate crimes.

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

For example, in a number of countries, racially or ethnically charged incidents developed into broader unrest in 2009, showing that hate crimes have the potential to escalate into more serious societal conflict. On the other hand, several contextual issues affected the prevalence of hate crimes in 2009. Among these were the conflict in the Gaza Strip and the continuing effects of the global economic crisis, both of which were reported to have increased inter-ethnic tensions and incidents. Intolerant discourse was perceived as a factor contributing to hate crimes. A number of human rights defenders were targeted for their work on behalf of victim groups.

This report includes separate sections on types of crimes and victim groups 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. Crimes against specific groups may thus be subsumed within larger categories, reducing the value of statistics as analytical tools. This may help explain the disparities in the availability of information on hate crimes against different victim groups. For example, there seem to be more data on racist, xenophobic and anti-Semitic crimes than there are on crimes against Muslims and Roma and Sinti, and less still on those 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.

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

Background

OSCE participating States have adopted a wide range of commitments to combat hate crime.³ These include commitments to condemn violent acts motivated by discrimination or intolerance, to train police and other public officials to respond to such acts, to review legislation, to facilitate the capacity of civil society to monitor hate-motivated incidents and assist victims, and to collect reliable data on hate crimes. These commitments have been adopted in recognition of the fact that hate crimes pose a potential threat to domestic and international security, as they can undermine social cohesion and sow the seeds of conflict and wider-scale violence.

This report is part of the OSCE effort to prevent hate crimes and to react to them more effectively when they do occur. The report has been prepared in response to OSCE Ministerial Council decisions that instructed ODIHR to follow, collect and report publicly on hate-motivated incidents in the OSCE region. In particular, the Ministerial Council has tasked ODIHR:

- “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”;⁴
- to “follow closely anti-Semitic incidents” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims (...) and to make these findings public”;⁵
- to strengthen “its early warning function to identify, report and raise awareness on hate-motivated incidents and trends”;⁶ and
- to provide recommendations and assistance to participating States.⁷

This report presents information for the calendar year 2009. It builds on previous reports covering the years 2006, 2007 and 2008, as well as the initial overview of hate crimes in the OSCE region completed in 2005.⁸

³ See Annex C.

⁴ OSCE Ministerial Council, Decision No. 13/06, “Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding”, Brussels, 5 December 2006, <<http://www.osce.org/item/22565.html>>.

⁵ OSCE Ministerial Council, Decision No. 12/04, “Tolerance and Non-Discrimination”, Sofia, 7 December 2004, <<http://www.osce.org/item/2257.html>>.

⁶ OSCE Ministerial Council Decision No. 13/06, *op. cit.*, note 4.

⁷ *Ibid.*

⁸ Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2008 (Warsaw: ODIHR, 2009), <<http://www.osce.org/item/41314.html?ch=1424>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2007 (Warsaw: ODIHR, 2008), <<http://www.osce.org/item/33850.html?ch=1196>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2006 (Warsaw: ODIHR, 2007), <<http://www.osce.org/item/26296.html?ch=931>>; Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives (Warsaw: ODIHR, 2005), <<http://www.osce.org/item/16251.html?ch=452>>.

Objectives

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.

Much of the report's focus, therefore, is on data collection, which helps provide a better understanding of manifestations of hate crime in participating States. The report also describes responses to hate crimes by states and by NGOs, thus highlighting good practices.

Methodology

The methodology and format of the 2009 report follow those adopted for 2008. These were developed through consultations with a large number of participating States and independent experts. The specific language used in this report also replicates that in the 2008 report in instances where information remains unchanged. The report relies to a substantial extent on information and statistics provided by governments. This approach is an acknowledgement of the fact that data collection is primarily the responsibility of states, as is responding to hate crimes.⁹ Nonetheless, other information is also included, in line with ODIHR's mandate to co-operate with inter-governmental organizations (IGOs) and civil society to collect information on hate crimes.¹⁰ The report is divided into four main sections:

- Part I presents a summary of information submitted to ODIHR by participating States in response to a questionnaire sent to them. Where updates on legislative developments were made available to ODIHR through other sources (IGO or NGO reports, or those in the media), this information has also been included, to provide a more comprehensive overview of the situation in the OSCE region.
- Part II relies on information from IGOs and civil society groups, as well as governments, and focuses primarily on hate crimes against specific victim groups mentioned in OSCE Ministerial Council Decisions;¹¹
- Part III offers recommendations on key issues related to combating hate crimes, many of which follow closely the recommendations set out in the report for 2008;
- Part IV consists of a detailed table providing country-by-country information based on information submitted to ODIHR by the governments of participating States.

As in 2008, in order to gather information, ODIHR sent a detailed questionnaire¹² to the National Points of Contact on Combating Hate Crimes (NPCs).¹³ Following close

⁹ 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/item/28629.html>>.

¹⁰ OSCE Ministerial Council Decision No. 13/06, *op. cit.*, note 4.

¹¹ As instructed by OSCE Ministerial Council Decision No. 4/03, “Tolerance and Non-discrimination”, Maastricht, 2 December 2003, <<http://www.osce.org/item/19330.html>>.

¹² The full text of the questionnaire is available in Annex B.

consultations with the NPCs, the questionnaire was revised for 2009. Questions regarding the context in which hate crimes occur were removed, since little information on context had been submitted in past responses. Additionally, questions concerning the scope of initiatives aimed at combating hate crimes were put more narrowly, in order to increase the relevance of the information submitted. The questionnaire for 2009 included fields for information about the following areas:

- Hate crime data collection;
- Legislation related to hate crimes;
- Notable examples of hate crimes; and
- Initiatives with regard to data collection, increasing reporting and community confidence, strengthening the response of law enforcement and prosecutors, building the capacity of the criminal justice system and victim support.

The questionnaire was made available in an online electronic form. Each NPC was given access to a restricted section of the Tolerance and Non-Discrimination Information System (TANDIS) website, where it could access the information provided in its previous submissions. NPCs were asked to submit their initial responses from early February to mid-March 2010. A draft version of this report was distributed to participating States in July 2010, in order to enable them to check the accuracy of the information and to submit additional information.

Some NPCs sent information after the deadlines had passed, in some instances because they encountered technical difficulties in accessing the questionnaire. Other participating States compile their data later in the year and, thus, were not able to submit their data by the deadline. Nevertheless, to the greatest possible extent, ODIHR has included all the information it received in this report.

The information provided by governments in response to the questionnaire provided the basis for Part I of this report, as well as for the more detailed table in Part IV.

Part II of this report was compiled using a broader range of sources. ODIHR asked OSCE field operations, NGOs and partner IGOs to submit information on hate crimes and incidents. Additionally, in accordance with the decision of the Maastricht Ministerial Council, ODIHR made use of publically available information from IGOs and NGOs.¹⁴ In order to strengthen the capacities of these organizations to monitor and record information on hate crimes, ODIHR organized a training programme in 2009 for field staff of the OSCE, the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). In addition, ODIHR reached out to civil society partners by organizing four training sessions, involving a total of 80 participants, aimed at increasing monitoring and reporting of hate crimes by NGOs. Beyond the provision of training, ODIHR called publicly for NGOs to submit information on hate crimes and provided guidance on how to do so.

ODIHR received input from ten OSCE field operations, and the number and quality of these submissions was improved over previous years. However, several OSCE field operations did not provide any information on hate crimes, due to limited mandates or resources; these included the OSCE operations in Croatia, Kazakhstan and the Project

¹³ As of April 2010, 54 OSCE participating States have appointed NPCs to support ODIHR in its task of serving “as a collection point for information and statistics collected by participating States”. The list of institutions serving as NPCs can be found in Annex A.

¹⁴ OSCE Ministerial Council, Decision No. 4/03, *op cit.*, note 11. The list of NGOs is available in Annex D.

Co-ordinator in Ukraine. The OSCE Office in Tajikistan reported that no information was available to it.¹⁵

Among partner IGOs, Part II draws on information from UNHCR; the United Nations Human Rights Council; the United Nations Committee on the Elimination of Racial Discrimination (CERD); the United Nations Development Programme; the IOM; several bodies of the European Union, 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. Specifically, UNHCR offices covering 11 countries provided information to ODIHR on hate crimes in their areas of responsibility.¹⁶ ODIHR also received information on hate crimes from the IOM office in Ukraine.

A total of 73 NGOs contributed information to ODIHR specifically for use in this report.

As in past years, ODIHR also drew on media reports of hate-motivated incidents. These reports were only used in the preparation of this report where they had been verified by other governmental or non-governmental sources. ODIHR did not undertake systematic media monitoring, but did review more than 1,000 news items related to hate-motivated incidents and hate crimes. The main sources used by ODIHR were international news services, such as the BBC Monitoring Service and the Internet Centre Anti Racism in Europe (ICARE), and international or national newspapers, mainly in English.

Information from all of these sources was included in the appropriate sections of Part II. In cases where the information received did not specify which group was targeted in a hate crime, or it was not clear whether the motivation was inter-ethnic or inter-religious, the information has been included in section on racism and xenophobia.

The information in the report relates only to events or developments occurring in 2009. The sections on government and NGO responses to hate crimes, for example, generally list only initiatives and programmes that were initiated in 2009, and do not include programmes continued from previous years.

One of the lessons learned from past reports is that, while every hate crime is unique, hate crimes often share common features. Rather than providing long lists of incidents, each section of this report dealing with specific groups of victims includes a single, boxed, illustrative example of a hate crime committed against that particular group. The cases selected are not intended to describe a pattern, are not particularly spectacular in the degree of violence used, and should not be understood to point a finger at a specific country. The cases were chosen because they illustrate the nature of the phenomenon and present responses by governments and NGOs.

It is important to underline that the absence of data or information for some participating States does not necessarily reflect an absence of hate crimes or particular types of hate crimes within their jurisdictions, just as the availability of more information on hate crimes in other countries does not necessarily mean those states have a higher incidence of hate crime. The availability of data and information may simply mean that some participating States have a broader definition of hate crimes or

¹⁵ Communication from the OSCE Office in Tajikistan, 2 April 2010.

¹⁶ Albania, Azerbaijan, Belarus, Croatia, Georgia, Greece, Kazakhstan, Moldova, Montenegro, Tajikistan and Ukraine.

that they are more effective than others at identifying, recording and reporting on specific types of hate crimes, or hate crimes in general.

Terminology

Although the term “hate crime” was first used officially by the OSCE at the 2003 Ministerial Council Meeting in Maastricht,¹⁷ the concept was accepted 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.¹⁸

While OSCE participating States use different approaches to defining what constitutes a hate crime under domestic law, in simple terms, a hate crime is a criminal act committed with a bias motive. A hate crime can be an act of intimidation, a threat, damage to property, assault, murder or any other criminal offence. It is the motive that makes a hate crime different from other crimes.¹⁹ Hate crimes, thus, comprise two distinct elements: They are criminal acts under ordinary criminal law; and the victim or target is deliberately selected because of a particular characteristic, such as “race”, language, religion or ethnicity. In order to identify whether an act is a hate crime, it is not necessary to establish whether “hate” was the cause; rather, it is necessary to determine that a crime was committed and that the motive was some form of bias.

The term “hate-motivated incident” is used in this report to encompass incidents, acts or manifestations of intolerance committed with a bias motive that may not reach the threshold of hate crimes, either because a criminal offense was not proven or because the act may not have been a criminal offense under a particular state’s legislation. Thus, both hate-motivated incidents and crimes have a bias motive, but hate-motivated incidents may not involve criminal acts. 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 incidents can be useful to demonstrate not only a context of harassment, but also evidence of escalating patterns of violence.²⁰

¹⁷ OSCE Ministerial Council Decision No. 4/03, *op. cit.*, note 11.

¹⁸ “Report of the CSCE Meeting of Experts on National Minorities”, Geneva, 19 July 1991, p. 7, <<http://www.osce.org/item/14125.html>>.

¹⁹ *Hate Crime Laws: A Practical Guide* (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/item/36671.html?ch=1263>>.

²⁰ Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region (Warsaw: ODIHR, 2009), <<http://www.osce.org/item/40781.html?ch=1382>>.

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 three principal sets of issues: data collection, legislative developments and improvements in institutional responses to hate crimes. The information in this section covers developments in these areas since ODIHR’s report for 2008. With regard to legislative developments, ODIHR drew also on other sources, in order to provide a more comprehensive overview.

In 2009, the data submitted by participating States (Part I B) were, overall, of higher quality and more relevant than the data submitted in 2008. To the extent that this trend continues, data will be increasingly useful. Nevertheless, there continue to be disparities in the quality and level of detail of the submissions by participating States that present an obstacle to making a sound comparative analysis of the data. Any attempt at comparative analysis is also made more complicated by changing approaches within particular states – some participating States added new categories in their data-collection systems, while others deleted some. As submissions from different states become more uniform, they will be easier to compare, and it may become possible to undertake a meaningful comparative analysis of information and data compiled by different states.

There is a significant gap between the number of states reporting that they record data on crimes against specific victim groups (e.g., Muslims, Roma, etc.) and the number that actually provided figures on such crimes to ODIHR. ODIHR has asked NPCs to provide this data.

Despite the improved responses received from participating States, there is still a 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 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 combating various aspects of hate crimes. The full texts of these initiatives will be posted on ODIHR's TANDIS website.

B. Data collection

Overview

ODIHR received 32 online questionnaires with information on hate crime data collection for the year 2009.²¹ Bulgaria, Estonia and Montenegro which did not provide input on hate crime data collection in previous years, were among the participating States completing the questionnaire. Additionally, ten participating States either mailed questionnaires directly to ODIHR rather than using the online format or provided information on hate crimes.²²

In the information received in both 2008 and 2009, 47 participating States indicated that they collect some data on hate crimes,²³ while Azerbaijan, Luxembourg, the former Yugoslav Republic of Macedonia and Portugal stated that they do not compile any statistics of this type. Of those 47 states, 31 submitted data on hate crimes committed within their jurisdictions in 2009.²⁴ This section provides a brief overview of the hate crime data-collection systems used in participating States, including the number of hate crimes they recorded in 2009.

In comparison to the previous report, ODIHR received a smaller number of completed online questionnaires from participating States.²⁵ A total of 47 states completed the questionnaire for 2008, 15 more than in 2009. The reason for the smaller number of responses this year was due in part to the need for ODIHR to enforce a stricter deadline for questionnaires in order to be able to process the data submitted in a timely fashion. Additionally, ODIHR has emphasized the use of the online questionnaire format, and has distinguished between questionnaires submitted through the online format and those otherwise mailed. Some states, such as Bosnia and Herzegovina, Canada, Greece, Hungary, Italy, the Netherlands and the United Kingdom, reported technical problems in accessing the online questionnaire. As was the case in previous years, statistics from

²¹ Austria, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Spain, Sweden, Turkey and the United Kingdom.

²² Andorra, Armenia, Belarus, Belgium, Bosnia and Herzegovina, the Holy See, Italy, the former Yugoslav Republic of Macedonia, Switzerland and Uzbekistan. The authorities in Uzbekistan submitted their information through the office of the OSCE Project Co-ordinator in Uzbekistan. The Holy See provided numbers of hate-motivated incidents committed against Christians in other participating States. ODIHR requested verification from the relevant participating States and at the time of writing, only Germany and Italy had responded.

²³ Albania, Andorra, Armenia, Austria, Belarus, Belgium, 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, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States and Uzbekistan.

²⁴ Austria, Belarus, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Germany, Georgia, Greece, Hungary, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Romania, Serbia, Slovakia, Spain, Sweden, Turkey, United Kingdom and Uzbekistan.

²⁵ See *Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2008*, op. cit., note 8, p. 14.

a number of participating States are not available until later in the year or until the following year²⁶ and other participating States had only part of their data available.²⁷

Along with providing data, this chapter presents an overview of changes in comparison to 2008. Some participating States indicated changes in which authorities are responsible for data collection, while some noted changes regarding victim groups or types of crimes they recorded. There was little change in how participating States use the data they collect.

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

A table comparing information from 2007, 2008 and 2009 can be found at the end of this section.

Authorities responsible for hate-crime data collection

The questionnaire asked participating States to list institutions responsible for gathering data on hate crimes. As in 2008, it appears that interior ministries (22 states)²⁸ and/or law enforcement bodies (29 states)²⁹ are responsible for data collection in most participating States. The following changes should be noted in 2009: Bulgaria and Turkey reported that the Interior Ministry is in charge of hate crime data collection; Switzerland indicated that its Interior Ministry is not responsible for this issue.

Bulgaria, Croatia, Denmark, Latvia and Montenegro indicated that their prosecutors' offices record data on hate crimes, bringing to 23 the number of states where this is the case.³⁰

Currently, justice ministries are responsible for data collection on hate crimes in 14 participating States.³¹ In 2009, Estonia joined this list of countries, while Andorra indicated that its Ministry of Justice is not responsible for collecting hate crime data.

In 2009, Denmark reported its intelligence agency as a body responsible for data collection on hate crimes. Currently, only four states – Denmark, Serbia, Spain and

²⁶ For instance, Canada and Finland published hate crime reports for the year 2008 in 2010. (For Canada, see *Police-Reported Hate Crime in Canada 2008*, available at: <<http://www.statcan.gc.ca/pub/85-002-x/2010002/article/11233-eng.htm>>; and for Finland, see *Hate Crimes Reported to Police in Finland, 2008*, available at: <[http://www.poliisiammattikorkeakoulu.fi/poliisi/poliisioppilaitos/home.nsf/files/raportti_85_en/\\$file/raportti_85_en.pdf](http://www.poliisiammattikorkeakoulu.fi/poliisi/poliisioppilaitos/home.nsf/files/raportti_85_en/$file/raportti_85_en.pdf)>.)

The United States' data on hate crime statistics is updated annually in November, after the deadline for publication of the ODIHR hate crimes report, and can be found on the Federal Bureau of Investigation (FBI) website: <<http://www.fbi.gov/>>.

²⁷ Denmark and Romania both provided data on cases prosecuted and indicated that police data was not yet available.

²⁸ Andorra, Austria, Belarus, Bulgaria, Croatia, Finland, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Poland, Romania, Russian Federation, Serbia, Slovakia, Tajikistan, Turkey, Ukraine, United Kingdom and Uzbekistan.

²⁹ Albania, Armenia, Austria, Belgium, Croatia, 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, Bulgaria, Croatia, Czech Republic, Denmark, Georgia, Greece, Hungary, Kazakhstan, Latvia, Lithuania, Moldova, Montenegro, Netherlands, Poland, Romania, Russian Federation, Serbia, Slovakia, Sweden, Tajikistan and Uzbekistan.

³¹ Andorra, Belgium, Czech Republic, Estonia, France, Greece, Hungary, Latvia, Poland, Serbia, Slovakia, Slovenia, Tajikistan and Turkey.

Tajikistan – list intelligence agencies as institutions responsible for hate crime data collection. Montenegro and Serbia joined six states reporting that statistical offices collect information on hate crimes.³²

Thirteen states reported that institutions other than those listed above are responsible for collecting data on hate crimes.³³ In this category, Bulgaria and Montenegro added their Supreme Court as institutions responsible for collecting hate crime data in 2009. Slovakia removed its Supreme Court from the list.

An outline of responses provided by individual states can be found in the country-by-country table in Part IV.

Victim groups

Statistics can be used to identify specific groups or communities that are most often subject to hate crimes. This is dependent, however, on statistics being broken down to identify and provide details on specific victim groups. The questionnaire invited participating States to indicate whether their statistics were broken down in this fashion and, if so, which victim groups were included.

As in 2008, ethnicity/origin/minority status remained the most-widely recorded category of victim groups among the participating States (32).³⁴ This was followed by race/colour (30)³⁵ and religion (29).³⁶

In comparison to the previous year, the following changes were noted: Both Greece and Bulgaria reported adding race/colour, while Bulgaria also added ethnicity/origin/minority and religion as categories recorded in statistics. Finland added the categories of religion, disability, sexual orientation and transgender for their data. Additionally, Denmark reported that it records data on the ethnicity/origin/minority status of victims. Serbia added a number of categories, including citizenship, language, transgender and disability. A detailed overview for each state is available in the country-by-country table in Part IV.

The least recorded categories of victim groups reported were language (10 states)³⁷ and transgender persons (eight states).³⁸ Multiple biases in hate crime are now recorded by

³² Canada, Georgia, Ireland, Moldova, Montenegro, Russian Federation, Serbia and Ukraine.

³³ Armenia (Ombudsman), Bulgaria (Supreme Court), Finland (Police College of Finland), Georgia (Supreme Court), Ireland (NGO), Kazakhstan (Committee of National Security), Montenegro (Supreme Court), Netherlands (NGO), Romania (The Superior Council of Magistracy), Serbia (NGO, Academic Institutions, Legal Experts), Switzerland (Federal Commission against Racism), United Kingdom (NGO) and Uzbekistan (National Security Service).

³⁴ Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁵ Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Moldova, Netherlands, Norway, Poland, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁶ Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Finland, Georgia, Germany, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

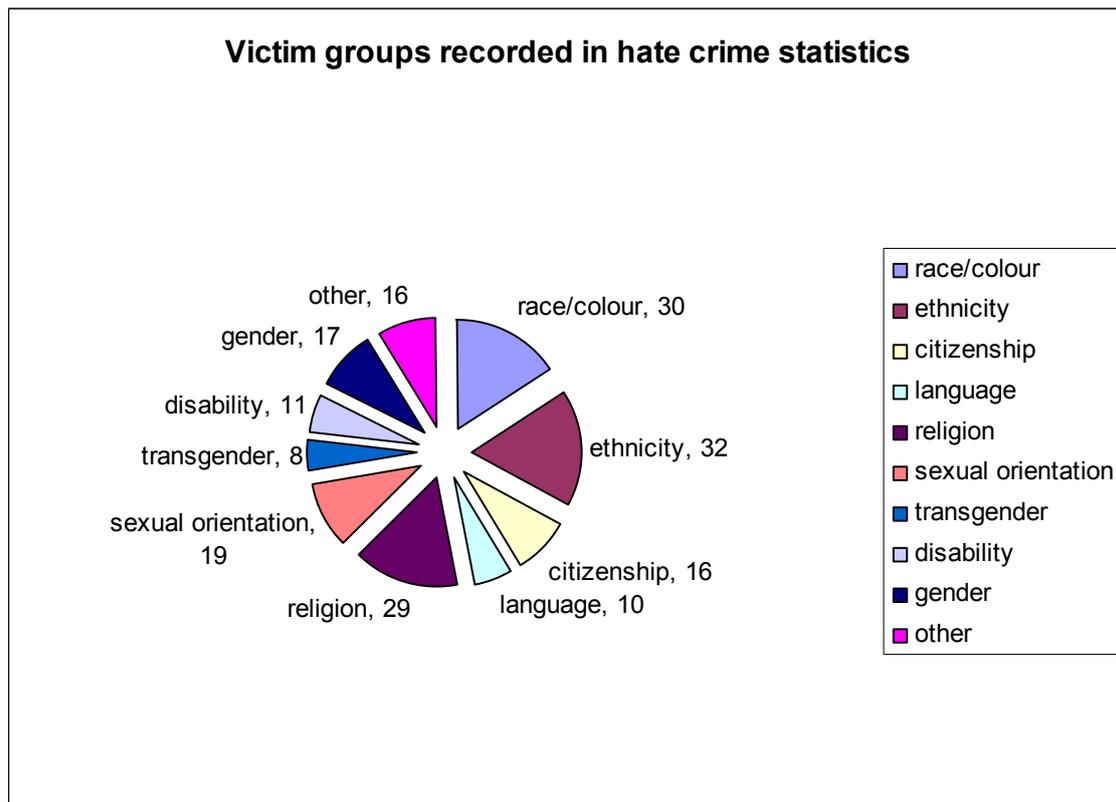
³⁷ Belgium, Canada, Cyprus, Finland, Germany, Moldova, Serbia, Slovakia, United Kingdom and Uzbekistan.

³⁸ Belgium, Canada, Croatia, Finland, Germany, Serbia, Sweden and the United Kingdom.

13 states³⁹, with Finland and Serbia adding this as a category in their submissions and Slovakia removing it.

The remaining categories of victim groups recorded in statistics include citizenship (16),⁴⁰ sexual orientation (19),⁴¹ disability (11),⁴² gender (17) and “other” (16),⁴³ which is used as a category to cover groups with protected characteristics not covered elsewhere.

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



Overview of specific victim groups recorded in statistics

In 2009, there were few changes reported with regard to the recording of crimes targeting more specific victim groups. Bulgaria reported that it now records anti-Semitic hate crimes, as well as crimes against Muslims, Roma, Christians and members of other religions. Greece reported that it now records data on anti-Semitic hate crimes. Switzerland reported that it records data on crimes against Christians and members of other religions.

³⁹ Cyprus, Czech Republic, Finland, Georgia, Germany, Liechtenstein, Netherlands, Norway, Serbia, Slovenia, Spain, Switzerland and the United Kingdom.

⁴⁰ Austria, Belgium, Croatia, Finland, France, Germany, Hungary, Ireland, Latvia, Lithuania, Moldova, Poland, Russian Federation, Serbia, Slovenia, Spain, Ukraine and the United Kingdom.

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

⁴² Belgium, Canada, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, United Kingdom and the United States.

⁴³ Austria, Belarus, Belgium, Canada, Croatia, Cyprus, Czech Republic, France, Germany, Greece, Hungary, Lithuania, Poland, Serbia, Switzerland and Ukraine.

The chart below provides an overview showing that among specific victim groups identified, anti-Semitic crimes are recorded by the largest number of participating States (20),⁴⁴ followed by crimes against Muslims (17),⁴⁵ crimes against Christians and members of other religions (13)⁴⁶ and crimes against Roma (12).⁴⁷ It must be emphasized, however, that data submitted on hate crimes against specific groups remain scarce.

Participating State	Overview of specific victim groups recorded			
	Anti-Semitic crimes	Crimes against Muslims	Crimes against Christians and members of other religions	Anti-Roma crimes
Austria	x	x		
Belgium	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	x
France	x			
Germany	x			
Greece	x			
Italy	x			
Latvia				x
Liechtenstein	x	x		
Moldova	x	x	x	x
Netherlands	x	x	x	x
Poland	x	x	x	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	

Although the table above shows that many states reported that they record data on crimes against the groups listed, in 2009 only the following states actually provided information to ODIHR with regard to the specific groups in question:

- Austria, the Czech Republic, Germany, Italy and Sweden provided figures on anti-Semitic crimes.
- Austria and Sweden provided figures on crimes against Muslims.

⁴⁴ 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.

⁴⁵ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

⁴⁶ Bulgaria, Canada, Croatia, Czech Republic, Finland, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, United Kingdom and the United States.

⁴⁷ Bulgaria, Croatia, Czech Republic, Finland, Latvia, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland and the United Kingdom.

- Germany, Norway and the United Kingdom provided figures on crimes against religion, without differentiation by faith. These figures have been included in the beginning of the section on crimes against Christians and other religions. Sweden is the only to state that provided specific figures on crimes committed against Christians.⁴⁸
- Sweden provided figures on crimes against Roma.

Some participating States provided descriptions of specific incidents of hate crimes or incidents in their submissions: Armenia (anti-Christian), Bulgaria (anti-Roma), Croatia (anti-Roma), the Czech Republic (anti-Roma), Denmark (anti-Semitic), Georgia (a case against members of other religions), Germany (anti-Muslim), Greece (anti-Semitic), the Holy See⁴⁹ (anti-Christian incidents in nine states), Hungary (anti-Roma), Poland (anti-Semitic), Slovakia (anti-Roma), Spain (anti-Muslim) and Turkey (anti-Christian).

Difficulties in categorizing data on victim groups

The categories under which participating States collect data on hate crimes vary greatly, making it difficult for ODIHR to categorize data in appropriate ways. In many states, data-protection legislation prevents the collection of sensitive information concerning victims' "race", ethnicity, national origin or religion.⁵⁰ In states that do collect data on specific victim groups, consistent categorization is problematic because the lines between various victim groups are often blurred. It can often be difficult to judge whether a victim was attacked because of "race", ethnicity, religion or some combination of these, making simple categorizations impossible. There are many examples of this, notably in areas of past conflict such as Bosnia and Herzegovina, Cyprus and Kosovo,⁵¹ where ethnicity and religion are intertwined. The same problem arises in many other cases throughout the OSCE area. For example, in Germany it is difficult to determine whether reported crimes against members of the Turkish minority are based on their ethnicity, religion, or both; in Italy, reported attacks on citizens of Romania may represent xenophobia or anti-Roma bias⁵²; reported attacks on Senegalese in the Czech Republic may be motivated by "race", religion or general xenophobia. There are numerous further examples where this difficulty exists. NGOs that report crimes against particular groups often acknowledge that it may be difficult to attribute the crimes to a particular bias. Some participating States collect data simply on "crimes committed against foreigners", who might fall into any or all of these categories.⁵³

Types of crimes

In 2008, 39 participating States reported that they classify data on hate crimes according to the type of crime committed. Denmark joined this list in 2009, bringing the total to

⁴⁸ The Holy See reported crimes against Christians in 10 other participating States.

⁴⁹ Albania, Bosnia and Herzegovina, France, Germany, Italy, Lithuania, Russian Federation, Sweden, and Turkey. Information from the Holy See NPC, 17 March 2010.

⁵⁰ Several states have independently reported such practices to ODIHR, including the Czech Republic, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Slovenia and Sweden.

⁵¹ There is no consensus among OSCE participating States on the status of Kosovo and, as such, the Organization does not have a position on this issue.

⁵² Grazia Naletto (ed.), *Report on Racism in Italy* (Rome: Manifestolibri, 2009), <http://www.manifestolibri.it/vedi_indice.php?id=524>.

⁵³ For example, this is the case with Ukraine.

40 states.⁵⁴ Four states (Bulgaria, Cyprus, Estonia and Hungary) reported that they do not categorize crimes in this way.

The questionnaire indicated nine categories of crimes: homicide, physical assault, damage to property, desecration of graves, attacks against places of worship, vandalism, verbal assault/threats/insults, incitement to hatred and “other”. Based on the responses received, the most commonly classified types of hate crimes in 2009 were physical assault (35),⁵⁵ homicide (34),⁵⁶ verbal assault/threats/insults (34),⁵⁷ vandalism (33)⁵⁸ and incitement to hatred (33).⁵⁹ The least-recorded of the categories of crime on the list remained attacks on places of worship (23).⁶⁰

In 2009, the following changes were noted in these categories:

- homicide: Denmark and Montenegro reported adding this category;
- physical assault: Denmark, Montenegro and Switzerland recorded adding this category, while Kyrgyzstan reported that it did not record hate crimes in this category in 2009;
- verbal assault: Denmark, Montenegro and Switzerland reported collecting data on this category of crime in 2009, while Kazakhstan and Kyrgyzstan reported excluding this category in their submissions;
- incitement to hatred: Montenegro and Switzerland reported adding this category, while Kyrgyzstan reported deleting it; and
- attacks on places of worship: Montenegro and Switzerland reported adding this category, while Kyrgyzstan reported deleting it.

A detailed overview for each participating State is given in the country-by-country table in Part IV.

⁵⁴ Albania, Andorra, Armenia, Austria, Belarus, Belgium, 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.

⁵⁵ Andorra, Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁵⁶ Andorra, Belarus, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁵⁷ Andorra, Austria, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

⁵⁸ Andorra, Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁵⁹ Andorra, Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Iceland, Ireland, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁰ Austria, Belarus, Belgium, Canada, Croatia, Czech Republic, Finland, Germany, Iceland, Ireland, Latvia, Lithuania, Moldova, Montenegro, Norway, Poland, Russian Federation, Slovakia, Slovenia, Switzerland, Turkey, United Kingdom and the United States.

Difficulties may arise in categorizing types of crimes, just as they do in categorizing different victim groups. 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”.⁶¹ 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. However, in many instances, 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 incitement to hatred, forms of hate speech and other propaganda-related crimes, in addition to hate crimes. Oftentimes, the data on hate crimes is subsumed in the larger scheme of such bias offenses and, therefore, it is difficult to discern exact figures on hate crimes. While these laws can also be important tools for combating intolerance in society, there is no consensus on such laws in the OSCE region.

An overview of data-collection methods reported to ODIHR between 2008 and 2009 highlights the difficulties in distinguishing between hate crimes and other forms of discrimination in this report’s data. Among the 47 participating States that report collecting data,⁶² 31 states reported to ODIHR that they collect data on both hate crimes and incitement to hatred crimes and/or discrimination crimes.⁶³ Of those 31 states, 21 do not clearly differentiate among specific criminal offenses.⁶⁴ The remaining ten states, however, record data according to specific criminal offenses or otherwise indicate when violence is involved in incitement to hatred crimes and/or discrimination crimes.⁶⁵ The table comparing hate crime statistics from 2007-2009 at the end of this section draws attention to such differences in data collection.

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.

⁶¹ For example, Austria, Czech Republic, Slovakia, Germany, 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.

⁶² For the full list of states collecting data, see *op. cit.*, note 23.

⁶³ Armenia, Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Hungary, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Spain, Sweden, Switzerland, Turkey and Ukraine.

⁶⁴ Armenia, Austria, Belgium, Bulgaria, Canada, Croatia, Estonia, France, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, ,Norway, Poland, Romania, Russian Federation, Sweden, Switzerland, Turkey and Ukraine.

⁶⁵ Belarus, Czech Republic, Denmark, Germany, Hungary, Liechtenstein, Lithuania, Netherlands, Slovakia and Spain.

Uses of data

As in previous years, most participating States indicated that they use data collected on hate crimes to help assess the domestic-security situation and to formulate policy. Additionally, in 2009, Finland reported that reports are used for staff training.

Responses indicated that 34 participating States have some form of publicly available data on hate crimes.⁶⁶ This is an increase of three from 2008, with Bulgaria, Denmark and Montenegro joining the list. As in 2008, 11 states reported that the public does not have unlimited access to data on hate crimes.⁶⁷ Of this number, Kyrgyzstan joined seven other states in 2009 in which data can be obtained by the public upon request and if appropriate procedures are followed.⁶⁸

Number of hate crimes

States were asked to indicate the number of hate crimes they recorded in 2008 and 2009.

Given the different concepts of hate crime 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 some the number of perpetrators), it remains difficult for ODIHR to provide a comparative analysis of data submitted by participating States. The table below presents an overview of the numbers of hate crimes reported by participating States to ODIHR. In order to provide a basis for a comparison, the table includes the number of crimes recorded in each year from 2007 to 2009. Six states (Austria, Hungary, Kyrgyzstan, Latvia, Poland and Romania) provided comparative tables on the number of hate crimes from 2000 to 2009; Belarus and Germany provided comparative tables for hate crimes from 2001 through 2009; Canada provided data for 2006 and 2007; the Czech Republic provided information from 1989 through 2009; the Netherlands provided information from 2005 to 2009.

The number of reported cases of hate crimes needs to be analyzed with great caution. In 2009, some states (Bulgaria, Denmark and Poland) reported that they have no specific forms for the collection of data on hate crimes and this type of data is collected as part of general statistics from police data-collection systems. This underscores the point that the number of recorded cases of hate crimes simply indicates incidents acknowledged by the authorities or reported by victims. These figures do not necessarily indicate the prevalence of hate crime in a particular country. Instead, the figures may simply be an indication of the effectiveness of existing reporting mechanisms in particular participating States.

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

⁶⁶ Andorra, Armenia, Austria, Belarus, Belgium, Bulgaria, Canada, Denmark, Cyprus, Czech Republic, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Kazakhstan, Latvia, Liechtenstein, Lithuania, Montenegro, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

⁶⁷ Albania, Croatia, France, Italy, Kyrgyzstan, Moldova, Netherlands, Spain, Tajikistan, Turkey and Uzbekistan.

⁶⁸ Croatia, France, Italy, Kyrgyzstan, Moldova, Netherlands, Spain and Turkey.

Table: Hate Crimes in the OSCE Region: Police Reports, Prosecutions and Convictions in 2007, 2008 and 2009

Participating State	Type of data	Cases recorded by police 2009	Cases recorded by police 2008	Cases recorded by police 2007	Cases prosecuted 2009	Cases prosecuted 2008	Cases prosecuted 2007	Cases sentenced 2009	Cases sentenced 2008	Cases sentenced 2007
Albania										
Andorra		0	0	0	0	0	0	0	0	0
Armenia			0	0		0	0		0	0
Austria	Data represent the total number of offences with xenophobic/racist, anti-Semitic and Islamophobic motives.	61	91	65						
Azerbaijan										
Belarus	Police data include crimes of incitement to hatred and crimes of damaging historical/cultural values.	72	70	93	3	1				
Belgium	Data refer to crimes with a racist/xenophobic motive and include incitement to hatred crimes and discrimination crimes.	1103		1063	974					
Bosnia and Herzegovina										
Bulgaria	Data include crimes of incitement to hatred and crimes of discrimination.	20			22			7		
Canada		not yet available	1036	765						
Croatia	Data include crimes of incitement to hatred and insult crimes.	32	29	46						
Cyprus				3			3			
Czech Republic	Data represent total number of criminal offenses with an extremist context.	265 (including 34 crimes involving violence against persons or property)	217 (including 33 crimes involving violence against persons or property)	196 (including 32 crimes involving violence against persons or property)	188 (including 66 crimes involving violence against persons or property)	215 (including 48 crimes involving violence against persons or property)	204 (including 65 crimes involving violence against persons or property)	103 persons	97 persons	72 persons
Denmark	Police data refer only to hate crimes; Prosecution data refer only to cases involving incitement to hatred.	not yet available	98		5	5		1	1	
Estonia	Data include crimes of incitement to hatred.	2	0		0	0		0	0	
Finland	Data-collection methods changed from 2007 to 2008 that limit comparison value.	not yet available	859 reports 1163 offenses	454 reports 698 offences						

Participating State	Type of data	Cases recorded by police 2009	Cases recorded by police 2008	Cases recorded by police 2007	Cases prosecuted 2009	Cases prosecuted 2008	Cases prosecuted 2007	Cases sentenced 2009	Cases sentenced 2008	Cases sentenced 2007
France	Data include discrimination crimes and defamation crimes.					3960	3953			430
Georgia		41	27	9	11	7		not yet available	1	1
Germany	Police total data include crimes of incitement to hatred and propaganda crimes; Prosecution data only refer to crimes of incitement to hatred and propaganda crimes.	4583 (including 590 violent crimes)	4757 (including 561 violent crimes)	4793 (including 642 violent crimes)	not yet available	3269		not yet available	2377	
Greece		2	1	0	2	1	0			
Holy See										
Hungary		15	12	9	7	8	6		6	
Iceland	Data include crimes of incitement to hatred and discrimination crimes.	0	3	2	0	0	2	0	0	0
Ireland			265	345		45	85		3	22
Italy	Data include crimes of incitement to hatred and insult crimes.	142								
Kazakhstan	Data include crimes of incitement to hatred.	15	38	42	4	15		4	15	
Kyrgyzstan	Data include extremist crimes.	79	93	169	58	49		41	49	
Latvia	Data include crimes of incitement to hatred.	6	9		5	1				
Liechtenstein		6	3	4	6	3		1	2	
Lithuania	Data include crimes of incitement to hatred.	51	103	39	11	28	13	16	24	9
Luxembourg										
Former Yugoslav Republic of Macedonia										
Malta										
Moldava		2	2	0	0	0	0	0	0	0
Monaco										
Montenegro										
Netherlands	Total data refer to all registered discrimination cases at the Prosecution Service.				160 (including 15 cases with violence or threat of violence)	232 (including 30 cases with violence or threat of violence)	216 (including 33 cases with violence or threat of violence)	135	114	89

C. *Legal Framework: overview of developments*

International developments

European Union

The European Union Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law was adopted in November 2008.⁶⁹ The decision seeks to ensure harmonization across the European Union of clear and comprehensive legislation with respect to 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.

European Union Member States are required to review their legislation for compliance with the framework decision by November 2010. ODIHR followed up with the European Union to obtain information on states that had harmonized their legislation in accordance with the decision but that information was still under examination by the relevant agencies at the time of writing of this report.⁷⁰

European Court of Human Rights

The Court issued a ruling in the case of *Beganović v. Croatia*. The applicant was a young man of Roma origin, who had been physically assaulted by a group of young men. He complained that both the attack and the lack of proper investigation into the incident were related to his Roma origin. The Court found no evidence that the attack on the applicant had been racially motivated, finding that it appeared instead to be one of a series of fights between individuals who used to belong to a common circle of friends.⁷¹

In the case of *Cakir v. Belgium*, the applicant was a Belgian citizen of Turkish origin, who alleged that he was subject to physical and racist verbal abuse by police officers during his arrest and while in police custody. The Court rejected police claims that their use of force was “necessary” to subdue the applicant during the arrest, due to the seriousness of the injuries that the applicant sustained. When the applicant brought criminal proceedings against the police, the prosecutor did not include a racist/xenophobic element in the case or actively pursued the case, which resulted in dismissal because the prosecution was time-barred. Therefore, the Court held that the Belgian authorities had failed to take all reasonable measures to determine whether the police officers engaged in criminal conduct and whether the alleged criminal conduct had a racist motivation.⁷²

Both of these cases reaffirm states’ duties under the European Convention of Human Rights to actively investigate and prosecute potentially racist crimes when there is a reasonable appearance of bias motivation.

⁶⁹ 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>>.

⁷⁰ Information from European Union Agency for Fundamental Rights, 22 July 2010.

⁷¹ *Beganović v. Croatia* (App no. 46423/06) (2009) ECHR.

⁷² *Cakir v. Belgium* (App no. 44256/06) (2009) ECHR.

National developments

There were a substantial number of changes in national legislation related to hate crimes among OSCE participating States in 2009, as states undertook efforts to amend or introduce provisions in criminal law.

Hate crime laws

The following information was submitted by OSCE participating States regarding legislative changes in 2009 related to hate crimes.

Bosnia and Herzegovina: The Ministry of Security established a working group, consisting of judges at the state and entity levels, with the aim of amending the Criminal Code. The proposed amendments begin with a substantive definition of a hate crime in the Code that includes the protected characteristics of religion, sexual orientation, nationality or language. Based on that definition, bias-motivation could be considered as an aggravating circumstance during sentencing for any criminal offense. Additionally, the amendments would also include specific penalty enhancements based on bias-motivation for specific offences, including murder, physical assault and rape. ODIHR, in co-operation with the OSCE Mission to Bosnia and Herzegovina, provided a commentary on the draft legislation to ensure that it is in compliance with OSCE commitments and international standards.⁷³ The adoption of these amendments will be considered by the Parliament in 2010.⁷⁴

Bulgaria: Provisions in the Penal Code were amended and supplemented in 2009. The amendments increased potential sentences in specific provisions for crimes involving violence and property damage committed on the grounds of “nationality, race, religion or political conviction”.⁷⁵

Lithuania: Amendments were made to the Criminal Code in 2009. First, Lithuania adopted general aggravating-circumstances provisions in Article 60 (12) that are applicable to all crimes “committed to express hatred towards a group of persons or a person belonging thereto on grounds of age, sex, sexual orientation, disability, race, nationality, language, descent, social status, religion, convictions or views”.⁷⁶ Second, some specific crimes (murder and a number of types of assault) were given a specific aggravating-circumstances provision in cases where they are committed with a bias motivation, with the same list of protected characteristics as in Article 60(12).⁷⁷

The former Yugoslav Republic of Macedonia: The Government established a working group to propose amendments to the Criminal Code through a wide process of consultations. In co-operation with the OSCE Spillover Monitor Mission to Skopje, ODIHR provided legislative assistance to help ensure compliance of legislation with international standards and OSCE commitments.⁷⁸ The Criminal Code was amended by

⁷³ “OSCE/ODIHR Opinion on Draft Amendments to the Federation of Bosnia and Herzegovina Criminal Code”, ODIHR, July 2009, <<http://www.legislationline.org/documents/id/15597>>.

⁷⁴ Communication from the OSCE Mission to Bosnia and Herzegovina, 26 March 2010; Information from the NPC of Bosnia and Herzegovina, 19 March 2010.

⁷⁵ Relevant amendments include Articles 162(2), 163(3), and 164(2), Section 1, Chapter 3, “Crime against National and Racial Equality”. Questionnaire from the Bulgarian NPC, 19 March 2010.

⁷⁶ Questionnaire from the Lithuanian NPC, 18 March 2010.

⁷⁷ Specific crimes with a general aggravating circumstance include: Article 129: Murder; Article 135: Severe Health Impairment; and Article 138: Non-Severe Health Impairment. *Ibid.*

⁷⁸ “Comments on Provisions Relating to Hate Crimes in the Draft Criminal Code of the former Yugoslav Republic of Macedonia”, ODIHR, March 2009, <<http://www.legislationline.org/documents/id/15623>>.

adding a new aggravating-circumstances provision to Article 39 that covers the grounds of “national or social background, political or religious affiliation, property or social status, gender, race or colour of skin”. Article 319(1) prescribes punishment for, among other acts, “mistreatment...of national, ethnic or religious symbols, by damaging other people's objects, and by desecration of monuments, graves”.⁷⁹

Malta: The Criminal Code (Amendment) Act included several provisions to address hate crimes.⁸⁰ First, xenophobic motivation was added to the aggravating-circumstances provisions, which previously only included increased sentences for racially or religiously aggravated offenses. Those provisions included Article 83, a general aggravating-circumstances enhancement applicable to all criminal offenses, and Article 222A, an aggravating-circumstances provision for certain crimes causing bodily harm. Second, the definitions associated with bias-motivated crimes were expanded. In Article 222A(3)(b), the concept of “bias motivation” was amended to add “aversion” and “contempt” to the motivation of “hostility”. Furthermore, the definition of “race” was extended to include “descent” as a factor (Article 222A, paragraph 6). Finally, Article 82 was amended to criminalize any acts publicly condoning, denying or grossly trivializing crimes against peace directed against a group of persons defined by reference to colour, race, religion, descent, or ethnic or national origin if such acts are likely to incite to violence against such groups or to disturb public peace and order.

Slovakia: The Criminal Code was amended in 2009. Article 424 covers incitement to national, racial and ethnic hatred and criminalizes, in certain specific situations, the act of threatening an individual or group of people based on their race, nation, nationality, colour of skin, ethnicity, origin or religion, if the threat is motivated only on these grounds. The acts criminalized under Article 424 are subject to a term of imprisonment of up to three years, or from two to six years in the presence of certain aggravating circumstances (commission of the act in association with a foreign power or agent, publicly, for a special bias, in the capacity of a public official, as member of an extremist group or in a crisis situation).⁸¹

Ukraine: The Criminal Code was amended to include aggravating circumstances in sentences for crimes motivated by “racial, national or religious intolerance”. The types of crimes added in the amendments include murder, intentional grievous bodily harm, intentional bodily injury of medium gravity and threatening to kill.⁸²

United Kingdom: The Scottish Parliament passed the Offences (Aggravation by Prejudice) Act 2009. The Act extended the previous list of aggravating circumstances in crimes to include offences motivated by prejudice relating to a victim’s actual or presumed disability, sexual orientation or transgender identity. The Act also requires courts to stipulate the use of aggravating circumstances when sentencing.⁸³

United States: The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was signed on 28 October 2009. This Act expanded the 1969 federal hate crimes law to

⁷⁹ Information received from the former Yugoslav Republic of Macedonia NPC, 29 January 2010.

⁸⁰ The Criminal Code (Amendment) Act, 2009, Act No. XI, <<http://www.doi.gov.mt/EN/parliamentacts/2009/Act%20XI%20Criminal%20Code.pdf>>.

⁸¹ The meaning of term “special bias” was not clear in the information received for this report, nor was the method in which this term was to be applied. Questionnaire from the Slovak NPC, 19 March 2010.

⁸² The Parliament of Ukraine adopted the Bill “On Amendments to the Criminal Code of Ukraine (re Responsibility for the Crimes committed for the Reasons of Racial, National or Religious Intolerance)”, (Reg. No.2281-1), <<http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=1707-17>>.

⁸³ Offences (Aggravation by Prejudice)(Scotland) Act 2009, available at: <<http://www.statutelaw.gov.uk/legResults.aspx?activeTextDocId=3599997>>.

include crimes motivated by a victim's actual or perceived gender, sexual orientation, gender identity or disability. The law gives power to the Department of Justice to investigate and prosecute bias-motivated crimes, and to aid state and local jurisdictions with investigations and prosecutions of bias-motivated crimes.⁸⁴

Hate speech laws

A number of states also adopted or revised legislation criminalizing incitement to hatred and other forms of hate speech. Although such laws are not specifically hate crime laws under ODIHR's working definition, many states enacted such laws in conjunction with hate crime laws. Thus, they provide context to the legislative framework in many states in their efforts to combat hate crime.

Bosnia and Herzegovina: Along with the proposed amendments on hate crime laws, the Ministry of Security considered the introduction of a provision prohibiting the incitement of national, racial, religious hatred, discord or hostility. ODIHR, in cooperation with the OSCE Mission to Bosnia and Herzegovina, also provided commentary on the draft amendments,⁸⁵ which will also be considered by the Parliament in 2010.⁸⁶

Lithuania: In addition to its hate crime provisions, Lithuania also enacted an additional incitement provision that imposes criminal liability for acts related to distribution of materials that incite hatred, discrimination or violence against the same protected groups referenced in its hate crime laws.⁸⁷ New provisions also criminalize the creation and activities of groups and organizations that aim to discriminate or incite hatred against a group of persons.⁸⁸

Poland: Article 256 of the Penal Code was amended to include additional incitement provisions that prohibit the distribution of certain materials or symbols that "incite hatred based on national, ethnic, racial or religious differences or for any lack of religious denomination".⁸⁹

Slovakia: In addition to newly enacted hate crime provisions that encompass threats to individuals based on bias-motivation, Slovakia adopted article 424(1)(a), which condemns "public incitement to violence or hatred against a group or individual on the grounds of their race, nation, nationality, colour of their skin, ethnicity, origin, or for their religion".⁹⁰

⁸⁴ The Department of Justice was able to give grants to state and local communities to cover procedural expenses, as well as grants for local programmes that aim to combat hate crimes committed by juveniles and programmes for training local law enforcement officials in identifying, investigating, prosecuting and preventing hate crimes. The text of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (National Defense Authorization Act for Fiscal Year 2010/Division E) is available at:

<<http://www.opencongress.org/bill/111-h2647/text>>.

⁸⁵ "OSCE/ODIHR Opinion on Draft Amendments to the Federation of Bosnia and Herzegovina Criminal Code", ODIHR, July 2009, <<http://www.legislationline.org/documents/id/15597>>.

⁸⁶ Communication from the OSCE Mission to Bosnia and Herzegovina, 26 March 2010; Information from the NPC of Bosnia and Herzegovina, 19 March 2010.

⁸⁷ Article 170 of the Lithuanian Criminal Code. Questionnaire from the Lithuanian NPC, *op. cit.*, note 76.

⁸⁸ *Ibid.*

⁸⁹ Questionnaire from the Polish NPC, 22 March 2010.

⁹⁰ Questionnaire from the Slovak NPC, *op. cit.*, note 81.

The former Yugoslav Republic of Macedonia: In addition to hate crime laws, Article 319 prescribes a sentence of between one and five years in prison for individuals who excite “national, racial or religious hate, discord or intolerance”.⁹¹

D. Institutional improvements

International developments

The OSCE Ministerial Council, meeting in Athens in December 2009, adopted a decision on “Combating Hate Crimes”, the first decision ever adopted by the OSCE dealing entirely with this issue.⁹² The decision expressed concern over hate crimes throughout the OSCE region and called on participating States to take a number of steps to address the problem, which included collecting reliable data, tailoring appropriate legislation, assisting victims and raising awareness.

In May 2009, ODIHR and the OSCE Chairmanship organized a Supplementary Human Dimension Meeting in Vienna on “Hate Crimes – Effective Implementation of Legislation”.⁹³ The meeting raised awareness about the need for political leadership to combat hate crimes. It also allowed for a discussion of practices and challenges in this field and assisted participating States in taking stock of their progress in the implementation of commitments in this area.

ODIHR issued two new publications in 2009 to assist participating States and civil society organizations in addressing hate crimes more effectively. *Hate Crime Laws: A Practical Guide* provides guidance for lawmakers and others on effective approaches to drafting hate crime legislation.⁹⁴ *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region*⁹⁵ provides practical advice on how NGOs can most effectively respond to hate crime and includes a list of useful resources.

In addition, the Law Enforcement Officer Programme on Combating Hate Crimes, initiated by ODIHR, was implemented in 2009 in Bosnia and Herzegovina and Poland. The training increases the capacity of law-enforcement officers to identify and respond effectively to hate crimes and related incidents. Finally, in 2009 ODIHR organized two workshops in Hungary and the former Yugoslav Republic of Macedonia, respectively, for government officials and civil society, aimed at increasing awareness of hate crimes and developing effective responses.

In 2009, the European Commission against Racism and Intolerance (ECRI) strongly encouraged the German authorities to “take a more comprehensive approach to the phenomenon of racist, xenophobic and antisemitic violence”⁹⁶ and authorities in Greece to “combat racist crimes more actively”.⁹⁷ The Commission encouraged authorities in

⁹¹ Information received from the former Yugoslav Republic of Macedonia NPC, *op. cit.*, note 79.

⁹² OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

⁹³ “Supplementary Human Dimension Meeting – Hate Crimes – Effective Implementation of Legislation”, *op. cit.*, note 2.

⁹⁴ *Hate Crime Laws: A Practical Guide*, *op. cit.*, note 19.

⁹⁵ *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region*, *op. cit.*, note 20.

⁹⁶ “ECRI Report on Germany (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 19 December 2008, published 26 May 2009, CRI(2009)19, p. 29, <<http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/germany/deu-cbc-iv-2009-019-eng.pdf>>.

⁹⁷ “ECRI Report on Greece (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 2 April 2009, published 15 September 2009, CRI(2009)31, p. 29.

Belgium,⁹⁸ the Czech Republic⁹⁹ and Switzerland¹⁰⁰ to improve implementation of legislation “to combat racist and xenophobic violence”. ECRI recommended that the authorities in Bulgaria¹⁰¹ and Slovakia¹⁰² conduct campaigns to raise awareness of the seriousness of racist crimes and of the fact that the perpetrators would be duly punished. It also recommended that the Hungarian¹⁰³ authorities introduce systematic and comprehensive monitoring of racist incidents and that the Norwegian¹⁰⁴ authorities monitor the Internet activities of extreme right-wing groups and take firm action against any offences they commit through the Internet.

The United Nations Human Rights Council Universal Periodical Review encouraged states to collect and improve their data-collection systems (Norway),¹⁰⁵ to improve legislation to combat racist crimes (Bosnia and Herzegovina,¹⁰⁶ Italy,¹⁰⁷ Monaco,¹⁰⁸

<<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Greece/GRC-CbC-IV-2009-031-ENG.pdf>>.

⁹⁸ “ECRI Report on Belgium (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 19 December 2008, published 26 May 2009, CRI(2009)18, p. 32, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Belgium/BEL-CbC-IV-2009-018-ENG.pdf>>.

⁹⁹ “ECRI Report on the Czech Republic (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 2 April 2009, published 15 September 2009, CRI(2009)30, p. 24, <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/czech_republic/CZE-CbC-IV-2009-030-ENG.pdf>.

¹⁰⁰ “ECRI Report on Switzerland (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 2 April 2009, published 15 September 2009, CRI(2009)32, p. 32, <<http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/switzerland/CHE-CbC-IV-2009-032-ENG.pdf>>.

¹⁰¹ “ECRI Report on Bulgaria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 20 June 2008, published 24 February 2009, CRI(2009)2, p. 33, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Bulgaria/BGR-CbC-IV-2009-002-ENG.pdf>>.

¹⁰² “ECRI Report on Slovakia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 19 December 2008, published on 26 May 2009, CRI(2009)20, p. 27, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Slovakia/SVK-CbC-IV-2009-020-ENG.pdf>>.

¹⁰³ “ECRI Report on Hungary (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 20 June 2008, published 24 February 2009, CRI(2009)3, p. 25, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Hungary/HUN-CbC-IV-2009-003-ENG.pdf>>.

¹⁰⁴ “ECRI Report on Norway (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 20 June 2008, published 24 February 2009, CRI(2009)4, p. 27, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Norway/NOR-CbC-IV-2009-004-ENG.pdf>>.

¹⁰⁵ “Draft report of the Working Group on the Universal Periodic Review: Norway”, Human Rights Council Working Group on the Universal Periodic Review, A/HRC/WG.6/6/L.4, p.17, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/NO/A_HRC_WG.6_6_L4_NORWAY.pdf>.

¹⁰⁶ “Draft report of the Working Group on the Universal Periodic Review: Bosnia and Herzegovina”, Human Rights Council Working Group on the Universal Periodic Review, 19 February 2010, A/HRC/WG.6/7/L.15, p. 16, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/BA/A_HRC_WG.6_7_L.15_Bosnia_Herzegovina.pdf>.

¹⁰⁷ “Draft report of the Working Group on the Universal Periodic Review: Italy”, Human Rights Council Working Group on the Universal Periodic Review, 11 February 2010, A/HRC/WG.6/7/L.3, p. 17, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/IT/A_HRC_WG.6_7_L.3_Italy.pdf>.

¹⁰⁸ “Universal Periodical Review: Report of the Working Group on the Universal Periodic Review: Monaco”, Human Rights Council, 4 June 2009, A/HRC/12/3, p. 16, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-3_E.pdf>.

Portugal¹⁰⁹ and Slovenia¹¹⁰) and to improve the investigation and prosecution of racist crimes (Slovakia).¹¹¹

National developments

A number of participating States undertook initiatives in 2009 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.

Belarus: The Interior Ministry established a unit on countering extremism and preventing terrorism. As part of its broader mandate, the unit will be responsible for implementing measures aimed at countering manifestations of extremism and hatred.¹¹²

Bulgaria: As part of the government's efforts to strengthen data collection and the response of law-enforcement bodies and prosecutors to hate crimes, the Independent Commission for Protection against Discrimination started compiling information relating to new and completed criminal proceedings related to such crimes.¹¹³

Czech Republic: The government launched a number of programmes related to combating extremism. Most notably in the area of hate crimes, national training programmes and accompanying manuals were developed for the Criminal Police and Investigation Service, as well as police specialists and judicial officials, to improve responses to extremist crimes.¹¹⁴

Denmark: The NPC reported the launch of an Action Plan focusing on, among other issues, combating hate crime.¹¹⁵

Lithuania: The government approved the National Anti-discrimination Programme for 2009-2011, which obligates the Interior Ministry and the Information Technology and Communications Department to improve the collection of data on hate crimes and to make this information public.¹¹⁶

Netherlands: The NPC reported that the National Expertise Centre on Diversity of the Police operates a regional online hate crime form for victims to report such crimes to

¹⁰⁹ "Draft report of the Working Group on the Universal Periodic Review: Portugal", Human Rights Council Working Group on the Universal Periodic Review, A/HRC/WG.6/6/L.9, p. 20, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session6/PT/A_HRC_WG.6_6_L9_PORTUGAL.pdf>.

¹¹⁰ "Draft report of the Working Group on the Universal Periodic Review: Slovenia", Human Rights Council Working Group on the Universal Periodic Review, A/HRC/WG.6/7/L.14, p. 19, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session7/SI/A_HRC_WG.6_7_L.14_Slovenia.pdf>.

¹¹¹ "Universal Period Review: Report of the Working Group on the Universal Periodic Review: Slovakia", Human Rights Council, 5 June 2009, A/HRC/12/17, p. 17.

¹¹² Information from the Belarus NPC, 18 March 2010.

¹¹³ Questionnaire from the Bulgarian NPC, *op. cit.*, note 75.

¹¹⁴ Information from the Czech Republic NPC, 2 July 2010; Questionnaire from the Czech Republic NPC, 9 September 2010. Two publications detail the programmes: "Manual for municipalities to Act No. 84/1990 Coll on the Right of Assembly" (Ministry of the Interior, 2009); and "Methodological Manual 'Extremism' dealing with the penalties of crimes with an extremist context" (Supreme Public Prosecutor's Office, Brno October 2009), the latter of which is available at: <<http://portal.justice.cz/nsz/hlavni.aspx?j=39&o=29&k=41116&d=309768>>.

¹¹⁵ The full title of the action plan is "A common and safe future – an Action Plan to prevent extremist views and radicalization among young people". Questionnaire from Danish NPC, 19 March 2010.

¹¹⁶ Questionnaire from the Lithuanian NPC, *op. cit.*, note 77.

police. The website includes the possibility of anonymous reporting.¹¹⁷ The Ministry of Interior and Kingdom Relations also introduced a campaign to raise awareness on the importance of reporting hate crimes. A conference, held every two years, on a united effort to combat hate crimes took place with relevant actors such as the government, NGOs and the police. It was decided to improve co-ordination by following agreed definitions and publishing reports during the same period, progressing towards creating a combined report.¹¹⁸

Poland: A database was developed by the Interior Ministry to identify cases and incidents of a discriminatory, xenophobic or racist character. The database aims to improve data collection and strengthen the response of law-enforcement officers and prosecutors to hate crimes.¹¹⁹

Sweden: The government has included the issue of hate crimes as part of the compulsory human rights and equality training for all judges. The mandatory training course is arranged by the Swedish National Courts Administration and is taken by all those training to be judges.¹²⁰ In addition, the NPC reported a new initiative that is aimed at improving the recording of hate crimes by police in Skåne County. As part of the initiative, special hate crimes officers will be trained and designated to follow up on cases. The development of joint guidelines with prosecutors and courts is envisaged in order to increase the number of cases prosecuted.¹²¹

United Kingdom: The Cross-Governmental Hate Crime Strategy Board introduced a hate crime diagnostic toolkit to enable local authorities to assess the quality of service offered to hate crime victims and develop multi-agency action plans to improve services where needed. Adding to the already existing resource packs for victims, an information kit focusing on disability hate crimes aims to raise awareness of victim's rights and build confidence in the criminal justice response to such crimes. This includes information geared towards persons with learning disabilities. The government launched a Cross-Government Action Plan in September 2009 to set out how to meet the challenges of hate crime, including homophobic and transphobic hate crime.¹²²

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

¹¹⁷ Questionnaire from Dutch NPC, 8 September 2010. The reporting website is available in Dutch and English: <<https://www.hatecrimes.nl/>>.

¹¹⁸ Ibid.

¹¹⁹ Questionnaire from the Polish NPC, *op. cit.*, note 89.

¹²⁰ Questionnaire from the Swedish NPC, 18 March 2010.

¹²¹ Ibid.

¹²² *Hate Crime – The Cross Government Action Plan* (London: Produced by COI on behalf of the Home Office, September 2009), <<http://library.npia.police.uk/docs/homeoffice/hate-crime-action-plan.pdf>>.

PART II – ADDITIONAL INFORMATION GATHERED BY ODIHR AND INFORMATION ON SPECIFIC TARGET GROUPS

A. Introduction and main findings

Unlike Part I of this report, which is drawn almost entirely from information provided to ODIHR by the governments of participating States, Part II is based also on information from a wide variety of reliable sources, including IGOs and NGOs. These sources are quoted in accordance with ODIHR’s mandate from the Ministerial Council to make use of such information.¹²³

This part of the report places the information provided by governments and set out in Part I into a wider context. It describes the danger that individual hate crimes pose of escalating into broader conflicts that can threaten social stability. In addition, Part II discusses the problem of the underreporting of hate crimes. It also describes some of the responses to hate crimes undertaken by governments and NGOs with regard to specific target groups or types of hate crimes. The problem of crimes against human rights defenders is also mentioned.

Finally, the bulk of Part II addresses particular groups of victims specified in OSCE commitments. While hate crimes share many common features, the OSCE Ministerial Council has recognized “the specificity of different forms of intolerance”¹²⁴ and “the uniqueness...of the historical background of each form”.¹²⁵ Taking this into account, separate sections of Part II focus on racist and xenophobic crimes, crimes against Roma and Sinti, anti-Semitic crimes, crimes against Muslims, and crimes against Christians and members of other religious groups. Hate crimes against a number of other groups are also addressed, including crimes against lesbian, gay, bisexual or transgender (LGBT) persons, as well as against persons with disabilities.

Danger of escalation

One particular concern generated by hate crimes and hate-motivated incidents is their ability to escalate rapidly into broader social unrest. This occurred in many parts of the OSCE region in 2009. 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, it is worth highlighting some instances in 2009 in which hate crimes escalated rapidly. Incidents such as those covered below underline the need for effective policies to address hate crimes. For a security organization such as the OSCE, this is a particularly relevant aspect of hate crime.

In Greece, in May 2009, a police officer allegedly defaced an extract of the Koran during an identity check on an Iraqi man. This led to demonstrations by the Muslim community that degenerated into violent clashes with the police. More than ten people were injured, dozens of cars were badly damaged and 46 people were arrested. In the two days following the protests, an unidentified group of people in Agios Panteleimonas set fire to a building used for prayer by the Muslim community. UNHCR reported that “members of extreme-right organizations and some local residents abused human rights activists”. The playground in Agios Panteleimonas where Afghan mothers used to go

¹²³ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 11; see “Methodology”, in Part I, above.

¹²⁴ OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 9.

¹²⁵ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

with their children was closed and immigrants have since been kept out of the square by local squads of vigilantes. A Greek flag has been raised inside the closed playground.¹²⁶

In Kyrgyzstan, there were violent riots after a four-year-old ethnic Russian girl was allegedly raped by an ethnic Kurd. During the rioting, some protesters reportedly stoned the houses of ethnic Kurds and called for all Kurds to leave the town. The police detained 80 persons in the unrest.¹²⁷

Underreporting

Underreporting of hate crimes by victims continues to be a significant problem across the OSCE region. NGOs in numerous countries reported to ODIHR that victims and their communities often do not report crimes against them, for a variety of reasons, including fear of the police or a lack of trust that the authorities will seriously pursue their cases. These reasons for not reporting were cited by NGOs, for example, in the case of the Vietnamese community in the Czech Republic,¹²⁸ a variety of victim groups in Germany,¹²⁹ the LGBT communities in Kazakhstan,¹³⁰ the Turkish community in the Netherlands,¹³¹ black persons in the Russian Federation,¹³² and Roma in Kosovo.¹³³ This lack of reporting distorts statistics and may create the impression that hate crimes are less prevalent than they actually are.

¹²⁶ Communication from UNHCR, 18 March 2010.

¹²⁷ “Kyrgyz Police Detain 80 After Interethnic Tensions”, Radio Free Europe/Radio Liberty, 26 April 2009,

<http://www.rferl.org/content/Eighty_Detained_Following_Interethnic_Tensions_In_Kyrgyzstan/1616297.html>. Information was confirmed by the NGO Kalym Shamym, January 2010.

¹²⁸ The Czech NGO In IUSTITIA reported that migrants (mostly from Vietnam) do not report incidents. Information from In IUSTITIA, 17 March 2010.

¹²⁹ The German RAA Saxony reported a large number of unreported cases. “Supporting Victims of Hate Crime in Saxonia, Germany”, RAA Saxony, 2009.

¹³⁰ The Soros Foundation reported that one in four LGBT persons in Kazakhstan experiences physical and/or psychological violence because of their sexual orientation and gender identity. It also reported that LGBT persons in Kazakhstan face hostility from police when reporting incidents. In most cases (74.5 per cent) LGBT persons do not report the incidents to the police for fear of a negative reaction.

“Unacknowledged and Unprotected: Lesbian, Gay, Bisexual and Transgender People in Kazakhstan”, Soros Foundation-Kazakhstan, November 2009, pp. 75, 92.

<[http://www.soros.kz/assets/files/publications/LGBT_report_eng_rev3_cover_web\[1\].pdf](http://www.soros.kz/assets/files/publications/LGBT_report_eng_rev3_cover_web[1].pdf)>.

¹³¹ The Turks Forum in the Netherlands noted under-reporting of incidents. Information from the Turks Forum, 17 March 2010.

¹³² The Moscow Protestant Chaplaincy (MPC) conducted a survey among the black community in Moscow. Of 209 respondents, 41 per cent responded that they had been victims of a racially motivated attack within the last 12 months. Of the respondents who define themselves as refugees, 85 per cent had been victims of an attack since arriving in Russia. The MPC reported skepticism in the African community about reporting to the police. Only 23 per cent of all respondents reported incidents to the police. Of 48 persons who reported incidents to the police, 33 indicated that the police did nothing, while five indicated that the police actively investigated the case. The MPC also reported that 88.5 per cent of the respondents changed their daily routine because of fear of attacks, such as avoiding use of the metro at certain times, avoiding certain neighborhoods, avoiding going out at certain times, or avoiding busy areas. “Report on Racial Violence and Harassment”, Moscow Protestant Chaplaincy Task Force on Racial Violence and Harassment, September 2009,

<http://www.mpcrussia.org/documents/MPCTaskForceonRacialViolenceAnnualReport2009_000.pdf>.

¹³³ The Roma NGO Chachipe noted several incidents in Gnjilane, Kosovska Mitrovica and Urosevac. They stressed that they had difficulties collecting information on these incidents since Roma often felt too intimidated to speak freely. “Whose responsibility? Reporting on ethnically motivated crime against Roma in Kosovo”, Chachipe, 2009, <<http://romarights.files.wordpress.com/2009/08/chachipe-whose-responsibility-august-20091.pdf>>.

Responses

Several Ministerial Council Decisions have stressed that political representatives can play a positive role in the overall promotion of mutual respect and understanding and can have a significant impact in defusing tensions within societies by speaking out against hate-motivated acts and incidents.¹³⁴ In 2009, there were many cases in which authorities at various levels spoke out forcefully against such incidents. For example, senior politicians in France spoke out vigorously in response to anti-Semitic attacks.¹³⁵ Senior officials and politicians also condemned hate-motivated incidents in Norway¹³⁶ and the United Kingdom.¹³⁷ The authorities in Bosnia and Herzegovina spoke out against graffiti targeting minorities.¹³⁸

In 2009, ODIHR received information for the first time from field operations of international organizations and from NGOs on the responses by authorities to hate crimes and hate-motivated incidents. ODIHR also received information from one national human rights institution. The overall amount of information received was not sufficient to undertake a meaningful analysis, but some patterns did emerge in the reports received.

Two OSCE field operations in South-Eastern Europe reported that, in most cases, authorities publicly condemned hate-motivated incidents, while the public also expressed its solidarity with victim groups. Police reportedly reacted promptly to such incidents and cases were brought before the courts.¹³⁹

On the other hand, NGOs reported to ODIHR that there were inadequate responses from authorities to specific instances of hate crimes in Belarus,¹⁴⁰ Bulgaria,¹⁴¹ Greece,¹⁴² Serbia¹⁴³ and Spain.¹⁴⁴ These reports, however, were generally based on a very limited

¹³⁴ E.g., OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

¹³⁵ “Sarkozy condemns attack on French synagogue”, France 24: International News 24/7, 13 January 2009, <<http://www.france24.com/en/20090112-sarkozy-condemns-spate-anti-semitic-attacks->>; “Europe fears spike in anti-Semitism: Israel’s attack on Gaza”, Dawn Media Group website, 6 January, <<http://www.dawn.com/2009/01/07/int10.htm>>; “France moves to curb anti-Semitism”, New York Times, 6 January 2009, <<http://www.nytimes.com/2009/01/16/world/europe/16iht-16elysee-FW.19440062.html>>.

¹³⁶ Statement of Norway’s Minister of Foreign Affairs on International Holocaust Remembrance Day, 27 January 2009, <http://www.norway.org/News_and_events/Policy/Speeches/holocaust_remembrance_day/>.

¹³⁷ “All Party Statement on the Current State of Antisemitism”, All-Party Parliamentary Group against Antisemitism, 14 January 2009, <http://www.erinnern.at/e_bibliothek/antisemitismus-1/All%20Party%20Statement.pdf>.

¹³⁸ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

¹³⁹ *Ibid.*; Communication from the OSCE Mission in Kosovo, 23 March 2010.

¹⁴⁰ The report of the Union of Jewish Communities mentioned the reluctance of prosecutors to initiate proceedings that would acknowledge the bias motivation of a crime. One case of anti-Semitic graffiti at a Jewish community building in Slutsk, which was prosecuted as hooliganism, was provided as an example. Information from the Union of Jewish Communities in Belarus, 13 March 2010.

¹⁴¹ The Bulgarian Helsinki Committee reported that the Sofia City Court sentenced a man to five years of imprisonment for stabbing a Nigerian football player to death. The court’s decision stipulated that the perpetrator was a minor at the time of the incident. Information from the Bulgarian Helsinki Committee, 18 March 2010.

¹⁴² The Western Thrace Minority University Graduates Association noted that authorities have not introduced effective measures. Information from the Western Thrace Minority University Graduates Association, 19 March 2010.

¹⁴³ In Serbia, the Regional Centre for Minorities reported that following an assault, police did not investigate the case promptly and provided no information about any plans to investigate further. “The 2009 Report for ODIHR on Hate Crimes against Roma in Serbia”, Regional Centre for Minorities, 19 March 2010. The Serbian NGO Labris reported that the authorities relocated the pride march due to

number of examples of incidents to which the NGOs felt the official response was inadequate. In contrast, the SOVA Center for Information and Analysis, an NGO in the Russian Federation, noted that there was increased activity by law-enforcement agencies there against organized hate groups and that the prosecution of cases of hate-motivated crimes resulted in more convictions.¹⁴⁵

In his report on human rights, the Public Defender of Georgia noted inadequate law-enforcement response to attacks targeting religious minorities.¹⁴⁶

B. Context

Events

Hate crimes arise from specific social, political and economic conditions, which foster stereotypes and prejudices. These, in turn, can encourage or enable violent manifestations of intolerance. The analysis of these conditions is a field of research for social and political scientists and goes beyond the scope of this report. However, participating States have acknowledged the importance of some contextual issues in the general fight against hate crime. It is important to mention these in order to put information on hate crime into a broader context. In particular, specific events or circumstances can contribute to the incidence of hate crimes.

A number of NGOs reported an increase in the number of anti-Semitic and anti-Muslim incidents during the conflict in the Gaza Strip in early 2009. These included assaults, attacks on religious buildings, threats and intolerant speech. Such incidents were reported, for example, in France,¹⁴⁷ Spain¹⁴⁸ and the United States.¹⁴⁹

The OSCE Mission to Bosnia and Herzegovina reported that ethnically motivated incidents between Serbs and Bosniaks occur regularly on the occasion of the July commemorations for war victims in Srebrenica.¹⁵⁰

“extremely high risk levels”. Prior to the parade, offensive graffiti appeared calling for violence against participants of the pride march. Labris also reported that the prosecutor did not file criminal charges citing racial and other discrimination following the attacks on the participants of the 2008 Queer Festival in Belgrade. “The 2009 Report for ODIHR on Hate Crimes on LGBT people in Serbia”, LABRIS, 2010, p. 2.

¹⁴⁴ The Spanish NGO *Centro de Investigaciones en Derechos Humanos* (Research Center for Human Rights) noted a limited application of provisions related to racism and other biases, which leads to under-recording of hate crimes. “Submission for the OSCE-ODIHR: Hate Crimes in Spain 2009”, *Centro de Investigaciones en Derechos Humanos*, 2010.

¹⁴⁵ Information from the SOVA Center for Information and Analysis, 23 March 2010.

¹⁴⁶ “The Situation of Human Rights and Freedoms in Georgia”, the Public Defender of Georgia, 2009, p. 32.

¹⁴⁷ The French NGO LICRA noted an increase of reported incidents in January 2009, with more than 92 alleged anti-Semitic incidents. Information from the International League against Racism and Anti-Semitism (LICRA), 3 April 2010.

¹⁴⁸ Expressions of anti-Semitism during anti-Israel rallies in January 2009 were reported in Spain by the Anti-Defamation League in “Polluting the Public Square”, 21 September 2009, <http://www.adl.org/main_Anti_Semitism_International/discourse-in-spain.htm>.

¹⁴⁹ Erin Donaghue, “Anti-Arab graffiti stuns parishioners at Sts. Peter, Paul”, *Gazette. Net*, Maryland Community Newspapers Online, 28 January 2009, <http://www.gazette.net/stories/01282009/bethnew202730_32486.shtml>.

¹⁵⁰ Information from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

Intolerant discourse

Participating States have acknowledged that “hate crimes can be fuelled by racist, xenophobic and anti-Semitic propaganda”¹⁵¹ and have repeatedly expressed their concern regarding “racist, xenophobic and discriminatory public discourse”.¹⁵² 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 by the European Union Commissioner for Equal Opportunities¹⁵³ and in the reports of the European Commission against Racism and Intolerance.¹⁵⁴

Instances of intolerant public speech and hate speech were reported in many parts of the OSCE region in 2009. For example, NGOs reported intolerant discourse against minorities and migrants in Cyprus,¹⁵⁵ Norway,¹⁵⁶ Slovakia¹⁵⁷ and Spain.¹⁵⁸ The International Organization for Migration reported similar themes of public intolerant discourse in Ukraine.¹⁵⁹

The referendum in Switzerland on the question of whether to ban the construction of minarets was regarded as a particularly significant event touching on the portrayal of Muslims in Europe. Several organizations expressed concerns that the ban has the potential to create tensions and generate a climate of intolerance against Muslims.¹⁶⁰

151 OSCE Permanent Council, Decision No. 607, “Combating Anti-Semitism”, Vienna, 22 April 2004, <<http://www.osce.org/item/3001.html>>.

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

153 The European Union Commissioner for Equal Opportunities, Vladimir Spidla, stated “It seems that the Roma have become the target of organized racist violence – fed by political populism, hate speech and media hype. In some cases, Roma are being made scapegoats for wide societal problems”. Erio e-news, European Roma Information Office, 9 March 2009, p. 5.

<<http://erionet.org/site/upload/publications/enews/e-news,%2009%20March%202009.pdf>>.

154 “ECRI Report on Belgium (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 98, pp. 28-29, 31 and 35; “ECRI Report on Bulgaria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 101, pp. 31-32; “ECRI Report on the Czech Republic (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 99, pp. 19-21 and 24; “ECRI Report on Germany (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 96, pp. 25-26; “ECRI Report on Greece (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 97, pp. 29-30 and 45; “ECRI Report on Hungary (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 103, pp. 23-24; “ECRI Report on Norway (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 104, p. 27; “ECRI Report on Slovakia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 102, pp. 27-28; “ECRI Report on Switzerland (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 100, pp. 26, 30, 33 and 35.

155 Information from the Turkish Cypriot Human Rights Foundation, 19 March 2010.

156 Information from the Norwegian Centre against Racism, 25 March 2010.

157 Information from the People Against Racism, 19 March 2010.

158 “Submission for the OSCE-ODIHR: Hate Crimes in Spain 2009”, Centro de Investigaciones en Derechos Humanos, (Research Center for Human Rights) *op. cit.*, note 144, p. 2.

159 Information from International Organization for Migration, Diversity Initiative, 31 August 2010.

160 See, for example, “Comment: The Call from the Swiss Minaret”, Amnesty International, 2 December 2009, <<http://www.amnesty.org/en/news-and-updates/news/the-call-from-the-swiss-minaret-20091202>>;

“Statement by the European Commission against Racism and Intolerance on the ban of the construction of minarets in Switzerland”, European Commission Against Racism, 1 December 2009, <http://www.coe.int/t/dghl/monitoring/ecri/activities/35-declaration_minarets/declaration_EN.asp>;

“Head of OSCE human rights office expresses concern about outcome of Swiss minaret ban referendum”, ODIHR, Athens, 30 November 2009, <http://www.osce.org/odihr/item_1_41650.html>.

Several NGOs reported a perceived increase in hostility towards Muslims associated with the referendum.¹⁶¹ The mosque in Geneva was vandalized prior to the vote.¹⁶²

Human rights defenders

Participating States have made specific recognition of the importance of protecting human rights defenders.¹⁶³ Reports by IGOs and NGOs make clear that crimes against human rights defenders remained a serious issue of concern in 2009. Defenders were subject to harassment, threats, abuse and even murder 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.

The Parliamentary Assembly of the Council of Europe adopted a resolution in April 2009 stating that “The Assembly is particularly concerned by the situation of human rights defenders who are most exposed to attacks and abuses because of their identity and/or because they work on ‘unpopular’ or sensitive issues.... At special risk are those fighting...for the rights of LGBT people, and for the rights of migrants and national or ethnic minorities.”¹⁶⁴ The resolution pointed out that human rights defenders may face defamation campaigns aimed at discrediting them or may face threats, abduction, arbitrary arrest or murder.

The UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, reported that “in 2009, Europe witnessed a bleak record of fatalities of human rights activists, including journalists and lawyers. Serious threats and abuses also targeted their relatives and persons close to them”.¹⁶⁵

The absence of timely and effective investigation and prosecution of crimes against human rights defenders was also cited as a problem by the Council of Europe¹⁶⁶ and the United Nations (UN).¹⁶⁷

¹⁶¹ Information from the Turkish Community in Switzerland, 30 March 2010; the Coordination of Islamic Organisations in Switzerland also noted this, “Swiss vote to ban minarets”, ABC News website, 30 November 2009, <<http://www.abc.net.au/news/stories/2009/11/30/2756743.htm>>.

¹⁶² “Swiss voters back ban on minarets”, BBC News website, 29 November 2009, <<http://news.bbc.co.uk/2/hi/8385069.stm>>. In that same article, the Zurich Association of Muslim Organisations expressed concern over attacks against mosques following the referendum.

¹⁶³ “Budapest Document 1994: Towards a General Partnership in a New Era”, CSCE, 5-6 December 1994, <<http://www.osce.org/item/4050.html>>. “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.”

¹⁶⁴ “The situation of human rights defenders in Council of Europe member states”, Rapporteur Mr. Holger Haibach, Council of Europe Parliamentary Assembly, 24 February 2009, Doc. 11841, <<http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc09/edoc11841.htm>>.

¹⁶⁵ “Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, Summary of cases transmitted to Governments and replies received”, United Nations Special Rapporteur on Human Rights Defenders, A/HRC/13/22/Add.1/Corr.1, 12 March 2010, <http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.22.Add.1_EFS.pdf>.

¹⁶⁶ “Attacks on human rights defenders are not always properly investigated and many perpetrators, organizers or instigators are never prosecuted”. “The situation of human rights defenders in Council of Europe member states”, Rapporteur Mr. Holger Haibach, *op. cit.*, note 164.

¹⁶⁷ “Concerns regarding criminal investigation, impunity of the perpetrators and the need to offer protection to human rights activist often failed to be effectively addressed”. “Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, Summary of cases transmitted to Governments and replies received”, *op. cit.*, note 165.

ODIHR received information on the following incidents in which human rights defenders were targeted for their work on behalf of groups targeted or threatened with hate crimes:

Czech Republic: The Czech NGO In IUSTITIA reported incidents against anti-racist activists.¹⁶⁸

France: The Islamophobia Observatory reported that a Muslim activist for Jewish-Muslim friendship was threatened and his car was vandalized.¹⁶⁹

Russian Federation: A human rights lawyer and a journalist involved in anti-racist activities were killed. The police arrested two suspects, both allegedly affiliated with a nationalist group. Human rights defenders from the SOVA Center for Information and Analysis, Young Europe, Youth Human Rights Movement, Ryazan School of Human Rights, Novorossiysk Committee for Human Rights and the Moscow Bureau for Human Rights reported death threats and attacks.¹⁷⁰ The Moscow Bureau for Human Rights also reported, based on media sources, the killing of two activists¹⁷¹ and an attack on a film festival.¹⁷²

Turkey: A transgender human rights activist was stabbed to death. The victim had reported threats and physical assaults to the police prior to the murder. Police arrested the alleged perpetrator.¹⁷³

Ukraine: UNHCR reported anti-Semitic and xenophobic graffiti painted on the office of the NGO Chernihiv Civic Committee for the Protection of Human Rights. The incident was reported to the police.¹⁷⁴

United Kingdom: An organizer of a music festival against racism was assaulted after receiving threats and his photo appeared on the Redwatch website.¹⁷⁵

¹⁶⁸ Information from In IUSTITIA, *op. cit.*, note 128.

¹⁶⁹ “Monthly Bulletin – January, 2009”, OIC Islamophobia Observatory, January 2009, pp. 23-24, <http://www.oic-oci.org/english/article/MB_Jan-09.pdf>.

¹⁷⁰ Galina Kozhevnikova, “Under the Sign of Political Terror. Radical Nationalism and Efforts to Counteract It in 2009”, SOVA Center for Information and Analysis, 10 March 2010, <<http://xeno.sova-center.ru/6BA2468/6BB4208/E7F0971>>.

¹⁷¹ “From attacks to terror? Racism, xenophobia, intolerance in Russia in 2009”, Moscow Bureau of Human Rights, 2010, p. 60.

¹⁷² *Ibid.*, p. 70.

¹⁷³ *Hate Crime in Turkey* (Ankara: Human Rights Agenda Association, 2009), <http://www.rightsagenda.org/attachments/521_HATECRIMESINTURKEY.pdf>; Information from the Kurdish Human Rights Project, March 2010; Information from Lambda Istanbul, 1 March 2010; Information from Pink Life LGBTT Solidarity Association, 1 March 2010; Information from Transgender Europe (TGEU), 17 March 2010.

¹⁷⁴ Communication from UNHCR Regional Office for Belarus, Moldova and Ukraine, 19 March 2010.

¹⁷⁵ Matthew Taylor, “Far right launch campaign of violence and intimidation against opponents”, The Guardian website, 2 August 2009, <<http://www.guardian.co.uk/world/2009/aug/02/far-right-campaign-of-violence>>.

C. *Hate crimes against specific 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 Document¹⁷⁶ and the Charter of Paris for a New Europe¹⁷⁷ condemned racial and ethnic hatred. These commitments were reiterated and strengthened at a number of subsequent Ministerial Council meetings and other conferences.¹⁷⁸

At the Maastricht Ministerial Council meeting in 2003, the participating States committed themselves to take steps against discrimination, intolerance and xenophobia against migrants and migrant workers; to combat hate crimes fuelled by racist or xenophobic propaganda; and to publicly denounce such crimes.¹⁷⁹

In furtherance of its mandate, in 2009 ODIHR organized a number of events and activities to address the problems of racism and xenophobia. In May, ODIHR and the OSCE Chairmanship organized a Supplementary Human Dimension Meeting on “Hate Crimes – Effective Implementation of Legislation”.¹⁸⁰ This meeting highlighted the importance of improving legislation on hate crimes and identifying the barriers to effective implementation of such legislation. In addition, as mentioned earlier, ODIHR published two practical handbooks: *Hate Crimes Laws – a Practical Guide*¹⁸¹, and *Preventing and Responding to Hate Crimes, A Resource Guide for NGOs in the OSCE Region*¹⁸². Throughout the year, ODIHR continued to provide support to OSCE participating States in the area of police training on hate crimes.

The continuing global economic downturn in 2009 contributed to public expressions of racism and xenophobia. This issue was discussed at a roundtable meeting entitled “*Racism in the OSCE region: Old issues, New Challenges*”, organized by ODIHR in

¹⁷⁶ “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/item/13992.html>>.

¹⁷⁷ “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/item/4047.html>>.

¹⁷⁸ “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/item/13995.html>>; 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/item/4154.html>>; “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, Budapest, corrected version 21 December 1994, p. 35, <<http://www.osce.org/item/4050.html>>; 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/item/4161.html>>; OSCE Ministerial Council, Decision No. 6/02, “Tolerance and Non-Discrimination”, Porto, 7 December 2002, <<http://tandis.odihhr.pl/documents/03547.pdf>>; OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 11; OSCE Ministerial Council, Decision No. 12/04, “Tolerance and Non-Discrimination”, Sofia, 7 December 2004, <<http://www.osce.org/item/2257.html>>; OSCE Ministerial Council, Decision No. 10/05, “Tolerance and Non-discrimination: Promoting Mutual Respect and Understanding”, Ljubljana, 6 December 2005, <<http://www.osce.org/item/17441.html>>; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 9.

¹⁷⁹ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 11.

¹⁸⁰ “Supplementary Human Dimension Meeting on Hate Crimes – Effective Implementation of Legislation, Final Report”, *op. cit.*, note 2.

¹⁸¹ *Hate Crime Laws: A Practical Guide*, *op. cit.*, note 19.

¹⁸² *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region*, *op. cit.*, note 20.

March 2009, at which participants explored the relationship between hate crime and the economic crisis. As noted previously, this issue was also reflected in the OSCE Ministerial Council Decision on Combating Hate Crimes, adopted on 2 December 2009 in Athens, in which participating States recognized “that the global economic downturn may increase incidents of hate crimes in the OSCE area”.¹⁸³

In 2009, 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, Mario Mauro, went on a joint visit with the other Personal Representatives to Canada and the United States. There, he emphasized the importance of training criminal justice agencies in addressing hate crimes.

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

Although the vast majority of OSCE participating States recognize racist or xenophobic motives as aggravating factors for crimes, their differing legal systems and approaches to data collection make comparative reporting extremely difficult. The situation is further complicated by the fact that racism and xenophobia are extremely broad categories that can encompass linguistic, ethnic, racial, religious and citizenship issues. Some countries disaggregate their data into narrower categories, while others do not. The disaggregated information, to the extent that it is available, is included in the sections of this report dealing with specific groups of victims.

Information submitted to ODIHR by participating States indicated that ethnicity/origin/minority status were the victim categories most frequently recorded in data-collection systems. The participating States that reported collecting data on this basis in 2008¹⁸⁴ were joined by two additional countries – Bulgaria and Denmark – in 2009, bringing the total to 32 states.

The victim category for which the next-largest number of participating States recorded data was that involving persons identified by race/colour. Bulgaria first reported collecting data on this basis in 2009, bringing the total number of countries recording such data to 30.¹⁸⁵ However, of the participating States that reported collecting data on victim groups identified by ethnicity/origin/minority status and/or race/colour, only 12 provided ODIHR with data on hate crimes in 2009 related to these groups.¹⁸⁶ Six states described incidents involving racist or xenophobic acts.¹⁸⁷ A number of countries reported that they recorded categories of victims identified by citizenship and language.¹⁸⁸

¹⁸³ Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

¹⁸⁴ Andorra, Austria, Belgium, Canada, Croatia, Cyprus, Finland, France, Germany, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

¹⁸⁵ Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Moldova, Netherlands, Norway, Poland, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan..

¹⁸⁶ Austria, Croatia, Czech Republic, Denmark, Germany, Hungary, Italy, Norway, Poland, Slovakia, Sweden, and the United Kingdom.

¹⁸⁷ Austria, Bulgaria, Poland, Portugal, Spain and Uzbekistan.

¹⁸⁸ See Part 1: Data Collection for a detailed overview, especially footnote 42 (states with citizenship as a category) and footnote 39 (states with language as a category).

In addition to official information from governments, 21 NGOs from 14 participating States¹⁸⁹ submitted information on hate crimes or incidents motivated by racism and xenophobia. Of the NGO submissions, 19 described general trends related to racism and xenophobia in a particular country and included collections of incidents. In eight cases NGO submissions were based on data from hate crime victim-assistance programmes or monitoring networks.¹⁹⁰

The country listing below summarizes the information received by ODIHR on each participating State with regard to 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.

Albania: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The UNHCR office in Albania reported that hate crimes were not prevalent in this country.¹⁹¹

Austria: The Interior Ministry reported that there were 49 racist or xenophobic hate crime cases in 2009.¹⁹² The NPC reported anti-black graffiti.¹⁹³ The NGO Zara, which provides legal aid to victims of racism and discrimination, reported 798 racist incidents, including 56 cases of racist violence and 209 cases of racist graffiti.¹⁹⁴

Belarus: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The UNHCR office in Belarus reported that hate crimes were not prevalent in this country.¹⁹⁵

Bulgaria: The NPC reported an assault on an Indian diplomat by a group of skinheads.¹⁹⁶ No information was provided by NGOs.

Bosnia and Herzegovina: No official data on racist or xenophobic crimes were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported 151 bias-motivated incidents, including attacks targeting cemeteries and religious symbols.¹⁹⁷ The Mission noted that incidents based on ethnic affiliation are recorded in almost all regions of the country, most frequently in areas where there are a large number of returnees. These incidents should be viewed in the wider context of inter-ethnic tensions in this part of the OSCE region. Among the incidents mentioned by the OSCE Mission was a dispute before a football match in Široki Brijeg that escalated into a mass brawl resulting in the death of one person. The conflict further spread to the centre of town, where windows of houses were smashed and several police cars were vandalized. Seven persons were arrested and charged with offences against the public safety of persons and property. No information on racist or xenophobic incidents in Bosnia and Herzegovina was provided to ODIHR by NGOs.

¹⁸⁹ Austria, Cyprus, Czech Republic, France, Germany, Italy, Latvia, Malta, Netherlands, Norway, Russian Federation, Slovakia, Turkey and Ukraine.

¹⁹⁰ NGO reports from Austria, Czech Republic, France, Germany, Italy, Russia, Slovakia and Ukraine.

¹⁹¹ Communication from UNHCR Albania, 19 March 2010.

¹⁹² Information from the Austrian NPC, 18 March 2010.

¹⁹³ Questionnaire from the Austrian NPC, 18 March 2010.

¹⁹⁴ Communication from ZARA, 15 April 2010.

¹⁹⁵ Communication from UNHCR Regional Office for Belarus, Moldova and Ukraine, 19 March 2010.

¹⁹⁶ Questionnaire from the Bulgarian NPC, *op. cit.*, note 75.

¹⁹⁷ This number includes attacks targeting cemeteries, religious symbols and incidents that appear to be of inter-ethnic nature. Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

Croatia: The Interior Ministry recorded 18 cases of ethnically motivated hate crimes.¹⁹⁸ UNHCR provided similar figures, quoting the Interior Ministry as the source for the information, and noted that eight of the reported cases targeted the ethnic-Serb minority.¹⁹⁹ No information was provided by NGOs.

Cyprus: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO Embargoed! reported one case of ethnically motivated violence in Nicosia.²⁰⁰

Czech Republic: The Interior Ministry reported 265 extremist crimes motivated by national or racial hatred, including 23 cases of physical assault, five cases of causing bodily harm and one case of attempted murder.²⁰¹ According to statistics from the Supreme Public Prosecutor's Office, 33 persons were prosecuted for the use of violence or threats of violence based on racist, national or other hatred; 24 persons were prosecuted for bias-motivated assaults and three persons were prosecuted for bias-motivated damage to property.²⁰² The NGO In IUSTITIA reported 11 cases of alleged hate crimes, most of them targeting Roma.²⁰³ Additionally, the NGO People in Need reported six cases of racist violence, four of them targeting Roma, one targeting citizens of Sri Lanka and one targeting a white person.²⁰⁴

Denmark: The Ministry of Justice reported 122 hate crime cases, including one attempted murder, 13 assaults and six cases of vandalism, but did not specify in its submission if these were considered to be racist or xenophobic crimes.²⁰⁵ No information was provided by NGOs.

France: No official data on racist or xenophobic crimes were reported to ODIHR. The International League against Racism and Anti-Semitism (LICRA) reported 45 cases of alleged assault and 320 cases involving alleged racist insults.²⁰⁶

Germany: The NPC reported that 2,564 xenophobic crimes were recorded by the police, 383 of these involving violence.²⁰⁷ Germany records racist crimes separately and reported a total of 428, of which 70 were violent.²⁰⁸ The NGO RAA Saxony reported 68 cases of racist violence in Saxony.²⁰⁹ Their network of advisory offices recorded a combined 222 incidents of hate crimes in Berlin, Brandenburg, Mecklenburg-Lower Pomerania, Saxony, Saxony-Anhalt and Thuringia.²¹⁰ The majority of these were cases of assault. The Heidelberger Forum for Politics and Science reported one assault and property damage targeting members of the Turkish community.²¹¹

¹⁹⁸ Communication from the Interior Ministry, Republic of Croatia, 15 April 2010.

¹⁹⁹ Communication from UNHCR Croatia, 19 March 2010.

²⁰⁰ Information from Embargoed!, 19 March 2010.

²⁰¹ Information from the Czech NPC, 15 April 2010.

²⁰² Information from the Czech NPC, *op. cit.*, note 114.

²⁰³ Information from In IUSTITIA, *op. cit.*, note 128.

²⁰⁴ Information from People in Need, 2 March 2010.

²⁰⁵ Questionnaire from the Danish NPC, *op. cit.*, note 115. The Danish NPC also noted that Denmark only collects data by ethnicity/origin/minority status.

²⁰⁶ Information from LICRA. *op. cit.*, note 118.

²⁰⁷ Information from German NPC, 16 June 2010. The NPC also noted that the same crime could be recorded under multiple victim-group categories, using multiple biases, such as xenophobia and religion.

²⁰⁸ *Ibid.*

²⁰⁹ "Monitoring Hate Crimes in Saxony, Germany", RAA Saxony, 2009, p. 4.

²¹⁰ Information from RAA Saxony, 18 March 2010.

²¹¹ Information from Heidelberger Forum für Politik und Wissenschaft (Heidelberger Forum for Politics and Science), 4 September 2010.

Greece: No official data on racist or xenophobic crimes were reported to ODIHR. UNHCR reported almost daily incidents targeting Afghan, Iraqi and Pakistani refugees. The Group of Lawyers for the Rights of Immigrants and Refugees, an NGO, reported to UNHCR that an Afghan national was hospitalized with stab wounds after an assault that was alleged to have been bias motivated. The Greek Council for Refugees reported to UNHCR the beating of an Afghan asylum seeker and threats made against an Afghan refugee. An allegedly bias-motivated attack on an Arab community was also reported.²¹² No information was provided directly to ODIHR by NGOs.

Hungary: The NPC reported 12 cases of violence against members of national, ethnic, racial or religious groups and three cases of racist crimes involving bodily injury.²¹³ No information was provided by NGOs.

Italy: The Interior Ministry recorded 64 racist and 31 xenophobic crimes between January and September 2009.²¹⁴ The NGO Lunaria reported seven people killed, 58 other cases of racist violence targeting immigrants and refugees, and 11 cases in which property was damaged.²¹⁵ Lunaria stated that the groups targeted most often included citizens of Bangladesh and Romania. The NGO EveryOne Group documented 51 cases of racist violence against migrants and Roma.²¹⁶

Kazakhstan: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The UNHCR office in Kazakhstan reported that hate crimes were not prevalent in this country.²¹⁷

Latvia: No data on racist or xenophobic crimes were reported to ODIHR by officials. According to the Latvian Centre for Human Rights, there was no official or unofficial information on investigations of racial violence.²¹⁸

Malta: No official data on racist or xenophobic crimes were reported to ODIHR. Human Rights Watch reported an attack on two Somali migrants.²¹⁹

Moldova: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The UN office in Moldova reported two racially motivated incidents.²²⁰

Montenegro: No information on racist or xenophobic crimes was reported to ODIHR by officials or NGOs. The OSCE Mission to Montenegro reported an assault on a person who was perceived to be a Croatian.²²¹ The UNHCR office in Montenegro reported that hate crimes were not prevalent in this country.²²²

²¹² Communication from UNHCR, 18 March 2010.

²¹³ Information from the Hungarian NPC, 17 March 2010.

²¹⁴ Communication from the Permanent Mission of Italy to the OSCE, 22 December 2009 and 30 March 2010.

²¹⁵ Information from Lunaria, 14 April 2010.

²¹⁶ Information from EveryOneGroup, 30 March 2010.

²¹⁷ Communication from UNHCR Kazakhstan, 19 March 2010.

²¹⁸ Information from the Latvian Centre for Human Rights, 17 March 2010.

²¹⁹“World report 2010: events of 2009”, Human Rights Watch, 2010, p. 406, <<http://www.hrw.org/sites/default/files/reports/wr2010.pdf>>.

²²⁰ Information from UNDP, 16 March 2010.

²²¹ Communication from the OSCE Mission to Montenegro, 12 March 2010.

²²² Communication from UNHCR Montenegro, 19 March 2010.

Netherlands: No information on racist or xenophobic crimes was reported to ODIHR by the authorities. The Turks Forum reported an attack on a property associated with Turks.²²³

Norway: The NPC reported that the police recorded 179 crimes committed based on the victims' race and/or ethnicity.²²⁴ The Norwegian Centre against Racism reported six incidents, including racially-motivated assaults targeting visible minorities and damage to property, specifically two reception centres for asylum seekers.²²⁵

Poland: The police recorded 12 cases of violence or threats based on the national, ethnic or racial origin of the victim and 48 cases of incitement to hatred. The Interior Ministry's Monitoring Team on Racism and Xenophobia recorded 54 racist incidents.²²⁶ The NPC reported an assault against person the perpetrators perceived to have been an Arab. Three perpetrators were convicted for the crime.²²⁷ No information was provided by NGOs.

Portugal: The NPC reported the murder of an African worker. The court, however, ruled that the crime did not warrant the application of the aggravating circumstances provision for crimes based on racial, religious or political hatred.²²⁸

Russian Federation: No official data on racist or xenophobic crimes were reported to ODIHR. The Moscow Bureau of Human Rights reported, citing media sources, 79 cases of xenophobic murder, 116 xenophobic assaults, one attack on a group of migrants using explosives, and 36 incidents of xenophobic graffiti.²²⁹ The SOVA Center for Information and Analysis recorded 71 persons killed and 333 others targeted in racially motivated assaults. The majority of victims were from Central Asia (29 killed and 68 injured) and the Caucasus (11 killed and 47 injured).²³⁰ The Moscow Protestant Chaplaincy reported the fatal stabbing of a Cameroonian man, and two other instances of assault against persons of African origin.²³¹

Slovakia: The Interior Ministry reported seven cases of racially motivated violence.²³² The NGO People Against Racism reported six assaults, mostly on Roma and students from Africa and the Middle East.²³³

Spain: The Spanish NPC reported two attacks, one on a person of Chinese origin and one on a Columbian.²³⁴ No information was provided to ODIHR by NGOs.

Sweden: The Swedish NPC reported that the police identified 4,116 hate crime reports with xenophobic/racist motives in 2009, 911 of which were violent crimes and 585 that targeted people of African origin.²³⁵ No information was provided to ODIHR by NGOs.

²²³ Information from the Turks Forum, *op. cit.*, note 131.

²²⁴ Information from Norwegian NPC, 16 July 2010.

²²⁵ Information from the Norwegian Centre against Racism, *op. cit.*, note 156.

²²⁶ Information from the Polish NPC, *op. cit.*, note 89.

²²⁷ *Ibid.*

²²⁸ Information from Portuguese NPC, 1 November 2010.

²²⁹ "From attacks to terror? Racism, xenophobia, intolerance in Russia in 2009", Moscow Bureau of Human Rights, *op. cit.*, note 171, pp. 56-63.

²³⁰ Information from the SOVA Center for Information and Analysis, *op. cit.*, note 145.

²³¹ "Report on Racial Violence and Harassment", Moscow Protestant Chaplaincy, *op. cit.*, note 132.

²³² "Štatistika trestnej činnosti s rasovým motívom 2009", Presidium of Police Force of the Slovak Republic, 2 March 2010, <<http://danilov.blog.sme.sk/c/221366/Statistika-trestnej-cinnosti-s-rasovym-motivom-2009.html>>.

²³³ Information from People Against Racism, *op. cit.*, note 157.

²³⁴ Information from the Spanish NPC, 30 April 2010.

Tajikistan: No data on racist or xenophobic crimes were reported to ODIHR by officials or NGOs. The OSCE Office in Tajikistan reported that it had no information about such incidents.²³⁶

UNHCR reported that there were no incidents motivated by racism or xenophobia.²³⁷

Turkey: No official data on racist or xenophobic crimes were reported to ODIHR. The NGO Kurdish Human Rights Project reported seven assaults targeting Kurdish persons.²³⁸

Ukraine: No official data on racist or xenophobic crimes were reported. UNHCR reported four assaults, including two against two asylum seekers from Uzbekistan and Pakistan, respectively, and two against two recognized refugees, one from Congo and the other from the Russian Federation. Two of these four attacks were reported to the police.²³⁹ The Diversity Initiative recorded 26 assaults in 2009. Seventeen incidents were reported to have been brought to the attention of the police.²⁴⁰ The Congress of National Communities of Ukraine, an NGO, reported 37 assaults. Victims included persons from Africa, Central and Southeast Asia, the Middle East and the Caucasus.²⁴¹

United Kingdom: The British NPC reported that 43,426 racist hate crimes were recorded by the police in England and Wales. Police in Scotland recorded 6,590 racist crimes.²⁴² No information was provided to ODIHR by NGOs.

Uzbekistan: Through the office of the OSCE Project Co-ordinator in Uzbekistan, the authorities reported six hate crimes in the Andijan and Ferghana regions, and that the crimes had been investigated and the perpetrators tried, convicted and sentenced.²⁴³ No information was provided to ODIHR by NGOs.

According to the OSCE Mission in Kosovo, the local Ministry of Justice reported three hate crimes.²⁴⁴ The Mission itself reported that there had been attacks with stones on vehicles in ten cases related to ethnic tensions. Eight of these were aimed at Kosovo Serbs and two at Kosovo Albanians. All cases were reported to the police. These incidents should be viewed in the wider context of inter-ethnic tensions in this part of the OSCE region.

In 2009, the ECRI noted concern over racial and xenophobic crimes in Austria,²⁴⁵ Belgium,²⁴⁶ Bulgaria,²⁴⁷ the Czech Republic,²⁴⁸ Estonia,²⁴⁹ Germany,²⁵⁰ Greece,²⁵¹

²³⁵ Information from the Swedish NPC, 19 August 2010.

²³⁶ Communication from the OSCE Office in Tajikistan, 2 April 2010.

²³⁷ Communication from UNHCR Tajikistan, 19 March 2010.

²³⁸ Information from Kurdish Human Rights Project, *op. cit.*, note 173.

²³⁹ Communication from UNHCR Regional Office for Belarus, Moldova and Ukraine, *op. cit.*, note 174.

²⁴⁰ Information from International Organization for Migration, Diversity Initiative, *op. cit.*, note 159.

²⁴¹ Information from the Congress of National Communities of Ukraine, 31 March 2010 and 12 October 2010.

²⁴² Information from the British NPC, 9 September 2010.

²⁴³ Communication from the OSCE Project Co-ordinator in Uzbekistan, 19 March 2010.

²⁴⁴ Communication from the OSCE Mission in Kosovo, 8 April 2010.

²⁴⁵ "ECRI Report on Austria (fourth monitoring cycle)", European Commission against Racism and Intolerance, adopted 15 December 2009, published 2 March 2010, CRI(2010)2, p. 29, <<http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Austria/AUT-CbC-IV-2010-002-ENG.pdf>>.

²⁴⁶ "ECRI Report on Belgium (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 98, p. 32.

²⁴⁷ "ECRI Report on Bulgaria (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 101, p.32.

Hungary,²⁵² Slovakia,²⁵³ Switzerland²⁵⁴ and the United Kingdom²⁵⁵. Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, mentioned racism and xenophobia in his reports on visits to Italy,²⁵⁶ the Netherlands²⁵⁷ and Turkey.²⁵⁸

The Committee on the Elimination of Racial Discrimination (CERD) and the United Nations Human Rights Council, in their periodic country review reports, made a number of recommendations related to addressing racism and xenophobia in OSCE participating States. The CERD recommendations were included in reports on the Netherlands,²⁵⁹ Poland²⁶⁰ and Slovakia.²⁶¹ The Human Rights Council recommendations related to Bosnia and Herzegovina,²⁶² Italy,²⁶³ Malta,²⁶⁴ Norway,²⁶⁵ Portugal²⁶⁶ and Slovenia.²⁶⁷

²⁴⁸ “ECRI Report on the Czech Republic (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 99, p. 23.

²⁴⁹ “ECRI Report on Estonia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, 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>>.

²⁵⁰ “ECRI Report on Germany (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 96, pp. 27 and 34.

²⁵¹ “ECRI Report on Greece (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 97, p. 28.

²⁵² “ECRI Report on Hungary (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 103, p.25.

²⁵³ “ECRI Report on Slovakia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 102, p. 26.

²⁵⁴ “ECRI Report on Switzerland (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 100, p. 32.

²⁵⁵ “ECRI Report on the United Kingdom (fourth monitoring cycle)”, European Commission against Racism and Intolerance, adopted 17 December 2009, published 2 March 2010, CRI(2010)4, pp. 8 and 37, <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/United_Kingdom/GBR-CbC-IV-2010-004-ENG.pdf>.

²⁵⁶ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Italy on 13-15 January 2009”, Council of Europe, 16 April 2009, CommDH(2009)16, pp. 5-6 and 17, <<http://wcd.coe.int/ViewDoc.jsp?id=1428427>>.

²⁵⁷ “Report by the Commissioner for Human Rights, Thomas Hammarberg, on his visit to the Netherlands, 21-25 September 2008”, Council of Europe, 11 March 2009, CommDH(2009)2, p. 35, <<https://wcd.coe.int/ViewDoc.jsp?id=1417061&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>.

²⁵⁸ “Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Turkey on 28 June–3 July 2009”, Council of Europe, 1 October 2009, CommDH(2009)30, pp. 3 and 28, <<https://wcd.coe.int/ViewDoc.jsp?id=1511197&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>>.

²⁵⁹ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Netherlands”, Committee on the Elimination of Racial Discrimination, 16 March 2010, CERD/C/NLD/CO/17-18, p. 3, <http://www2.ohchr.org/english/bodies/cerd/docs/co/AdvanceUnedited_Netherland.doc>.

²⁶⁰ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Poland”, Committee on the Elimination of Racial Discrimination, 14 September 2009, CERD/C/POL/CO/19, p.3, <http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.POL.CO.17_19.doc>.

²⁶¹ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovak Republic”, Committee on the Elimination of Racial Discrimination, 16 March 2010, CERD/C/SVK/CO/6-8, p. 3, <<http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.SVK.CO.6-8.doc>>.

²⁶² “Draft report of the Working Group on the Universal Periodic Review: Bosnia and Herzegovina”, Human Rights Council Working Group on the Universal Periodic Review, *op. cit.*, note 106, p. 15.

²⁶³ “Draft report of the Working Group on the Universal Periodic Review: Italy”, Human Rights Council Working Group on the Universal Periodic Review, *op. cit.*, note 107, p. 15.

Media sources monitored by ODIHR reported racist and xenophobic incidents in Austria, Belgium, the Czech Republic, Cyprus, Germany, Greece, France, Hungary, Italy, Norway, Poland, Romania, the Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, the United Kingdom and the United States.

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

The European Network Against Racism (ENAR) published a booklet titled “Combating Racist Crime and Violence”. The booklet aims to raise awareness, encourage victims to speak out, and influence policy and lawmakers to implement adequate measures for protection.²⁶⁸

In 2009, the first legal-counselling centre focusing specifically on hate violence was established in the Czech Republic by the NGO In IUSTITIA.²⁶⁹ This centre provides individual legal aid to victims of hate crimes, legislative analysis and training for law-enforcement personnel.

The French NGO LICRA started providing legal support to victims of hate-motivated incidents. Fifty-four persons benefited from this service. Additionally, LICRA developed an online form to report hate-motivated incidents.²⁷⁰

In Germany, the Federal Ministry of Labour and Social Affairs instituted a programme to steer youth away from right-wing extremist groups and the potential they represent for violence by offering vocational training and relocation opportunities for persons wanting to disassociate from such groups.²⁷¹ The NGO RAA Saxony supported victims of hate crimes by providing psychological and social support and legal representation.²⁷²

In Poland, the East Europe Monitoring Centre was established with the aim of monitoring and reporting cases of racism and xenophobia across Eastern Europe, with an emphasis on Poland and Ukraine.²⁷³

In the Russian Federation, the Moscow Protestant Chaplaincy published a survey of victims of violence and harassment among the minority black African community.²⁷⁴

²⁶⁴ “Report of the Working Group on the Universal Periodic Review: Malta”, Human Rights Council Working Group on the Universal Periodic Review, 4 June 2009, A/HRC/12/7, p. 11, <http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/MT/A_HRC_12_7_MLT_E.pdf>.

²⁶⁵ “Draft report of the Working Group on the Universal Periodic Review: Norway”, Human Rights Council Working Group on the Universal Periodic Review, *op. cit.*, note 105, pp. 17 and 20.

²⁶⁶ “Draft report of the Working Group on the Universal Periodic Review: Portugal”, Human Rights Council Working Group on the Universal Periodic Review, *op. cit.*, note 109, p. 16.

²⁶⁷ “Draft report of the Working Group on the Universal Periodic Review: Slovenia”, Human Rights Council Working Group on the Universal Periodic Review, *op. cit.*, note 110, p. 16.

²⁶⁸ “Combating Racist Crime and Violence: Testimonies and Advocacy Strategies”, European Network Against Racism, May 2009, <http://cms.horus.be/files/99935/MediaArchive/pdf/AdvocacyBooklet_EN_lowres.pdf>.

²⁶⁹ Information from In IUSTITIA, *op. cit.*, note 128.

²⁷⁰ Information from LICRA, *op. cit.*, note 118.

²⁷¹ Questionnaire from German NPC, 31 August 2010.

²⁷² “Supporting Victims of Hate Crime in Saxonia, Germany”, RAA Saxony, *op. cit.*, note 129.

²⁷³ See the website of NGO Nigdy Więcej, <http://www.nigdywiecej.org/index.php?option=com_content&task=category§ionid=15&id=48&Itemid=50>.

²⁷⁴ “Report on Racial Violence and Harassment”, Moscow Protestant Chaplaincy, *op. cit.*, note 132.

In Spain, the Public Prosecutor's Office of Catalonia established a pioneering special unit to deal with hate crimes, racism and anti-Semitism.²⁷⁵

In Ukraine, the Interior Ministry and the Office of the Prosecutor issued a joint instruction to law-enforcement bodies to register crimes committed on the basis racial, ethnic or religious intolerance.²⁷⁶

Box 1: Indian immigrant beaten and set on fire in Italy

An Indian immigrant who was sleeping on a train station bench in the seaside town of Nettuno, near Rome, was severely beaten and set on fire on 1 February 2009.

Three local young men (aged 16, 19 and 29) verbally abused and then physically attacked the victim, hitting him over the head with a bottle, kicking and punching him, and spraying metallic paint in his face. They then doused the victim with petrol and set him on fire. The attack left the victim – 35-year-old Navtej Singh Sidhu – with a fractured skull and burns to 40 per cent of his body. It took him several months of intensive medical treatment to recover from his injuries. Prior to the attack, the victim had worked as a construction and agricultural labourer until his work permit expired, at which point he lost his job and became homeless.²⁷⁷

The three perpetrators were identified and apprehended by the police shortly after the attack and were charged with attempted murder. On 23 February 2010, the two adult perpetrators were each sentenced to 14 years imprisonment and ordered to pay 25,000 euros in compensation, while the juvenile perpetrator was sentenced in a separate trial to nine years and four months imprisonment.²⁷⁸ The courts found the accused guilty of attempted murder without aggravating circumstances.

The attack received much coverage both in Italy and in the international media. It was strongly condemned by Italy's President, Giorgio Napolitano, who denounced "any display and risk of xenophobia, racism and violence",²⁷⁹ as well as by the presidents of the Italian Senate and Chamber of Deputies.²⁸⁰

²⁷⁵ "Report on Anti-Semitism in Spain 2009", Federation of Jewish Communities in Spain, 2009.

²⁷⁶ Communication from UNHCR Regional Office for Belarus, Moldova and Ukraine, *op. cit.*, note 174.

²⁷⁷ Paola Andrisani, "The violence suffered by Navtej Singh", in Grazia Naletto (ed.), *Report on Racism in Italy*, *op. cit.*, note 52, pp. 79-82.

²⁷⁸ Communication from EveryoneGroup, 28 March 2010.

²⁷⁹ "Indian immigrant set on fire in Italy", msnbc: Associated Press, 2 February 2009, <<http://www.msnbc.msn.com/id/28980486/>>; "Italy: Indian attack victim facing surgery", Adn Kronos International (AKI), 3 February 2009, <<http://www.adnkronos.com/AKI/English/Security/?id=3.0.2980174772>>.

²⁸⁰ Anne Szustek, "Beating Illustrates Hostile Environment for Italy's Immigrants." findingDulcinea, 3 February 2009, <<http://www.findingdulcinea.com/news/Europe/2009/feb/Beating-Illustrates-Hostile-Environment-for-Italys-Immigrants.html>>; "Indian immigrant set on fire in Italy", Associated Press, *Ibid.*; "Italy: Indian attack victim facing surgery", Adn Kronos International (AKI), *Ibid.*; Grazia Naletto, *Report on Racism in Italy* (Rome: Manifestolibri, 2009), *op. cit.*, note 52, pp. 79-82. Information based on a telephone interview with the lawyer of the victim conducted in May 2010.

CRIMES AND INCIDENTS AGAINST ROMA AND SINTI

Background

In 1990, the participating States recognized the particular problems of Roma and Sinti as targets of racial and ethnic hatred.²⁸¹ 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)”.²⁸² The 1999 Istanbul Summit Declaration deplored violence and other manifestations of racism and discrimination against minorities, including specifically those against Roma and Sinti.²⁸³

In 2003, in Maastricht, the OSCE Ministerial Council adopted the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area,²⁸⁴ including measures to combat violence against Roma and Sinti.²⁸⁵ Subsequent Ministerial Council decisions reiterated the importance of these commitments.²⁸⁶ In 2009, the Ministerial Council, meeting in Athens, adopted Decision No. 8/09 on “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”.²⁸⁷ 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.²⁸⁸

In 2009, ODIHR conducted a field assessment visit to Hungary in response to a series of violent attacks against Roma. The visiting delegation also included representatives of the OSCE High Commissioner on National Minorities, the OSCE’s Strategic Police Matters Unit and the Personal Representative of the OSCE Chairperson-in-Office on Combating Racism, Xenophobia and Discrimination.²⁸⁹ The field assessment delegation’s report stressed the importance of hate crime data collection and proper

²⁸¹ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 176.

²⁸² “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, *op. cit.*, note 178.

²⁸³ “Istanbul Summit Declaration”, Istanbul Document 1999, p. 52,

<<http://www.osce.org/item/4051.html>>.

²⁸⁴ 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/item/1751.html>>.

²⁸⁵ 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 (*Ibid.*, 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” (*Ibid.*, paragraph 16).

²⁸⁶ OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 9; “Bucharest Declaration by the Chairman-in-Office”, 8 June 2007, <<http://www.osce.org/item/24999.html>>; 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/item/35585.html>>.

²⁸⁷ 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/item/41862.html>>.

²⁸⁸ “The Ministerial Council tasks in particular 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.” *Ibid.*

²⁸⁹ “Addressing Violence, Promoting Integration – Field Assessment of Violent Incidents against Roma in Hungary: Key Developments, Findings and Recommendations”, OSCE Office for Democratic Institutions and Human Rights, June 2010, <http://www.osce.org/documents/odihr/2010/06/44569_en.pdf>.

investigation. It highlighted the need to raise awareness among law-enforcement and criminal-justice bodies.

Information and data on crimes and incidents against Roma and Sinti

Official monitoring of hate crimes against Roma and Sinti by OSCE participating States is limited. Twelve participating States²⁹⁰ reported collecting data on crimes against Roma and Sinti in 2009, one more than in 2008, with Bulgaria being the additional state. Sweden, however, was the only state to provide data figures for this report. Bulgaria, the Czech Republic, Croatia, Hungary, Latvia and Slovakia provided examples of hate-motivated incidents or crimes against Roma and Sinti.

Eight NGOs in seven states²⁹¹ reported information on crimes against Roma and Sinti.

The country listing below summarizes the information received by ODIHR on each participating State with regard to crimes against Roma and Sinti. 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.

Bulgaria: The NPC reported a bias-motivated attack on a Roma family and their property. Charges were brought against the alleged perpetrator.²⁹² No information was provided by NGOs.

Croatia: The NPC reported that three unidentified perpetrators threw Molotov cocktails at a Roma man.²⁹³ UNHCR reported two cases in which Roma were targeted, citing figures from the Interior Ministry. According to UNCHR, charges were brought in one case.²⁹⁴ No information was provided by NGOs.

Czech Republic: The NPC reported an arson attack resulting in the serious injury of a two-year old girl, her family, and the total destruction of their home.²⁹⁵ Four persons were tried and sentenced for “racially motivated attempted murder”. Three of the perpetrators received 22-year-prison terms, and one perpetrator received a 20-year-prison sentence.²⁹⁶ The NGOs In IUSTITIA, People in Need and the European Roma Rights Centre (ERRC) also provided information on the above mentioned case.²⁹⁷ People in Need reported two additional arson attacks and one violent assault.²⁹⁸ In IUSTITIA provided information about one verbal assault.²⁹⁹

Georgia: No data on crimes against Roma and Sinti were reported to ODIHR by officials or NGOs. UNCHR reported one incident.³⁰⁰

²⁹⁰ Bulgaria, Croatia, Czech Republic, Finland, Latvia, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland and the United Kingdom.

²⁹¹ Czech Republic, Hungary, Italy, Latvia, Romania, Serbia and Slovakia.

²⁹² Questionnaire from the Bulgarian NPC, *op. cit.*, note 75.

²⁹³ Questionnaire from the Croatian NPC, 17 March 2010.

²⁹⁴ Communication from UNHCR Croatia, 19 March 2010.

²⁹⁵ Questionnaire from the Czech Republic NPC, *op. cit.*, note 114.

²⁹⁶ “Czech neo-Nazis jailed for Roma attack”, BBC News, <<http://www.bbc.co.uk/news/world-europe-11582589>>.

²⁹⁷ See Box Story 2 for further details; Information from In IUSTITIA, *op. cit.*, note 128; and from People in Need, *op. cit.*, note 204; “Attacks against Roma in the Czech Republic: January 2008 – June 2009”, European Roma Rights Centre, 2009, <<http://www.errc.org/cms/upload/media/04/00/m00000400.pdf>>.

²⁹⁸ Information from People in Need, *op. cit.*, note 204.

²⁹⁹ Information from In IUSTITIA, *op. cit.*, note 128.

³⁰⁰ Communication from UNHCR Georgia, 25 March 2010.

Hungary: The NPC reported six murders, four serious injuries and one minor assault in the course of a series of attacks. The investigation against four suspects has been concluded and prosecutors are now pursuing a court case.³⁰¹ ODIHR reported that four persons were killed and another four seriously injured in shooting incidents, one of which took place in the course of an arson attack. There were three additional incidents in which shots were fired at the homes of Roma persons, and another four incidents of arson attacks, with no injuries reported in these incidents. There were three incidents involving physical assault, against a total of eight victims, two instances of damage to property and two involving threats.³⁰² The Hungarian Civil Liberties Union also provided information on the six alleged racially-motivated murders and five violent attacks reported by the NPC. Several arson attacks were also reported.³⁰³ The European Roma Rights Centre reported three murders, three violent assaults and six arson attacks in 2009.³⁰⁴

Italy: No official data on crimes against Roma and Sinti were reported to ODIHR. The NGO Lunaria reported 20 alleged hate crimes targeting Roma from January to July 2009.³⁰⁵

Latvia: Based on information provided by the courts, the NPC reported an assault on two persons based on their Roma identity, for which each of the four perpetrators received five-year prison sentences, with three years probation.³⁰⁶ The Latvian Centre for Human Rights reported two court rulings in attacks against Roma.³⁰⁷

Romania: No official data on crimes against Roma and Sinti were reported to ODIHR. The NGO Romani Criss reported that approximately 400 ethnic Hungarians damaged Romani houses and other property in Harghita County in May. The incidents were accompanied by daily protests by ethnic Hungarians threatening Roma. Consequently, some Roma families fled their homes.³⁰⁸ Following threats by local inhabitants, an additional attack on property was reported in Harghita County in July.³⁰⁹

Serbia: No official data on crimes against Roma and Sinti were reported to ODIHR. The Regional Centre for Minorities, an NGO, reported six physical assaults against Roma. Roma settlements near Belgrade were partly demolished in 2009, leading to protests that lasted for several days. When the authorities assigned Roma to new housing in Boljeveci, local residents blocked their entry and issued threats. One man was arrested for trying to set fire to places of residence designated for Roma.³¹⁰

³⁰¹ Information from the Hungarian NPC, 28 July 2010.

³⁰² “Addressing Violence, Promoting Integration – Field Assessment of Violent Incidents against Roma in Hungary: Key Developments, Findings and Recommendations, Annex 1: Incidents and Violence against Roma in Hungary in 2008-2009, pp. 60-64.”, *op. cit.*, note 289.

³⁰³ Information from the Hungarian Civil Liberties Union (HCLU), 19 March 2010.

³⁰⁴ “Attacks against Roma in Hungary: January 2008 – April 2010”, European Roma Rights Centre, 2010, <<http://www.errc.org/cms/upload/file/attacks-list-in-hungary.pdf>>.

³⁰⁵ Information from Lunaria, *op. cit.*, note 215.

³⁰⁶ Questionnaire from the Latvian NPC, 17 March 2010.

³⁰⁷ Information from the Latvian Centre for Human Rights, *op. cit.*, note 218.

³⁰⁸ “Presentation of cases of human rights violations in Romania, Romani CRISS Report – 2009”, Roma Center for Social Intervention and Studies (Romani CRISS), 2009,

<<http://d.yimg.com/kq/groups/6118059/345025053/name/Presentation-CRIS-Cases-2009.doc>>.

³⁰⁹ *Ibid.*

³¹⁰ “The 2009 Report for ODIHR on Hate Crimes against Roma in Serbia”, Regional Centre for Minorities, *op. cit.*, note 143.

Slovakia: The NPC submitted information about one attack on a Roma individual. Charges have been brought against the alleged perpetrators.³¹¹ As reported in the section on racist and xenophobic crimes, People Against Racism reported cases targeting Roma.³¹²

Sweden: The NPC reported that 120 crimes with anti-Roma motives were recorded by the police.³¹³ No information was provided to ODIHR by NGOs.

The OSCE Mission in Kosovo reported three assaults in a Roma community. The Kosovo police opened an investigation without delay and introduced patrols to increase security. Charges were brought in two cases, which were given a high priority by the court.³¹⁴ Information was also received from the NGO Chachipe on these three assaults.³¹⁵

In a report published on 26 May 2009 on Slovakia, ECRI expressed concern about the increase in racially-motivated physical and verbal attacks over the past few years against members of ethnic minorities, including Roma.³¹⁶

In November 2009, the UN Committee against Torture expressed concern about reports of violence and hatred towards minorities in Moldova, especially Roma.³¹⁷ Following its review of Turkey, the CERD expressed concern about allegations of persisting hostile attitudes on the part of the general public towards Roma, including attacks and threats.³¹⁸

In 2009, media sources monitored by ODIHR reported hate-motivated crimes and incidents against Roma and Sinti in the Czech Republic, Hungary, Romania, Slovakia and the United Kingdom.

Government and NGO responses to crimes and incidents against Roma and Sinti

ODIHR did not receive any official information from governments on new programmes or activities undertaken in 2009 in response to crimes against Roma and Sinti.

The Hungarian Civil Liberties Union launched a programme in 2009 to protect the rights of Roma.³¹⁹

³¹¹ Questionnaire from the Slovak NPC, *op. cit.*, note 81.

³¹² See Part II, section on racist and xenophobic crimes and incidents, p. 43. Information from People Against Racism, *op. cit.*, note 157.

³¹³ Information from the Swedish NPC, *op. cit.*, note 235.

³¹⁴ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 244.

³¹⁵ “Whose responsibility? Reporting on ethnically motivated crime against Roma in Kosovo”, Chachipe, *op. cit.*, note 133.

³¹⁶ “ECRI Report on Slovakia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 102, p. 27.

³¹⁷ “Concluding observations of the Committee against Torture: Republic of Moldova”, United Nations Committee against Torture, 29 March 2010, CAT/C/MDA/CO/2, paragraph 27, <<http://www2.ohchr.org/english/bodies/cat/docs/co/CAT.C.MDA.CO.2.pdf>>.

³¹⁸ “Concluding observations of the Committee on the Elimination of Racial Discrimination: Turkey”, Committee on the Elimination of Racial Discrimination, 24 March 2009, CERD/C/TUR/CO/3, <<http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.TUR.CO.3.doc>>.

³¹⁹ Information from the Hungarian Civil Liberties Union (HCLU), *op. cit.*, note 303.

Box 2: Racist Arson Attack against a Roma Family in Vitkov, Czech Republic

During the night of 18 April 2009, four young men threw Molotov cocktails into a house inhabited by Roma. As a consequence of the attack, a two-year-old child suffered second and third degree burns, while the parents suffered less serious burns. One of the victims declared that they heard the attackers shouting “burn, gypsies” before driving off.

The Czech police brought charges against the four men for racially motivated attempted murder. During the investigation, they found leaflets from the Autonomous Nationalists, a far-right group, at the homes of some of the suspects. The State Prosecutor filed the case with the Ostrava Regional Court in February 2010. The trial began on 11 May 2010.³²⁰ In October 2010, the court found four persons guilty of complicity in attempted murder and property damage, sentencing three of the perpetrators to 22-year-prison terms and one to a term of 20 years.³²¹

³²⁰ Communication from the Attorney of the Roma family, 29 April 2010.

³²¹ “Czech neo-Nazis jailed for Roma attack”, BBC News, < <http://www.bbc.co.uk/news/world-europe-11582589> >.

ANTI-SEMITIC CRIMES AND INCIDENTS

Background

Anti-Semitism was first condemned by OSCE participating States in 1990 in the Copenhagen Document.³²² 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.³²³ In 2004, the participating States committed themselves to collect reliable information on anti-Semitic hate crimes.³²⁴ Since then, OSCE commitments against anti-Semitism have been repeated in several Ministerial Council decisions and declarations.³²⁵

In March 2009, in response to the perceived increase of anti-Semitism related to the conflict in the Gaza Strip, ODIHR organized a roundtable for civil society representatives in co-operation with the Personal Representative of the OSCE Chairperson in Office on Combating anti-Semitism. NGOs from, in particular, Belgium,³²⁶ Canada,³²⁷ France,³²⁸ the Netherlands,³²⁹ Switzerland³³⁰ and the United Kingdom³³¹ noted a comparative increase in incidents during the period of the Gaza conflict in January 2009. Participants discussed issues of concern, current priorities and challenges in combating anti-Semitism.³³²

Eight participating States³³³ invited the Personal Representative to undertake country visits, in which ODIHR also participated. The Personal Representative recommended the implementation of relevant hate crime legislation, capacity building for law

³²² “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 176, p. 21.

³²³ 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 178, p. 18.

³²⁴ OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 178.

³²⁵ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 178; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 9; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 286; “Cordoba Declaration by the Chairman-in-Office”, Cordoba, 9 June 2005, <<http://www.osce.org/items/15109.html>>.

³²⁶ Forty incidents in January, compared with 109 incidents overall in 2009, “Verslag over het antisemitisme in België – Jaar 2009”, Antisemitisme.be, 31 March 2010, pp. 4, 8 and 15, <http://www.antisemitisme.be/site/event_detail.asp?eventId=1086&catId=50&language=NL>.

³²⁷ There were 2006 cases in January 2009, compared with 54 in January 2008, “2009 Audit of Antisemitic Incidents”, League for Human Rights of the B’nai Brith Canada, 2010, p. 17ff, <<http://bnaibrith.ca/files/audit2009/MAINAUDITENG.pdf>>.

³²⁸ There were 352 such acts in January 2009, compared with 459 overall for 2008, “Report sur l’antisémitisme en France 2009”, French Ministry of Interior, January 2010, p. 2, <<http://www.spcj.org/publications/rapport2009.pdf>>.

³²⁹ Ninety-three incidents during the period of the Gaza war, compared to 108 incidents for all of 2008, “Monitor antisemitische incidenten in Nederland: 2008”, July 2009, p. 2, <http://tandis/master_chart/hate%20crime%20report/CIDI_Netherlands_20090915_report_dut.pdf>.

³³⁰ Seventy of the reported 153 anti-Semitic incidents in the French speaking part of Switzerland took place in January, “Rapport sur la situation de l’antisémitisme en Suisse romande - Année 2009”, Coordination Intercommunautaire Contre l’Antisemitisme et la Diffamation (CICAD), pp. 6 and 54, <[http://www.cicad.ch/index.php?id=53&tx_ttnews\[tt_news\]=7887&tx_ttnews\[backPid\]=39&cHash=69454131fb](http://www.cicad.ch/index.php?id=53&tx_ttnews[tt_news]=7887&tx_ttnews[backPid]=39&cHash=69454131fb)>.

³³¹ Of the 924 anti-Semitic incidents, 212 included a reference to the Gaza war, “Antisemitic Incidents Report 2009”, Community Security Trust, 5 February 2010, pp. 4, 10 and 14, <<http://www.thecst.org.uk/docs/CST-incidents-report-09-for-web.pdf>>.

³³² See recommendations from the participants and country-specific reports in the report of the OSCE-ODIHR roundtable “Combating Anti-Semitism: Current Trends and Challenges in the OSCE region”, Vienna, 17 March 2009, <<http://osce.org/item/39748.html>>.

³³³ Bosnia and Herzegovina, Canada, Hungary, Latvia, Romania, Slovakia, Spain and the United States.

enforcement and educators, and collection of data. He called on politicians to publicly condemn anti-Semitism.³³⁴

Information and data on anti-Semitic crimes and incidents

Currently, 20 participating States report that they collect data on anti-Semitic crimes.³³⁵ This is an increase by one over 2008; Greece is the latest addition to the list. However, only six states (Austria, the Czech Republic, Germany, Italy, Sweden and the United Kingdom) submitted data to ODIHR. Greece described two anti-Semitic crimes and Belgium reported on three assaults.

NGOs reported data to ODIHR on anti-Semitic incidents in 29 countries.³³⁶ 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 with a consistent methodology, monitoring hate crimes and 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 on 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.

Austria: The government reported 12 anti-Semitic crimes.³³⁷ The NGO Forum Against Antisemitism reported 200 incidents³³⁸, of which seven were violent attacks against persons, 35 were threats and assaults and 57 were cases of vandalism.³³⁹ The NGO ZARA reported 100 cases of anti-Semitic graffiti.³⁴⁰ The Stephen Roth Institute reported 22 violent incidents.³⁴¹

Belarus: No official data on anti-Semitic crimes were reported to ODIHR. The Union of Jewish Communities reported cases of anti-Semitism such as graffiti, but did not provide figures.³⁴² The Stephen Roth Institute reported six violent incidents.³⁴³

Belgium: The NPC reported three separate incidents of assault, against four Jewish persons in total, in a neighbourhood inhabited primarily by Orthodox Jews. The police

³³⁴ See TANDIS website for reports, <<http://tandis.odihr.pl/?p=qu-pr.all&qid=2262d44af7829643c4e6dbeee9eaaeea&sort=pubdate>>.

³³⁵ Austria, Belgium, Canada, Croatia, Czech Republic, France, Finland, Germany, Greece, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

³³⁶ Austria, Belarus, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Moldova, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

³³⁷ Information from the Austrian NPC, *op. cit.*, note 192.

³³⁸ Information Forum Against Antisemitism, 19 February 2009.

³³⁹ *Ibid.*

³⁴⁰ “Racism Report 2009”, ZARA – Civil Courage and Anti-racism Work, 2010, page 28, <http://www.zara.or.at/_doc/2010/ZARA_RassismusReport2009.pdf>.

³⁴¹ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism, April 2010, <<http://www.tau.ac.il/Anti-Semitism/asw2009/general-analysis-09.pdf>>.

³⁴² “The Jewish Question in Belarus”, Union of Jewish Communities in Belarus, 20 December 2009, <<http://www.homoliber.org/ru/gd/gd101601.shtml>>.

³⁴³ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

were unable to identify the perpetrator(s).³⁴⁴ The NGO Antisemitisme.be reported 109 incidents. These include eleven instances of assault, 13 in which threats were made, and 22 involving the desecration of sacred places.³⁴⁵ The Stephen Roth Institute reported 28 violent incidents.³⁴⁶

Bosnia and Herzegovina: No data on anti-Semitic crimes were provided to ODIHR by officials or NGOs. The OSCE Mission to Bosnia and Herzegovina reported three instances of anti-Semitic graffiti.³⁴⁷

Bulgaria: No official data on anti-Semitic crimes were reported to ODIHR. The Organization of Jews in Bulgaria “Shalom” reported an arson attempt on a synagogue and the vandalization of a Holocaust memorial.³⁴⁸ The Stephen Roth Institute reported three violent incidents.³⁴⁹

Canada: No official data on anti-Semitic crimes were reported to ODIHR. The League for Human Rights of B’nai Brith Canada reported 1,264 incidents.³⁵⁰ Of these, 32 involved violence, while 348 were incidences of vandalism and 884 were cases of harassment.³⁵¹ Only 413 of these incidents were reported to the police.³⁵² The Stephen Roth Institute reported 138 violent incidents.³⁵³

Czech Republic: The NPC reported 48 anti-Semitic crimes.³⁵⁴ The NGO In IUSTITIA also reported 48 incidents.³⁵⁵ The Stephen Roth Institute reported seven violent incidents.³⁵⁶

Cyprus: No official data on anti-Semitic crimes were provided to ODIHR. The Stephen Roth Institute reported three violent incidents.³⁵⁷

Denmark: No official data on anti-Semitic crimes were provided to ODIHR. The Stephen Roth Institute reported five violent incidents.³⁵⁸

Estonia: No official data on anti-Semitic crimes were reported to ODIHR. The Jewish Community reported that they do not to have relevant information.³⁵⁹

³⁴⁴ Information from Belgian NPC, 21 October 2010.

³⁴⁵ “Verslag over het antisemitisme in België – Jaar 2009”, Antisemitisme.be, *op. cit.*, 345

³⁴⁶ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341

³⁴⁷ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

³⁴⁸ “Declaration”, European Jewish Congress website, 16 July 2010, <http://www.eurojewcong.org/ejc/news.php?id_article=4225>.

³⁴⁹ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁵⁰ “2009 Audit of Antisemitic Incidents”, League for Human Rights of the B’nai Brith Canada, 2010, p. 8, <<http://www.bnaibrith.ca/files/audit2009/NationalENG.pdf>>.

³⁵¹ *Ibid.*, p. 10.

³⁵² *Ibid.*, p. 2.

³⁵³ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁵⁴ Information from the Czech NPC, *op. cit.*, note 201.

³⁵⁵ Information from In IUSTITIA, *op. cit.*, note 128.

³⁵⁶ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁵⁷ *Ibid.*

³⁵⁸ *Ibid.*

³⁵⁹ Communication from the Jewish Community of Estonia, 15 March 2010.

France: No official data on anti-Semitic crimes were reported to ODIHR. The NGO *Service de Protection de la Communauté Juive* (Jewish Community Protection Service) reported 832 incidents, of which 81 were assaults, 78 were acts of vandalism, 15 were arson attempts, 229 were threats and 360 instances of graffiti.³⁶⁰ The Stephen Roth Institute reported 195 violent incidents.³⁶¹

Germany: The NPC reported a total of 1,690 anti-Semitic crimes, 28 of which were violent.³⁶² The Amadeu Antonio Foundation reported 42 incidents, including two assaults, 30 cases of vandalism (including five instances where cemeteries were desecrated, 12 cases of the vandalization of synagogues and 12 of monuments), and ten cases of verbal abuse and threats.³⁶³ The NGO RAA Saxony reported 26 incidents in Berlin, Brandenburg, Mecklenburg-Lower Pomerania, Saxony, Saxony-Anhalt and Thuringia.³⁶⁴ RAA Saxony also reported three incidents of assault in Saxony.³⁶⁵ The Stephen Roth Institute reported 33 violent incidents.³⁶⁶

Greece: The NPC reported two anti-Semitic crimes, including the desecration of a Jewish cemetery by unidentified perpetrators and damage to a synagogue for which several persons were arrested and detained in preliminary custody.³⁶⁷ The Central Board of Jewish Communities in Greece reported 13 cases of vandalism, including the desecration of cemeteries, synagogues and Holocaust memorials in January 2009.³⁶⁸ The Greek Helsinki Monitor reported an arson attempt on a synagogue and two cases each of the vandalization of a synagogue, a Jewish cemetery and a Holocaust memorial.³⁶⁹ The Stephen Roth Institute reported three violent incidents.³⁷⁰

Hungary: No official data on anti-Semitic crimes were reported to ODIHR. The Hungarian Civil Liberties Union reported an anti-Semitic assault.³⁷¹ The Stephen Roth Institute reported nine violent incidents.³⁷²

Ireland: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one violent incident.³⁷³

Italy: The Interior Ministry reported 47 anti-Semitic offenses between January and September 2009.³⁷⁴ The Stephen Roth Institute reported eight violent incidents.³⁷⁵

³⁶⁰ “Report on anti-Semitism in France 2009”, Jewish Community Protection Service, 27 January 2010, page 5, <<http://www.spcj.org/publications/rapport2009.pdf>>.

³⁶¹ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁶² Information from German NPC, *op. cit.*, note 176.

³⁶³ Information from the Amadeu Antonio Foundation, 23 February 2010.

³⁶⁴ Information from RAA Saxony, *op. cit.*, note 210.

³⁶⁵ “Monitoring Hate Crime in Saxonia, Germany”, RAA Saxony, 18 March 2010.

³⁶⁶ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁶⁷ Questionnaire from the Greek NPC, 16 August 2010.

³⁶⁸ “The Impact of the Gaza Conflict on Greek Society and the Jewish Community”, Central Board of Jewish Communities in Greece, 26 February 2009.

³⁶⁹ “Greece: Anti-Semitic violence in January 2009 one year later”, Greek Helsinki Monitor, 2 January 2010,

<http://cm.greekhelsinki.gr/uploads/2010_files/ghm1234_antisemitism_january_2009_english.doc>.

³⁷⁰ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁷¹ Information from the Hungarian Civil Liberties Union (HCLU), *op. cit.*, note 303.

³⁷² “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁷³ *Ibid.*

³⁷⁴ Communication from the Permanent Mission of Italy to the OSCE, *op. cit.*, note 214.

Latvia: No official data on anti-Semitic crimes were reported to ODIHR. The Latvian Centre for Human Rights reported the desecration of a cemetery.³⁷⁶ The Stephen Roth Institute reported one violent incident.³⁷⁷

Lithuania: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one violent incident.³⁷⁸

Moldova: No official data on anti-Semitic crimes were reported to ODIHR. The Helsinki Citizens Assembly reported the vandalization of a synagogue.³⁷⁹ The Stephen Roth Institute reported four violent incidents.³⁸⁰

Netherlands: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Centrum Informatie en Documentatie Israël (CIDI) reported 167 anti-Semitic incidents. Among these were four cases of assault, six of threats, nine cases of the vandalization of synagogues, cemeteries and monuments, and 16 other cases of vandalism and graffiti.³⁸¹ The Stephen Roth Institute reported eight violent incidents.³⁸²

Norway: No official data on anti-Semitic crimes were reported to ODIHR. The Norwegian Centre against Racism reported the desecration of a cemetery.³⁸³ The Stephen Roth Institute reported six violent incidents.³⁸⁴

Poland: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported nine violent incidents.³⁸⁵

Romania: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported two violent incidents.³⁸⁶

Russian Federation: No official data on anti-Semitic crimes were reported to ODIHR. Based on information from media sources, the Moscow Bureau for Human Rights reported one attack on a synagogue and seven instances in which cemeteries were desecrated.³⁸⁷ The Stephen Roth Institute reported 28 violent incidents.³⁸⁸

³⁷⁵ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁷⁶ Information from the Latvian Centre for Human Rights, *op. cit.*, note 218.

³⁷⁷ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁷⁸ *Ibid.*

³⁷⁹ Information from the Helsinki Citizens Assembly, 19 March 2010; “Synagogue vandalized in Bendery (Moldova)”, ICARE news, 13 March 2009, <[http://www.icare.to/news.php?en/2009-03#SYNAGOGUE%20VANDALISED%20IN%20BENDERY%20\(Moldova\)](http://www.icare.to/news.php?en/2009-03#SYNAGOGUE%20VANDALISED%20IN%20BENDERY%20(Moldova))>.

³⁸⁰ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁸¹ “2009: Antisemitische incidenten in Nederland scherp gestegen”, Centrum Informatie en Documentatie Israël (CIDI), <<http://www.cidi.nl/Monitor-incidenten/2009-Antisemitische-incidenten-in-Nederland-scherp-gestegen.html>>.

³⁸² *Ibid.*

³⁸³ Information from the Norwegian Centre against Racism, *op. cit.*, note 156.

³⁸⁴ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁸⁵ *Ibid.*

³⁸⁶ *Ibid.*

³⁸⁷ “From attacks to terror? Racism, xenophobia, intolerance in Russia in 2009”, Moscow Bureau of Human Rights, *op. cit.*, note 171, pp. 56 – 81.

³⁸⁸ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

Serbia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported two violent incidents.³⁸⁹

Slovenia: No official data on anti-Semitic crimes were reported to ODIHR. The Stephen Roth Institute reported one violent incident.³⁹⁰

Spain: No official data on anti-Semitic crimes were reported to ODIHR. The Federation of Jewish communities in Spain reported three verbal attacks and two attacks on synagogues.³⁹¹ The NGO ADL reported the vandalization of a community house and a synagogue, as well as one case of physical assault and others of verbal insults.³⁹² The Stephen Roth Institute reported four violent incidents.³⁹³

Sweden: The NPC reported that 250 crimes with anti-Semitic motives were recorded by the police.³⁹⁴ The Swedish Committee Against Antisemitism, an NGO, reported 11 incidents, including two incidents where a cemetery was desecrated and two attacks against a Jewish community centre.³⁹⁵ The Stephen Roth Institute reported nine violent incidents.³⁹⁶

Switzerland: No official data on anti-Semitic crimes were reported to ODIHR. The Foundation Against Racism and Antisemitism reported five cases of vandalism and four cases of verbal abuse.³⁹⁷ Coordination Intercommunautaire Contre l'Antisemitisme et la Diffamation (Intercommunity Coordination against Anti-Semitism and Defamation), an NGO, reported 153 incidents, of which four were labelled as violent and 22 as serious.³⁹⁸ The Stephen Roth Institute reported seven violent incidents.³⁹⁹

Ukraine: No official data on anti-Semitic crimes were reported to ODIHR. UNHCR reported that Nazi symbols were left at the premises of the office of the Hebrew Immigrant Aid Society, an NGO.⁴⁰⁰ The Congress of National Communities, an NGO, reported an anti-Semitic assault, two cases of arson and 17 cases of vandalism.⁴⁰¹ The Jewish Foundation of Ukraine reported three assaults, six cases of vandalism and 20

³⁸⁹ Ibid.

³⁹⁰ Ibid.

³⁹¹ "Report on Anti-Semitism in Spain 2009", the Federation of Jewish Communities in Spain, *op. cit.*, note 275; Communication from the Federation of Jewish Communities in Spain, 21 April 2010.

³⁹² "Polluting the Public Square, Anti-Semitic Discourse in Spain", Anti-Defamation League, 2009, <http://www.adl.org/main_Anti_Semitism_International/discourse-in-spain.htm>.

³⁹³ "Antisemitism Worldwide 2009 – General Analysis", Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁹⁴ Information from the Swedish NPC, *op. cit.*, note 235.

³⁹⁵ "Recent Manifestations of anti-Semitism in Sweden", Jonathan Leman, 17 March 2009.

³⁹⁶ "Antisemitism Worldwide 2009 – General Analysis", Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

³⁹⁷ "Zusammenfassung 2009", Foundation against racism and anti-Semitism, 2009, <<http://chronologie.gra.ch/index.php?p=4&y=2009>>.

³⁹⁸ "Report on anti-Semitism in French Speaking Switzerland, 2009", Intercommunity Coordination against Antisemitism and Defamation (CICAD), pp. 6 and 53, <[http://www.cicad.ch/index.php?id=53&tx_ttnews\[tt_news\]=7887&tx_ttnews\[backPid\]=39&cHash=69454131fb](http://www.cicad.ch/index.php?id=53&tx_ttnews[tt_news]=7887&tx_ttnews[backPid]=39&cHash=69454131fb)>.

³⁹⁹ "Antisemitism Worldwide 2009 – General Analysis", Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

⁴⁰⁰ Communication from UNHCR Regional Office for Belarus, Moldova and Ukraine, *op. cit.*, note 174.

⁴⁰¹ Information from the Congress of National Communities of Ukraine, *op. cit.*, note 241.

instances anti-Semitic graffiti.⁴⁰² The Stephen Roth Institute reported 20 violent incidents.⁴⁰³

United Kingdom: The NPC reported that 703 anti-Semitic crimes were recorded by the police in England and Wales.⁴⁰⁴ The Community Security Trust reported 924 incidents,⁴⁰⁵ of which 124 were assaults, 44 involved threats, and 89 involved damage to property, including 26 incidents of the desecration of synagogues and six of cemeteries.⁴⁰⁶ The Stephen Roth Institute reported 374 violent incidents.⁴⁰⁷

United States: No official data on anti-Semitic crimes were reported to ODIHR. The Leadership Conference on Civil Rights Education Fund reported one murder and attempted attacks on two synagogues.⁴⁰⁸ The Anti-Defamation League reported on the commission of anti-Semitic crimes in 46 states and the District of Columbia, recording at total of 460 vandalism cases, 760 cases of harassment and 29 assaults.⁴⁰⁹ The Stephen Roth Institute reported 116 violent incidents.⁴¹⁰

The ECRI expressed concern about anti-Semitism in Austria,⁴¹¹ Belgium,⁴¹² Bulgaria,⁴¹³ the Czech Republic,⁴¹⁴ Germany,⁴¹⁵ Greece,⁴¹⁶ Hungary,⁴¹⁷ Norway,⁴¹⁸ Slovakia,⁴¹⁹

⁴⁰² “Anti-Semitism in Ukraine: Facts and Figures”, Jewish Foundation of Ukraine, 31 March 2010, <<http://www.jew-fund.kiev.ua/jnews1.php>>.

⁴⁰³ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

⁴⁰⁴ Information provided by the British NPC, 15 September 2010.

⁴⁰⁵ “Antisemitic Incidents Report 2009”, Community Security Trust, 5 February 2010, p. 4, <<http://www.thebst.org.uk/docs/CST-incident-report-09-for-web.pdf>>.

⁴⁰⁶ *Ibid.*, p. 12.

⁴⁰⁷ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

⁴⁰⁸ “Confronting the New Faces of Hate: Hate Crimes in America 2009”, Leadership Conference on Civil Rights Education Fund (LCCREF), 2010, <<http://www.civilrights.org/publications/hatecrimes/jews.html>>.

⁴⁰⁹ “2009 Audit of Anti-Semitic Incidents” Anti-Defamation League, 27 July 2010, <http://www.adl.org/main_Anti_Semitism_Domestic/2009_Audit.htm>.

⁴¹⁰ “Antisemitism Worldwide 2009 – General Analysis”, Tel Aviv University, The Stephen Roth Institute, *op. cit.*, note 341.

⁴¹¹ “ECRI Report on Austria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 245, p. 38.

⁴¹² “ECRI Report on Belgium (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 98, pp. 31 and 42.

⁴¹³ “ECRI Report on Bulgaria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 101, p. 34.

⁴¹⁴ “ECRI Report on the Czech Republic (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 99, p. 24.

⁴¹⁵ “ECRI Report on Germany (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 96, pp. 7, 27 and 43.

⁴¹⁶ “ECRI Report on Greece (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 97, pp. 28 and 45.

⁴¹⁷ “ECRI Report on Hungary (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 103, p. 26.

⁴¹⁸ “ECRI Report on Norway (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 104, pp. 30-31.

⁴¹⁹ “ECRI Report on Slovakia (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 102, pp. 9 and 33.

Switzerland⁴²⁰ and the United Kingdom.⁴²¹ The CERD observed manifestations of anti-Semitism in Poland⁴²² and Slovakia.⁴²³

The FRA, quoting media and NGO information, reported incidents in Austria,⁴²⁴ Belgium,⁴²⁵ France,⁴²⁶ Germany,⁴²⁷ the Netherlands,⁴²⁸ Sweden⁴²⁹ and the United Kingdom.⁴³⁰

ODIHR also collected reports from media (often through NGO newsletters⁴³¹) about anti-Semitic hate crimes in 29 countries, including Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, France, Germany, Greece, Hungary, Italy, Lithuania, Moldova, the Netherlands, Norway, Poland, Romania, the Russian Federation, Serbia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom and the United States.

Government and NGO responses to anti-Semitic crimes and incidents

ODIHR did not receive any official information from governments on new programmes or activities undertaken in 2009 in response to anti-Semitic crimes. ODIHR did, however, collect the relevant information below.

A network of Jewish Communities across the Czech Republic established an independent data-collection system to record anti-Semitic incidents.⁴³²

In August 2009, the Bundestag, Germany's federal parliament, established an independent panel of experts on anti-Semitism, the Expertengremium zur Bekämpfung des Antisemitismus. The panel is expected to provide a report to the Bundestag by November 2011, including an analysis of the phenomenon of anti-Semitism in Germany and recommendations on how to combat the problem.⁴³³

The United Kingdom Foreign and Commonwealth Office and the Inter-parliamentary Coalition for Combating Antisemitism hosted an international conference on combating anti-Semitism in London in February 2009. The result of the conference was the

⁴²⁰ "ECRI Report on Switzerland (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 100, pp. 30 and 43.

⁴²¹ "ECRI Report on the United Kingdom (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 255, pp. 8 and 39.

⁴²² "Concluding observations of the Committee on the Elimination of Racial Discrimination: Poland", Committee on the Elimination of Racial Discrimination, *op. cit.*, note 260, p. 3.

⁴²³ "Concluding observations of the Committee on the Elimination of Racial Discrimination: Slovak Republic", Committee on the Elimination of Racial Discrimination, *op. cit.*, note 261, p. 3.

⁴²⁴ "Anti-Semitism: Summary overview of the situation in the European Union 2001-2009", European Union Agency for Fundamental Rights, April 2010, p. 6, <http://fra.europa.eu/fraWebsite/attachments/Antisemitism_Update_2010.pdf>.

⁴²⁵ *Ibid.*, p. 8.

⁴²⁶ *Ibid.*, p. 12.

⁴²⁷ *Ibid.*, p. 13.

⁴²⁸ *Ibid.*, p. 16.

⁴²⁹ *Ibid.*, p. 18.

⁴³⁰ *Ibid.*, p. 20.

⁴³¹ Frequently used sources are, among others: Anti-Defamation League - HeADLines; BBC Monitor; European Jewish Congress - EJC Bi-Weekly Newsletter; Greek Helsinki Monitor; Haaretz.com - daily newsletter; IOM Kiev - Diversity Initiative distribution list - DI media review; Jewish Foundation of Ukraine - Anti-Semitism in Ukraine: Facts and Comments; Jewish Telegraphic Agency - JTA Daily Briefing; Magenta Foundation - CASW News; Moscow Bureau of Human Rights - Newsletter; Stephen Roth Institute - Bulletin; Union of Councils for Jews in the Former Soviet Union - Bigotry Monitor.

⁴³² Information from In IUSTITIA, *op. cit.*, note 128.

⁴³³ Information received from the Center for Research on Antisemitism, 15 April 2009.

London Declaration, which urges Governments to uphold OSCE commitments on combating anti-Semitism.⁴³⁴ Subsequently, the inter-party Canadian Parliamentary Coalition to Combat Antisemitism was established.⁴³⁵ It launched an inquiry on contemporary anti-Semitism and measures to confront it.⁴³⁶ A report to the government is expected during 2010.

Box 3: Attack on a Synagogue in Moldova

On 1 March, the synagogue in Bender, Moldova, was desecrated during the night. Unidentified intruders broke into the synagogue, drew graffiti on the walls, damaged the ark, threw the Torah scroll on the floor, desecrated a prayer table, burned posters and stole silver religious objects.

Prior to the incident, the number “14” was painted on the gates of the local Jewish cemetery. This figure refers to the number of words in a slogan used by neo-Nazis to affirm the superiority of white race.

“This was done in order to drive us out of here”, a Bender synagogue and community leader told a local newspaper.

Local law-enforcement agencies investigated the case; one perpetrator was charged with “hooliganism” and sentenced to two years and four months in prison. It was widely believed, however, that more than one perpetrator was involved.⁴³⁷

⁴³⁴ “The London Declaration on Combating Antisemitism”, Lancaster House, 17 February, 2009, <<http://www.antisem.org/wp-content/uploads/2009/05/london-declaration-on-combating-antisemitism.pdf>>.

⁴³⁵ See Canadian Parliamentary Coalition to Combat Antisemitism (CPCCA) website: <<http://www.ccca.ca/>>.

⁴³⁶ “Call for Submissions”, Canadian Parliamentary Coalition to Combat Antisemitism, 3 June 2009.

⁴³⁷ “Неизвестные устроили погром в бендерской синагоге”, New Region Russian Information Agency, 3 March 2009, <<http://www.nr2.ru/pmr/222785.html>>; “В Бендерах осквернена синагога”, novaia gazeta.org: first independent newspaper in Transnistria, 4 March 2009, <<http://novaia gazeta.org/index.php?newsid=694>>; “Vandals desecrated a synagogue in a breakaway Moldovan territory”, Jewish Telegraphic Agency, 4 March 2009, <<http://www.jta.org/news/article/2009/03/04/1003443/vandals-desecrate-transdniestr-synagogue>>; “Synagogue Vandalised in Bendery (Moldova)”, ICARE news, 13 March 2009, <[http://www.icare.to/news.php?en/2009-03#SYNAGOGUE%20VANDALISED%20IN%20BENDERY%20\(Moldova\)](http://www.icare.to/news.php?en/2009-03#SYNAGOGUE%20VANDALISED%20IN%20BENDERY%20(Moldova))>; Information from the Helsinki Citizens Assembly, *op. cit.*, note 379; Information based on telephone interviews with the Human Rights Foundation, conducted by ODIHR on 9 April 2010, and the local Jewish community, conducted on 12 April 2010.

CRIMES AND INCIDENTS AGAINST MUSLIMS

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.⁴³⁸ 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 collecting, maintaining and improving methods to gather reliable information and statistics on such crimes.⁴³⁹

During the 2009 OSCE Human Dimension Implementation Meeting, ODIHR, Spain and the United States organized an event on intolerance against Muslims. The main recommendation produced at the event was to build coalitions between governments and civil society to effectively combat intolerance against Muslims.⁴⁴⁰

The OSCE Chairperson in Office's Personal Representative on Combating Intolerance and Discrimination against Muslims went on a joint visit with the other Personal Representatives to Canada and the United States. He stressed the importance of data collection on crimes against Muslims and the importance of police training.

Information and data on crimes and incidents against Muslims

Currently, 17 participating States⁴⁴¹ collect data on anti-Muslim hate crimes, with Bulgaria joining this list in 2009. However, only Austria and Sweden provided data figures to ODIHR, while Germany and Spain provided descriptions of specific anti-Muslim crimes.

NGOs reported incidents targeting Muslims in 19 participating States.⁴⁴²

The country listing below summarizes the information received by ODIHR on 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.

Austria: The NPC reported that there were no hate crimes against Muslims. No information was provided by NGOs.

Bosnia and Herzegovina: No data on anti-Muslim crimes were provided to ODIHR by officials or NGOs. The OSCE Mission to Bosnia and Herzegovina reported 14

⁴³⁸ "Tenth Meeting of the Ministerial Council", Porto, 6 and 7 December 2002, <<http://osce.org/item/4162.html>>.

⁴³⁹ 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>>.

⁴⁴⁰ "Challenging Intolerance against Muslims", Human Dimension Implementation Meeting side event, convened by ODIHR/TND, US and Spanish Delegations to the OSCE, <<http://www.osce.org/item/39671.html>>.

⁴⁴¹ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

⁴⁴² Bulgaria, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Italy, Montenegro, Netherlands, Norway, Russian Federation, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

incidents. These included one incident resulting in death, three in which persons were seriously injured, assaults on minors, four instances of graffiti, two cases in which mosques were vandalized, the desecration of a cemetery and three cases involving verbal threats. Each of the cases was investigated by the police. Two cases were closed due to lack of evidence, while the others were either still under investigation or awaiting trial when this report was prepared.⁴⁴³

Bulgaria: No official data on anti-Muslim crimes were reported to ODIHR. The Office of Bulgaria's Grand Mufti reported six incidents, including an assault and the vandalization of five mosques.⁴⁴⁴ No information was provided to ODIHR by NGOs.

Cyprus: No official data on anti-Muslim crimes were provided to ODIHR. The NGO Embargoed! and the Turkish Cypriot Human Rights Foundation reported two assaults⁴⁴⁵ and the desecration of a cemetery⁴⁴⁶. The information from Embargoed! was based on media reports.

Czech Republic: No official data on anti-Muslim crimes were provided to ODIHR. The NGO In IUSTITIA reported that it did not have any data on incidents against Muslims.⁴⁴⁷

Finland: No official data on anti-Muslim crimes were provided to ODIHR. The Islamic Council of Finland reported ten incidents.⁴⁴⁸

France: No official data on anti-Muslim crimes were provided to ODIHR. The NGO COJEP reported the desecration of two mosques, graffiti on a Muslim cemetery, and three cases of the vandalization of properties associated with Muslims.⁴⁴⁹

Germany: The NPC reported the murder of a Muslim woman of Egyptian origin by a man who was facing criminal charges for insulting the woman's Muslim identity. The murder occurred during an appeal proceeding regarding the insult case in a courtroom in Dresden. The perpetrator has been sentenced to life imprisonment, with the judge taking into account the bias-motivation for the crime in imposing the sentence.⁴⁵⁰ The Turkish Community in the Nuremberg Metropolitan Region reported five cases of physical assault, 24 instances of arson, three acts of vandalism, an incident in which a mosque was defaced with graffiti, and two threats.⁴⁵¹ The investigations into these incidents were ongoing at the time this report was prepared. The Heidelberger Forum for Politics and Science also provided information regarding the above-mentioned murder.⁴⁵²

Greece: No official data on anti-Muslim crimes were provided to ODIHR. UNHCR reported one act of vandalism.⁴⁵³ The NGO Western Thrace Minority University Graduates Association reported three arson attacks and the desecration of a cemetery.⁴⁵⁴

⁴⁴³ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

⁴⁴⁴ Communication from the Office of Grand Mufti of Bulgaria, 31 March 2010.

⁴⁴⁵ Information from Embargoed!, *op. cit.*, note 200.

⁴⁴⁶ Information from the Turkish Cypriot Human Rights Foundation, *op. cit.*, note 155.

⁴⁴⁷ Information from In IUSTITIA, *op. cit.*, note 128.

⁴⁴⁸ "Report on hate crimes faced by Muslims in Finland in 2009", Islamic Council of Finland, 26 March 2010.

⁴⁴⁹ Information from COJEP International, 18 March 2010.

⁴⁵⁰ Questionnaire from the German NPC, 31 August 2010.

⁴⁵¹ Information from the Turkish Community in the Nuremberg Metropolitan Region, 18 March 2010.

⁴⁵² Information from Heidelberger Forum für Politik und Wissenschaft (Heidelberger Forum for Politics and Science), *op. cit.*, note 211.

⁴⁵³ Communication from UNHCR Greece, 19 March 2010.

⁴⁵⁴ Information from the Western Thrace Minority University Graduates Association, *op. cit.*, note 142.

The NGO Federation of Western Thrace Turks in Europe reported three assaults, two arson attacks (one against a mosque) and five acts of vandalism (two of mosques and three of memorial sites).⁴⁵⁵

Hungary: No official data on anti-Muslim crimes were provided to ODIHR. The Islamic Community reported verbal threats against women wearing the hijab, without specifying the number of incidents.⁴⁵⁶

Italy: No official data on anti-Muslim crimes were provided to ODIHR. The NGO Lunaria reported two incidents against Muslims.⁴⁵⁷

Montenegro: No official data on anti-Muslim crimes were provided to ODIHR. The OSCE Mission to Montenegro, citing information provided by the NGO Youth Initiative for Human Rights, reported instances of threats against Muslims.⁴⁵⁸

Netherlands: No official data on anti-Muslim crimes were provided to ODIHR. The Turks Forum reported four incidents of the desecration of mosques, two arson attacks and one verbal threat.⁴⁵⁹

Norway: No official data on anti-Muslim crimes were provided to ODIHR. The Norwegian Centre against Racism reported an attack on a woman wearing a veil.⁴⁶⁰

Russian Federation: No official data on anti-Muslim crimes were provided to ODIHR. Citing media sources, the Moscow Bureau for Human Rights reported an attack on a shop associated with Muslims and four cases in which cemeteries were desecrated.⁴⁶¹ The SOVA Center for Information and Analysis reported one physical assault, an arson attack on a mosque, two cases of the vandalizing of mosques and one of a cemetery desecration.⁴⁶²

Spain: The Spanish NPC reported an attack on a mosque with a Molotov cocktail.⁴⁶³ The Union of Islamic Communities in Spain reported ten incidents, including three murders, five assaults on persons of North African origin and two cases of the vandalizing of mosques.⁴⁶⁴

Sweden: The NPC reported that 194 hate crimes with anti-Muslim motives were recorded by the police.⁴⁶⁵ The Swedish Committee against Islamophobia reported four attacks on mosques, involving two shootings and two cases of stone-throwing.⁴⁶⁶

Switzerland: No official data on anti-Muslim crimes were provided to ODIHR. The Turkish Community in Switzerland reported six incidents, including three assaults and three cases of the desecration of mosques.⁴⁶⁷

⁴⁵⁵ Information from the Federation of Western Thrace Turks in Europe, 18 March 2010.

⁴⁵⁶ Information from the Hungarian Islamic Community, 1 April 2010.

⁴⁵⁷ Grazia Naletto (ed.), *Report on Racism in Italy*, *op. cit.*, note 52.

⁴⁵⁸ Communication from the OSCE Mission to Montenegro, *op. cit.*, note 221.

⁴⁵⁹ Information from the Turks Forum, *op. cit.*, note 131.

⁴⁶⁰ Information from the Norwegian Centre against Racism, *op. cit.*, note 156.

⁴⁶¹ "From attacks to terror? Racism, xenophobia, intolerance in Russia in 2009", Moscow Bureau of Human Rights, *op. cit.*, note 171.

⁴⁶² Information from the SOVA Center for Information and Analysis, 19 April 2010.

⁴⁶³ Information from the Spanish NPC, *op. cit.*, note 234.

⁴⁶⁴ Information from the Union of Islamic Communities of Spain, 29 March 2010.

⁴⁶⁵ Information from the Swedish NPC, *op. cit.*, note 235.

⁴⁶⁶ Information from the Swedish Committee against Islamophobia, 7 April 2010.

⁴⁶⁷ Information from the Turkish Community in Switzerland, 31 March 2010.

Ukraine: No official data on anti-Muslim crimes were provided to ODIHR. The Congress of National Communities of Ukraine reported three cases of vandalism, of a religious school, a mosque and a cemetery, respectively.⁴⁶⁸ The Diversity Initiative reported an incident against a Crimean Tatar.⁴⁶⁹

United Kingdom: No official data on anti-Muslim crimes were provided to ODIHR. The NGO ENGAGE reported one murder, one violent attack, two assaults, two arson attacks against mosques and one against the headquarters of the Muslim charity Islamic Relief.⁴⁷⁰

United States: No official data on anti-Muslim crimes were provided to ODIHR. The Council on American-Islamic Relations (CAIR) reported 15 incidents, including four assaults, the death of an imam in an alleged arson attack, and a shooting in which a person was injured. Additionally, CAIR reported one murder, four physical assaults and four acts of vandalism targeting mosques.⁴⁷¹ Human Rights First reported the vandalization of a religious school and a one case involving a verbal threat.⁴⁷²

In 2009, ECRI raised concerns over intolerance and discrimination against Muslims in Austria,⁴⁷³ Belgium,⁴⁷⁴ Bulgaria,⁴⁷⁵ Germany,⁴⁷⁶ Norway,⁴⁷⁷ Switzerland⁴⁷⁸ and the United Kingdom.⁴⁷⁹

⁴⁶⁸ Information from Congress of National Communities of Ukraine, *op. cit.*, note 241.

⁴⁶⁹ Information from International Organization for Migration, Diversity Initiative, *op. cit.*, note 159.

⁴⁷⁰ “ENGAGE Briefing note for MPs – An all Party Committee on Islamophobia”, ENGAGE, August 2010.

⁴⁷¹ See Council on American-Islamic Relations (CAIR), Press releases: “Calif. Imam Dies in ‘Suspicious Fire’”, CAIR.com, 3 July 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25990>>; “CAIR Seeks Hate Crime Charges in Assault on Calif. Taxi Driver”, CAIR.com, 1 September 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=26078&&name=n&&currPage=8>>; “CAIR-NY Seeks Probe of Bias Motive in School Beating”, CAIR.com, 18 June 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25981&&name=n&&currPage=10>>; “Religious Slurs Used During Assault on Texas Muslim”, CAIR.com, 10 June 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25962&&name=n&&currPage=10>>; “CAIR Asks for Probe of Bias Motive in Shooting at Maine Mosque”, CAIR.com, 2 September 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=26081&&name=n&&currPage=8>>; “Oregon Mosque Targeted with Hate Graffiti”, CAIR.com, 30 November 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=26167&&name=n&&currPage=7>>; “Sacramento Mosque Vandalized”, CAIR.com, 1 December 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=26168&&name=n&&currPage=7>>; “Calif. Mosque Targeted with Hate Graffiti”, CAIR.com, 4 June 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25955&&name=n&&currPage=10>>; “Shots Fired at Fla. Mosque, Penn. Mosque Vandalized”, CAIR.com, 2 January 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25647&&name=n&&currPage=16>>; “CAIR Asks Probe Harassment of Florida Muslims”, CAIR.com, 2 February 2009,

<<http://www.cair.com/ArticleDetails.aspx?mid1=777&&ArticleID=25689&&name=n&&currPage=15>>.

⁴⁷² “Violence against Muslims: An Update to HRF’s 2008 Hate Crime Survey,” Human Rights First, 2010, p. 4, <<http://www.humanrightsfirst.org/discrimination/pdf/3-2010-muslim-factsheet-update.pdf>>.

⁴⁷³ “ECRI Report on Austria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 245, p. 29.

⁴⁷⁴ “ECRI Report on Belgium (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 98, p. 33.

⁴⁷⁵ “ECRI Report on Bulgaria (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 101, p. 14.

⁴⁷⁶ “ECRI Report on Germany (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 96, p. 31.

⁴⁷⁷ “ECRI Report on Norway (fourth monitoring cycle)”, European Commission against Racism and Intolerance, *op. cit.*, note 104, p.29.

In 2009, media sources monitored by ODIHR reported incidents against Muslims in Bosnia and Herzegovina, Bulgaria, Canada, the Czech Republic, Denmark, France, Germany, Greece, the Netherlands, Norway, Spain, the Russian Federation, the United Kingdom and the United States.

Government and NGO responses to crimes and incidents against Muslims

In Canada, the Toronto Police Service and the Muslim Consultative Committee organized an outreach event to inform Muslim communities about their efforts to combat hate crimes and to encourage them to report hate incidents.⁴⁸⁰

COJEP International, an NGO, organized a regional training session on hate crimes for Muslim NGOs in the former Yugoslav Republic of Macedonia.⁴⁸¹

Following the desecration of approximately 20 Muslim graves at Manchester's Southern Cemetery in three incidents from September to November 2009, United Against Fascism held a peace vigil at the cemetery. The aim of the event was to respond to these acts by building unity and solidarity among communities.⁴⁸²

In the United States, a Special Adviser on Muslim Affairs was appointed to serve on the President's Advisory Council on Faith-Based and Neighborhood Partnerships. The role of the Special Adviser will be to increase dialogue between Muslims and the Presidential Administration.⁴⁸³

In the United States, the American-Arab Anti-Discrimination Committee, an NGO, introduced an online form to report hate incidents.⁴⁸⁴

Box 4: Assault on a Muslim woman wearing a headscarf in the centre of Sofia

On 10 June 2009, a Muslim woman wearing a headscarf was assaulted on Avenue Slivnitsa, in Sofia, by a woman who poured a cup of hot coffee on her chest. The victim stated that no passers-by reacted and that she and her daughter were frightened.

After the attack, the perpetrator reportedly said "There is no place for women wearing headscarves in this country. It is disgusting to see people like you in the streets of Sofia."

⁴⁷⁸ "ECRI Report on Switzerland (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 100, p. 33.

⁴⁷⁹ "ECRI Report on the United Kingdom (fourth monitoring cycle)", European Commission against Racism and Intolerance, *op. cit.*, note 255, pp. 41-42.

⁴⁸⁰ See Canadian Arab Federation website: <www.caf.ca>.

⁴⁸¹ "Recommendations for OSCE Supplementary Human Dimension Meeting on Hate Crimes", COJEP International, 4 May 2009, <www.osce.org/item/38742.html>.

⁴⁸² See news items: "Muslim graves smashed by vandals", BBC News Website, 2 October 2009, <http://news.bbc.co.uk/2/hi/uk_news/england/manchester/8287929.stm>; "Vigil After Muslim Graves Damaged", BBC News Website, 29 November 2009, <http://news.bbc.co.uk/2/hi/uk_news/england/manchester/8384963.stm>. Information is being verified with the NPC.

⁴⁸³ "Obama's Muslim Advisor (Exclusive)", Islam Online.net, 28 April 2009, <<http://www.islamonline.net/en/Page/Home/>>.

⁴⁸⁴ See American-Arab Anti-Discrimination Committee website: <<http://www.adc.org/legal/incident-report/>>.

The victim did not report the incident because she heard that similar incidents were not taken seriously by the police.⁴⁸⁵

⁴⁸⁵ Information confirmed by ODIHR in an interview conducted with the victim's husband on 16 March 2010.

CRIMES AND INCIDENTS 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.⁴⁸⁶

In March 2009, ODIHR organized a roundtable on intolerance and discrimination against Christians in the OSCE region. The roundtable was attended by representatives of participating States, religious communities, NGOs and experts. Recommendations to participating States included a proposal for improved monitoring and data collection on hate crimes against Christians, with particular attention to violent attacks and the desecration of cemeteries.⁴⁸⁷

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 went on a joint visit with the other Personal Representatives to Canada and the United States. He stressed the importance of recording of hate crimes against Christians and members of other religions.

Information and data on crimes and incidents against Christians and members of other religions

Currently, 29 participating States⁴⁸⁸ collect data on hate crimes based on religious bias. This is an increase of two since 2008, with Bulgaria and Finland joining the list. Eleven States reported that they record data on crimes against Christians and members of other religions, including Bulgaria and Switzerland, who joined the list in 2009.⁴⁸⁹ Some States⁴⁹⁰ further disaggregate this data into categories, such as “non-denominational”, “Catholic”, “Protestant” or “other religions”. Sweden is the only state that provided specific figures on crimes against Christians committed in the country, while four other states (Armenia, Georgia, Germany and Turkey) provided descriptions of specific incidents.

The Holy See provided information on incidents targeting Christians in nine states. ODIHR requested information about these cases from the NPCs and received responses

⁴⁸⁶ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 178; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 9; “Cordoba Declaration by the Chairman-in-Office”, *op. cit.*, note 325; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 286.

⁴⁸⁷ Report of OSCE/ODIHR Roundtable, “Intolerance and Discrimination against Christians: Focusing on Exclusion, Marginalization and Denial of Rights”, Vienna, 4 March 2009, <<http://www.osce.org/item/41647.html>>.

⁴⁸⁸ Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Finland, Georgia, Germany, Iceland, Italy, Ireland, Kazakhstan, Kyrgyzstan, Latvia, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴⁸⁹ Bulgaria, Canada, Croatia, Czech Republic, Moldova, Netherlands, Poland, Serbia, Sweden, Switzerland and the United States.

⁴⁹⁰ Bulgaria, Canada, Czech Republic and the United States.

from Germany and Italy. NGOs provided information to ODIHR on incidents targeting Christians and members of other religions in three states.⁴⁹¹

The country listing below summarizes the information received by ODIHR on each participating State with regard to crimes against Christians or 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.

Germany, Norway and the United Kingdom provided figures on crimes against religion without differentiation by faith. In an effort to include all relevant data provided by participating States, such data has been included in this section below.

Albania: No data on crimes against Christians or members of other religions were provided to ODIHR by officials or NGOs. The Holy See reported the desecration of a Catholic cemetery and the vandalizing of Catholic crosses.⁴⁹²

Armenia: The NPC and the OSCE Office in Yerevan reported a case of attempted arson against a Jehovah's Witnesses hall of worship.⁴⁹³ The police ultimately suspended their investigation when no perpetrator could be identified; it was not, however, recorded as a hate crime.⁴⁹⁴ No information was provided to ODIHR by NGOs.

Bosnia and Herzegovina: No data on crimes against Christians or members of other religions were provided to ODIHR by officials or NGOs. The Holy See reported an assault on Catholics, ten acts of the vandalization of churches, two cases where cemeteries were desecrated, and two cases of threats being made against nuns.⁴⁹⁵ The OSCE Mission to Bosnia and Herzegovina reported incidents targeting five churches (two Catholic, two Orthodox and one Adventist), including stone-throwing, vandalism and the theft of church objects. Some churches were targeted multiple times. In four cases, the perpetrators were identified and prosecuted. In two cases the Islamic community condemned the incidents, and in three cases these crimes were denounced by the public authorities.⁴⁹⁶

France: No data on crimes against Christians or members of other religions were provided to ODIHR by officials or NGOs. The Holy See, drawing on media sources, reported 14 cases of the desecration of cemeteries and 16 of the vandalization of churches.⁴⁹⁷

Georgia: The NPC reported an attack on a Jehovah's Witness. The case was investigated and was still being prosecuted at the time this report was prepared.⁴⁹⁸ The Public Defender of Georgia reported 12 attacks on property belonging to Jehovah's Witnesses. It also reported verbal insults and threats made against members of this group, without specifying any numbers.⁴⁹⁹ No information was provided to ODIHR by NGOs.

⁴⁹¹ Russian Federation, Turkey and Ukraine.

⁴⁹² Information from the Holy See NPC, *op. cit.*, note 49.

⁴⁹³ Communication from the OSCE Office in Yerevan, 6 May 2010.

⁴⁹⁴ Information from the Armenian NPC, 8 September 2010..

⁴⁹⁵ Information from the Holy See NPC, *op. cit.*, note 49.

⁴⁹⁶ Communication from the OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 74.

⁴⁹⁷ Information from the Holy See NPC, *op. cit.*, note 49.

⁴⁹⁸ Questionnaire from the Georgian NPC, 19 March 2010.

⁴⁹⁹ "The Situation of Human Rights and Freedoms in Georgia", the Public Defender of Georgia, *op. cit.*, note 117, p. 32.

Germany: The NPC reported a total of 256 crimes committed with a bias against religion, with 14 of those crimes involving violence.⁵⁰⁰ No data on crimes against Christians or members of other religions were provided to ODIHR by NGOs. The Holy See reported an assault against an Orthodox priest. According to the report, the perpetrator was convicted and sentenced. The Holy See also reported that a Protestant chapel was set on fire, and that the case was recorded by the police.⁵⁰¹

Italy: No data on crimes against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported the desecration of a cemetery.⁵⁰²

Lithuania: No data on crimes against Christians or members of other religions were provided to ODIHR by the government or NGOs. The Holy See reported cases in which cemeteries were desecrated and churches vandalized, basing its report on information provided by the Police Department of the Ministry of Internal Affairs.⁵⁰³

Norway: The NPC reported 21 bias-motivated crimes based on religion.⁵⁰⁴ No information was provided to ODIHR by NGOs.

Russian Federation: No official data on crimes against Christians or members of other religions were reported to ODIHR. On the basis of information from the SOVA Center for Information and Analysis, an NGO, the Holy See reported the murder of an Orthodox priest and an assault on two persons, as well as five cases of arson and 24 of the vandalization of churches.⁵⁰⁵ The SOVA Center reported the killing of an Orthodox priest and a physical assault against another priest. It also reported 12 arson attacks on places of worship, five of which were against Orthodox churches, including one attempted bombing. It also reported that Jehovah's Witnesses had been subjected to death threats and attacks.⁵⁰⁶ Citing media sources for the information, the Moscow Bureau for Human Rights, an NGO, reported the vandalization of eight Orthodox churches, one Orthodox school and two Baptist churches. They also reported the desecration of eight Christian cemeteries, including two Armenian cemeteries.⁵⁰⁷

Sweden: The NPC reported that the police recorded 147 bias-motivated crimes based on religion, 134 of which were anti-Christian crimes.⁵⁰⁸ No data on crimes against Christians or members of other religions were provided to ODIHR by NGOs. The Holy See provided figures on incidents provided by the Swedish National Council for Crime

⁵⁰⁰ Information from the German NPC, *op. cit.*, note 207. As indicated, it is unclear how many of those crimes were committed against Christians or members of other religious groups.

⁵⁰¹ Information from the Holy See NPC, *op. cit.*, note 49. These events were confirmed by the German NPC, but they were not recognized as hate crimes due to lack of sufficient evidence. Information from the German NPC, 20 July 2010.

⁵⁰² Information from the Holy See NPC, *op. cit.*, note 49. These events were confirmed by the NPC but were considered as base crimes without a bias motive. Criminal proceedings were still ongoing at the time of writing. Information from the Italian NPC, 1 October 2010.

⁵⁰³ *Ibid.*

⁵⁰⁴ Information from the Norwegian NPC, *op. cit.*, note 224. As indicated, it is unclear how many of those crimes were committed against Christians or members of other religious groups.

⁵⁰⁵ *Ibid.*

⁵⁰⁶ Kozhevnikova, "Under the Sign of Political Terror. Radical Nationalism and Efforts to Counteract It in 2009," *op. cit.*, note 138.

⁵⁰⁷ "From attacks to terror? Racism, xenophobia, intolerance in Russia in 2009", Moscow Bureau of Human Rights, *op. cit.*, note 171.

⁵⁰⁸ Information from the Swedish NPC, *op. cit.*, note 120.

Prevention, which, however, did not include data on the religious affiliation of the targets.⁵⁰⁹

Turkey: The NPC reported the kidnapping of and assault on a Protestant and attacks against a Christian bookstore.⁵¹⁰ Information on these incidents was also provided by the Association of Protestant Churches.⁵¹¹ The Kurdish Human Rights Project also reported on the assault.⁵¹² The Holy See reported the murder of a Christian, following which the perpetrator was apprehended, convicted and sentenced.⁵¹³ In addition, the Kurdish Human Rights Project reported the murder of a Catholic from Germany and death threats made against the priest of an Orthodox church.⁵¹⁴ The Association of Protestant Churches reported threats made to church leaders.⁵¹⁵

Ukraine: No official data on crimes against Christians or members of other religions were provided to ODIHR. The NGO Congress of National Communities reported an attack with a Molotov cocktail on a church belonging to the Revival Fire Christian group.⁵¹⁶

United Kingdom: The British NPC reported that 2,083 hate crimes with a bias motivation against faith and religion were recorded by the police in England and Wales.⁵¹⁷ No data was provided to ODIHR by NGOs.

The OSCE Mission in Kosovo reported the burglary of an Orthodox church. It also reported two incidents of vandalism and burglary against another Orthodox church. The Mission also reported the repeated desecration of an Orthodox cemetery. The cases were investigated and, in one instance, the perpetrators were identified. These incidents should be viewed in the wider context of inter-ethnic tensions in this part of the OSCE region.⁵¹⁸

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

No participating States provided information to ODIHR regarding activities specifically related to combating hate crimes against Christians and members of other religions, except in the context of general programmes to promote tolerance and prevent discrimination.

No NGOs reported activities to ODIHR related to crimes against Christians or members of other religions.

⁵⁰⁹ Information from the Holy See NPC, *op. cit.*, note 49.

⁵¹⁰ Information from the Turkish NPC, 7 September 2010.

⁵¹¹ “Report on Human Rights Violations of 2009”, Association of Protestant Churches Committee for Religious Freedom and Legal Affairs, 30 January 2010, <[http://www.worldevangelicals.org/pdf/Association_of_Protestant_Churches_\(Turkey\)_Report_on_Human_Rights_Violations_of_2009.pdf](http://www.worldevangelicals.org/pdf/Association_of_Protestant_Churches_(Turkey)_Report_on_Human_Rights_Violations_of_2009.pdf)>.

⁵¹² Information from the Kurdish Human Rights Project, *op. cit.*, note 173.

⁵¹³ Information from the Holy See NPC, *op. cit.*, note 49.

⁵¹⁴ *Ibid.*

⁵¹⁵ “Report on Human Rights Violations of 2009”, Association of Protestant Churches Committee for Religious Freedom and Legal Affairs, *op. cit.*, note 511.

⁵¹⁶ Information from the Congress of National Communities of Ukraine, *op. cit.*, note 241.

⁵¹⁷ Information from the British NPC, *op. cit.*, note 242. As indicated, it is unclear how many of those crimes were committed against Christians or members of other religious groups.

⁵¹⁸ Communication from the OSCE Mission in Kosovo, *op. cit.*, note 244.

The OSCE Mission in Kosovo reported that, in 2009, the police commenced implementation of the operational order “Security of Serbian religious and cultural sites”, aimed at protecting 17 sites of religious and cultural heritage, most of them belonging to the Serbian Orthodox Church.

Box 5: Sikh student assaulted in Texas

A Sikh graduate student from Texas was attacked by a group of men while delivering pizzas to their house in July 2009. The victim reported that the attackers started using racial epithets as he delivered the pizzas. The perpetrators threw him into the swimming pool and assaulted him for 20 minutes until he managed to escape.

The incident was recorded by the local police as a misdemeanour. The Department of Justice was investigating the attack at the time this report was prepared.

The victim reportedly continued to receive threatening phone calls after the incident, compelling him to relocate.⁵¹⁹

⁵¹⁹ Information provided by Harsimran Kaur, Legal Adviser to the Sikh Coalition and the victim’s lawyer. See <<http://www.sikhcoalition.org>>.

CRIMES AND INCIDENTS AGAINST MEMBERS OF OTHER GROUPS

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”.⁵²⁰ 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”.⁵²¹

There is no consensus among participating States as to which groups should be included in the definition of a hate crime. 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 against persons based on their 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 against LGBT persons

Currently, 19 participating States⁵²² collect data on bias-based crimes against lesbian, gay, bisexual or transgender (LGBT) persons. This is an increase of two since 2008, with Finland and Poland reporting that they collected such data in 2009. Of those 19 States, eight include crimes against transgender persons as a separate category.⁵²³ ODIHR received data figures on crimes against LGBT persons from four states, while four states (Belgium, Croatia, Denmark, Portugal and Turkey) provided descriptions of specific incidents targeting LGBT persons.

Nineteen NGOs in 16 states⁵²⁴ reported data on crimes against LGBT persons.

The country listing below summarizes the information received by ODIHR on each participating State in regard to crimes against LGBT persons. 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.

Albania: No official data on crimes against LGBT persons were provided to ODIHR. The NGO Transgender Europe (TGEU) reported the murder of one transgender person.⁵²⁵

⁵²⁰ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 176, pp. 3-8.

⁵²¹ “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/item/4210.html>>.

⁵²² Andorra, Belgium, Canada, Croatia, Cyprus, Finland, France, Germany, Iceland, Ireland, Liechtenstein, Netherlands, Norway, Poland, Serbia, Spain, Sweden, United Kingdom, and the United States.

⁵²³ Belgium, Canada, Croatia, Finland, Germany, Serbia, Sweden and the United Kingdom.

⁵²⁴ Albania, Armenia, France, Germany, Hungary, Italy, Kazakhstan, Latvia, Moldova, Serbia, Spain, Turkey, Ukraine, United Kingdom and the United States.

⁵²⁵ Information from Transgender Europe (TGEU), *op. cit.*, note 173.

Armenia: No official data on crimes against LGBT persons were provided to ODIHR. The NGO Pink Armenia reported one assault on a homosexual person and an attack on homosexual and transgender persons by a group of unidentified assailants.⁵²⁶

Belgium: The NPC reported an incident in which two men were assaulted by five individuals in an attack allegedly motivated by homophobia.⁵²⁷ The Centre for Equal Opportunity and Opposition to Racism acted as a civil party in three lawsuits related to violent hate crimes allegedly motivated by homophobia.⁵²⁸

Croatia: The NPC reported an assault against a homosexual person. The outcome of the trial of the person charged with the assault still pending at the time this report was prepared.⁵²⁹ UNHCR reported that two persons received suspended sentences after being convicted for crimes committed against persons base on the victims' sexual orientation.⁵³⁰ No information was provided to ODIHR by NGOs.

Denmark: The NPC reported an assault against four men in which the two perpetrators received prison sentences in a ruling that the crime was motivated by the sexual orientation of the victims.⁵³¹ No information was provided to ODIHR by NGOs.

France: No official data on LGBT persons were provided to ODIHR. The NGO SOS-Homophobie issued a report that analyzed 1,026 LGBT-phobic incidents in France in 2009, including 88 hate-motivated physical assaults against LGBT persons.⁵³²

Germany: The NPC reported 164 crimes motivated by a bias against sexual orientation, 45 of which were violent crimes.⁵³³ The NGO RAA Saxony reported 14 alleged hate crimes against LGBT persons in Berlin, Brandenburg, Mecklenburg-Lower Pomerania, Saxony, Saxony-Anhalt and Thuringia.⁵³⁴

Hungary: No official data on crimes against LGBT persons were provided to ODIHR. The NGO Hungarian Civil Liberties Union reported an assault on a person following a gay-pride parade. The case was being investigated as a bias-motivated attack at the time this report was prepared.⁵³⁵

Italy: No official data on crimes against LGBT persons were provided to ODIHR. TGEU reported the murders of six transgender persons.⁵³⁶ The International Lesbian and Gay Association of Europe (ILGA-Europe) reported three incidents, including one case of assault, an attempted arson attack on a gay club, and one in which fire-crackers were

⁵²⁶ "Report: hate crime toward LGBT community in Armenia 2009", Public Information and Need of Knowledge non-governmental organization, PINK Armenia, 2010.

⁵²⁷ Information from Belgian NPC, *op. cit.*, note 344.

⁵²⁸ *Ibid.*

⁵²⁹ Questionnaire from the Croatian NPC, *op. cit.*, note 293.

⁵³⁰ Communication from UNHCR Croatia, 19 March 2010.

⁵³¹ Questionnaire from the Danish NPC, *op. cit.*, note 115.

⁵³² "Rapport sur l'Homophobie 2010", SOS homophobie, 2010, <<http://www.sos-homophobie.org/documents/presse/ra2010hd.pdf>>.

⁵³³ Information from the German NPC, *op. cit.*, note 207.

⁵³⁴ "Statistics: Monitoring Hate Crimes in Saxonia, Germany", RAA Saxony, 18 March 2010, p. 4.

⁵³⁵ Information from the Hungarian Civil Liberties Union, *op. cit.*, note 303.

⁵³⁶ Information from Transgender Europe (TGEU), *op. cit.*, note 173.

thrown into a crowd.⁵³⁷ The NGO Arcigay reported ten murders, 38 assaults, seven attacks on property associated with LGBT persons and eight threats.⁵³⁸

Kazakhstan: No official data on crimes against LGBT persons were provided to ODIHR. ILGA-Europe reported “numerous examples of violence” targeting the LGBT community.⁵³⁹

Latvia: No official data on crimes against LGBT persons were provided to ODIHR. The Latvian Human Rights Centre reported one incident of assault and three in which persons were threatened. The threats occurred during the Baltic Pride march.⁵⁴⁰

Norway: The NPC reported 36 crimes were committed against LGBT persons.⁵⁴¹ No information was provided to ODIHR by NGOs.

Moldova: No official data on crimes against LGBT persons were provided to ODIHR. The NGO Information Centre “GenderDoc-M” and ILGA-Europe reported an assault on the president of the Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights, during a pride parade.⁵⁴² The NGO Information Centre “GenderDoc-M” reported one of property damage and two of threats against persons.⁵⁴³

Poland: No official data on crimes against LGBT persons were provided to ODIHR. ILGA-Europe reported one assault.⁵⁴⁴

Portugal: The NPC reported a case of homicide by omission involving a transgender person for which several minors were found responsible in age-appropriate judicial proceedings.⁵⁴⁵

Serbia: No official data on crimes against LGBT persons were provided to ODIHR. TGEU and ILGA-Europe reported the murder of a transgender woman.⁵⁴⁶ ILGA-Europe reported three assaults.⁵⁴⁷ The Gay Straight Alliance (GSA) reported one murder, eight assaults, seven incidents where verbal threats were made and five attacks on property associated with LGBT persons. The president of GSA was also the victim of two assaults attempts.⁵⁴⁸ The lesbian human rights organization LABRIS reported incitement to violence by right-wing groups during the preparation for a pride parade. In order to avoid clashes, the event was first relocated, and subsequently cancelled, due to security concerns.⁵⁴⁹

⁵³⁷ Information from the International Lesbian Gay Association, ILGA-Europe, 18 March 2010.

⁵³⁸ “Report of the main homophobic acts of violence in Italy 2009”, Italian Association of Lesbians and Gays (Arcigay),

<http://www.arcigay.it/files/arcigay/ReportArcigay_omofobia_2009_31dicembre.doc.doc>.

⁵³⁹ Ibid.

⁵⁴⁰ Information from the Latvian Centre for Human Rights, *op. cit.*, note 218.

⁵⁴¹ Information from the Norwegian NPC, *op. cit.*, note 224.

⁵⁴² Information from the GenderDoc-M Information Center, 12 March 2010; Information from ILGA-Europe, *op. cit.*, note 537.

⁵⁴³ Information from GenderDoc-M Information Center, *op. cit.*, note 542.

⁵⁴⁴ Information received from ILGA-Europe, *op. cit.*, note 537.

⁵⁴⁵ Information received from Portuguese NPC, *op. cit.*, 228

⁵⁴⁶ *Ibid.*; Information from Transgender Europe (TGEU), *op. cit.*, note 173.

⁵⁴⁷ Information received from ILGA-Europe, *op. cit.*, note 537.

⁵⁴⁸ “No retreat, no surrender: Report on the status of human rights of GLBTpersons in Serbia in 2009”, 2010 <<http://www.gsa.org.rs/izvestaji/GSA-report-2009.pdf>>..

⁵⁴⁹ “The 2009 Report for ODIHR on Hate Crimes on LGBT people in Serbia”, Lesbian Human Rights Organisation – LABRIS, 18 March 2010.

Spain: No official data on crimes against LGBT persons were provided to ODIHR. TGEU reported the murder of a transgender person.⁵⁵⁰ *Centro de Investigaciones en Derechos Humanos* (The Centre for Human Rights Research) reported that the first conviction was handed down in Spain in which sexual orientation was acknowledged as a bias motive.⁵⁵¹

Sweden: The NPC reported that 1,060 hate crimes motivated by sexual orientation were recorded by the police, of which 1,040 were homophobic crimes. The police also recorded 30 hate crimes targeting transgender persons.⁵⁵² No information was provided to ODIHR by NGOs.

Turkey: The NPC reported the murder of two transgender persons, including a prominent human rights activist.⁵⁵³ The police arrested the alleged perpetrator in the latter case. The NGOs Kurdish Human Rights Project, the Human Rights Agenda Association, Pink Life (Pembe Hayat), TGEU and Lambda Istanbul reported five transgender murders between March and June 2009.⁵⁵⁴ ILGA-Europe provided information on one additional murder and one instance of assault.⁵⁵⁵

Ukraine: No official data on crimes against LGBT persons were provided to ODIHR. The NGO Informational Educational Centre reported one assault and that threats were made targeting an LGBT organization.⁵⁵⁶ The NGO Congress of National Communities reported three attacks on property associated with LGBT persons.⁵⁵⁷

United Kingdom: The British NPC reported that 4,805 hate crimes motivated by sexual orientation and 312 crimes targeting transgender persons were recorded by the police in England and Wales.⁵⁵⁸ TGEU reported the murders of two transgender persons.⁵⁵⁹

United States: No official data on crimes against LGBT persons were provided to ODIHR. The National Coalition of Anti-Violence Programs (NCAVP) reported 1,556 incidents. This figure includes 22 murders, 446 assaults, 74 cases of sexual assault/rape and 65 involving theft or burglary. NCAVP noted that only 368 of these incidents were reported to the police.⁵⁶⁰ TGEU reported the murders of 12 transgender persons.⁵⁶¹

⁵⁵⁰ Information from Transgender Europe (TGEU), *op. cit.*, note 173.

⁵⁵¹ Information from the *Centro de Investigaciones en Derechos Humanos* (Research Center for Human Rights), *op. cit.*, note 144.

⁵⁵² Information from the Swedish NPC, *op. cit.*, note 235.

⁵⁵³ Information from the Turkish NPC, *op. cit.*, note 510.

⁵⁵⁴ *Hate Crime in Turkey* (Ankara: Human Rights Agenda Association, 2009), *op. cit.*, note 143; Information from the Kurdish Human Rights Project, *op. cit.*, note 173.; Information from Lambda Istanbul, *op. cit.*, note 173.; Information from Pink Life LGBTT Solidarity Association, *op. cit.*, note 173; Information from TGEU, *op. cit.*, note 173; The Permanent Mission of Turkey to the OSCE and the Turkish NPC confirmed that the 5 murders occurred, while noting that the completed investigations did not reveal a bias motivation that would qualify the murders as hate crimes. Information from the Permanent Mission of Turkey to the OSCE, 22 September 2010; Information from the Turkish NPC, *op. cit.*, note 510.

⁵⁵⁵ Information from ILGA-Europe, *op. cit.*, note 537.

⁵⁵⁶ Information from the Informational-Educational Center, 19 March 2010.

⁵⁵⁷ Information from the Congress of National Communities of Ukraine, *op. cit.*, note 241.

⁵⁵⁸ Information from the British NPC, *op. cit.*, note 242.

⁵⁵⁹ Information received from Transgender Europe (TGEU), *op. cit.*, note 173.

⁵⁶⁰ "Hate violence against the lesbian, bisexual, transgender and queer communities in the United States in 2009", National Coalition of Anti-Violence Programs (NCAVP), 2010, <http://www.avp.org/documents/NCAVP2009HateViolenceReportforWeb_000.pdf>

⁵⁶¹ *Ibid.*

Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, published a paper on the issue of “Human Rights and Gender Identity,” citing the high rate of harassment and abuse suffered by transgender persons and the increased risk of becoming victims of hate crimes.⁵⁶²

The European Union Agency for Fundamental Rights (FRA) published the second part of its report on homophobia titled “The Social Situation”. The report includes a comparison between legal-protection standards for hate crimes and reported incidents in Member States of the European Union, and concludes that violence against LGBT persons is widespread.⁵⁶³

Government and NGO responses to crimes and incidents against LGBT persons

ODIHR did not receive any official information from governments on new programmes or activities undertaken in 2009 in response to hate crimes against LGBT persons.

Within the framework of the project “Working with the Police and Challenging Hate Crimes in Europe”, ILGA-Europe conducted research in the field of monitoring, victim support and hate crime prevention. This included a roundtable on 12-13 December 2009 with members of the European Gay Police Association and LGBT NGOs to provide the basis for a handbook on good practices to be published in 2010.⁵⁶⁴

The Soros Foundation-Kazakhstan published a report on the situation of LGBT persons in Kazakhstan, recommending the introduction of training for police, the amendment of existing legislation and the improvement of media coverage to counter misinformation and ignorance.⁵⁶⁵

In the Netherlands, the local police and two NGOs (COC Leiden, an LGBT organization, and the Office for Discrimination Issues of the Hollands Midden and Haaglanden region) launched a website where victims can report incidents online.⁵⁶⁶

Box 6: Murder of transgender human rights activist in Turkey

On 10 March 2010, a prominent transgender human rights activist was stabbed to death in her home in Istanbul. The victim was a member of an LGBT organization based in Turkey. In the month preceding the murder, the victim had asked the Prosecutor’s Office for protection from a man who had assaulted her on several occasions and threatened to kill her. The police arrested the man a few weeks prior to the attack, but held him for just two hours before releasing him. The man has been arrested and has pleaded guilty to the murder of the activist.⁵⁶⁷

⁵⁶² “Human Rights and Gender Identity – Issue Paper by Thomas Hammarberg”, Commissioner for Human Rights, Council of Europe, 29 July 2009, CommDH/IssuePaper(2009)2, <<https://wcd.coe.int/ViewDoc.jsp?id=1476365>>.

⁵⁶³ “Homophobia and Discrimination on Ground of Sexual Orientation and Gender Identity in the EU Member States – Part II The Social Situation”, European Union Agency for Fundamental Rights (FRA), 31 March 2009, <http://fra.europa.eu/fraWebsite/attachments/FRA_hdgso_report-part2_en.pdf>.

⁵⁶⁴ Information from ILGA Europe, *op. cit.*, note 537.

⁵⁶⁵ “Unacknowledged and Unprotected: Lesbian, Gay, Bisexual and Transgender people in Kazakhstan”, Soros Foundation-Kazakhstan, *op. cit.*, note 130.

⁵⁶⁶ Information from Art. 1 – *voorkomt en bestrijdt discriminatie* (Prevents and Combats Discrimination), 18 March 2010.

⁵⁶⁷ Information from Lambda Istanbul, *op. cit.*, note 173.

Information and data on crimes and incidents against persons with disabilities and against persons from other groups

Currently, 11 participating States⁵⁶⁸ indicated to ODIHR that they record data on crimes against persons with disabilities. This represents an increase by two countries compared to 2008, as Finland and Latvia have now reported that they record such data.

The country listing below summarizes the information received by ODIHR on each participating State with regard to crimes against persons with disabilities. 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.

Belgium: The NPC reported the abuse and mistreatment of a mentally disabled man. The alleged perpetrators were arrested and the case is under investigation. The Centre for Equal Opportunities and Opposition to Racism is acting as a civil party as the perpetrators likely had a bias motivation against disabled persons.⁵⁶⁹

Germany: The NPC reported 26 crimes motivated by a bias against persons with disabilities, eight of which were violent crimes.⁵⁷⁰ The NGO RAA Saxony reported six instances of disability crimes in Berlin, Brandenburg, Mecklenburg-Lower Pomerania, Saxony, Saxony-Anhalt and Thuringia.⁵⁷¹

United Kingdom: The NPC reported that 1,476 crimes motivated by bias against persons with disabilities were recorded by the police in England and Wales. In addition, the NPC reported the murder of a man with learning disabilities.⁵⁷² The Crown Prosecution Service indicated that 576 persons were prosecuted for hate crimes against persons with disabilities in the 2008-2009 reporting period. According the Crown Prosecution Service, this suggests that the police and prosecutors are improving their ability to recognize these cases.⁵⁷³

Government and NGO responses to crimes and incidents against persons with disabilities and against persons from other groups

In the United Kingdom, the Equality and Human Rights Commission decided to conduct a formal inquiry into the actions of public authorities to eliminate disability-related harassment in England and Wales. This inquiry was a follow-up to the 2009 report of the Commission addressing the issue of hate crimes against persons with disabilities.⁵⁷⁴

⁵⁶⁸ Belgium, Canada, Cyprus, Finland, France, Georgia, Germany, Moldova, Netherlands, United Kingdom and the United States.

⁵⁶⁹ Information from Belgian NPC, *op. cit.*, note 344.

⁵⁷⁰ Information from the German NPC, *op. cit.*, note 207.

⁵⁷¹ Information from RAA Saxony, *op. cit.*, note 210.

⁵⁷² Information from the British NPC, *op. cit.*, note 242. *See Box 7.*

⁵⁷³ "Hate crime report 2008-2009", The Crown Prosecution Service, 2009, <http://www.cps.gov.uk/publications/docs/CPS_hate_crime_report_2009.pdf>.

⁵⁷⁴ "Commission to hold Inquiry into harassment of disabled people", Equality and Human Rights Commission website, 3 December 2009, <<http://www.equalityhumanrights.com/wales/equality-news/commission-to-hold-inquiry-into-harassment-of-disabled-people/>>; *Promoting the safety and security of disabled people* (Manchester: Equality and Human Rights Commission, 2009), <<http://issuu.com/equalityhumanrights/docs/safety-and-security-for-disabled->

Also in the United Kingdom, a “Disability Hate Crime Summit” was organized on 20 January 2009 by the NGOs Scope, Disability Now and the UK Disabled People’s Council, in association with the Metropolitan Police Service’s Disability Independent Advisory Group.⁵⁷⁵ The summit focused on the importance of tackling hate crimes at the local level.

The Institute for Conflict Research in Northern Ireland published a research paper on hate crime against people with disabilities.⁵⁷⁶ The report acknowledged the significance of the problem and the lack of awareness that such crimes should be reported as hate crimes.

In the United States, the National Coalition of the Homeless published a report on hate crimes and violence against people experiencing homelessness.⁵⁷⁷ The report noted that that state of Maryland and the District of Columbia are the first jurisdictions in which attacks against homeless persons have been introduced as a category to their existing hate crimes law.⁵⁷⁸

Box 7: Abuse and murder of a man with learning disabilities in the UK

The body of 26-year-old man was found in a lagoon in Bedfordshire in May 2009. The victim, a man with learning disabilities, had been befriended by a family when he was 15 and subsequently began to live with them. The victim suffered years of violence and abuse at the hands of the family, which apparently only took him in so as to receive his social benefit funds.

The abuse escalated in the months before the victim’s death. He was the subject of a make-believe game show in which contestants would pay money to either slap or headbutt him. He was forced to lie on the floor while people jumped with both feet on his stomach and was often left to sleep handcuffed at the foot of a bed. The victim attempted to run away twice but on each occasion was traced down by a member of the family.

The victim was eventually decapitated and dismembered. His remains were driven more than 20 kilometres from the home to a lagoon, put in a bag and weighed down with stones. The British NPC reported that criminal justice agencies recorded the case as bias-motivated.⁵⁷⁹

people?mode=embed&layout=http%3A%2F%2Fskin.issuu.com%2Fv%2Fcolor%2Flayout.xml&backgroundColor=000000&showFlipBtn=true>; *Disabled people’s experiences of targeted violence and hostility* (Manchester: Equality and Human Rights Commission, 2009),
<http://www.equalityhumanrights.com/uploaded_files/research/disabled_people_s_experiences_of_targeted_violence_and_hostility.pdf>.

⁵⁷⁵ “Hate crime summit”, Scope: Time to Get Equal website, 2009,

<<http://www.timetotequal.org.uk/page.asp?section=150§ionTitle=Hate+crime+summit>>.

⁵⁷⁶ “Hate Crime against People with Disabilities”, Institute for Conflict Research, June 2009,

<http://www.conflictresearch.org.uk/cms/images/stories/daniel/pdfs/hate_crime_against_people_with_disabilities_pdf_760kb_%5B1%5D.pdf>.

⁵⁷⁷ “A Report on Hate Crimes and Violence Against People Experiencing Homelessness 2008”, National Coalition for the Homeless, August 2009,

<http://www.nationalhomeless.org/publications/hatecrimes/hate_report_2008.pdf>.

⁵⁷⁸ *Ibid.*, p. 12.

⁵⁷⁹ Information from the British NPC, 16 July 2010.

Five of the six persons who were charged in connection with his death were convicted and received prison sentences.⁵⁸⁰

⁵⁸⁰ Information confirmed with the British NPC, 21 April 2010; “Blue Lagoon Murder Trial Starts”, Bedfordshire Police online, 23 February 2010, <http://www.bedfordshire.police.uk/onlinenews/2010/february/230210_blue_lagoon_murder.html>; “Family tortured man for benefit money then decapitated him, court hears”, Guardian website, 23 February 2010, <<http://www.guardian.co.uk/uk/2010/feb/23/michael-gilbert-murder-trial>>; Julian Sturdy, “Troubled life of lagoon murder victim Michael Gilbert”, BBC News website, 23 April 2010, <http://news.bbc.co.uk/2/hi/uk_news/england/beds/bucks/herts/8625026.stm>.

PART III - RECOMMENDATIONS

The purpose of this report is to present information, data and good practices regarding hate crimes. It also provides an opportunity to assess the progress of participating States in implementing their commitments in this area. 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 fulfill their commitments.

The following recommendations follow closely the recommendations set out in this report in previous years, which remain valid. The list of these includes a number of specific points endorsed by the Ministerial Council in Athens. 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 five 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 that might also produce positive results if replicated elsewhere. Fuller details and examples of such practices are available on the TANDIS website.⁵⁸¹

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 crimes. To address this deficiency, states might benefit from developing systems that are more easily comparable.

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.⁵⁸² 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 the bias motivations and/or victim groups; 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:

⁵⁸¹ See the TANDIS website: <<http://tandis.odihr.pl>>.

⁵⁸² OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

- Enact, where appropriate, specific, tailored legislation to combat hate crimes, in line with Decision 9/09 of the OSCE Ministerial Council,⁵⁸³ 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 Crimes Laws – A Practical Guide* could serve as a reference tool for such reviews.⁵⁸⁴

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,⁵⁸⁵
- 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;⁵⁸⁶
- 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;⁵⁸⁷
- 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;
- 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

⁵⁸³ Ibid.

⁵⁸⁴ Hate Crime Laws: A Practical Guide, *op. cit.*, note 18.

⁵⁸⁵ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 1.

⁵⁸⁶ Ibid.

⁵⁸⁷ Ibid.

- 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 crimes.

Co-operation with civil society

Civil society organizations are particularly well placed to supplement participating States' activities to address hate crimes, 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; 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 crime. 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 counseling, legal and consular assistance, as well as effective access to justice, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁸⁸ and
- Public-awareness raising, including ensuring that the public understands the nature and scope of hate crime, and encouraging the public to report offenses and assist law-enforcement bodies to apprehend and prosecute offenders.

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:

⁵⁸⁸ Ibid.

- 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 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.

PART IV - COUNTRY-BY-COUNTRY OVERVIEW

Participating State	ALBANIA
Number of cases in 2009	
- 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
Victim groups 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 Specialized body
- Attacks on places of worship	-
- Vandalism	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- 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 Prosecution Court
Victim groups 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
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 2009	
- 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 Ombudsman
Bias motivation determined by	Other (as provided by the law)
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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	Attempted arson against a Jehovah's Witness hall of worship.
Practical Initiatives	-

Participating State	AUSTRIA
Number of cases in 2009	
- Recorded by police	61
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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)
Bias motivation determined by	Law-enforcement officer
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Offences based on right-wing extremist motives <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crimes	Yes
- Homicide	
- Physical assault	Interior Ministry Law-enforcement agency
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are published in the Annual Security Report and the Annual State Protection Report. The Federal Agency for State Protection and Counter Terrorism carries out an evaluation of data to identify preventive and restraining measures against right-wing extremist offences.
Availability of data	
- Public	Yes They 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	Racist graffiti Anti-Semitic threats
Practical Initiatives	-

Participating State	AZERBAIJAN
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	No
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
Use of data	-
Availability of data	-
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	BELARUS
Number of cases in 2009	
- Recorded by police	72
- Prosecuted	3
- 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
Victim groups 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>
- Verbal assault/threats/insults	-
- Incitement to hatred	Interior Ministry
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 2009	
- 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 Ministry of Justice Centre for Equal Opportunities and Opposition to Racism NGO
Bias motivation determined by	Victims Law enforcement agencies
Victim groups 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 Specialized body
- Physical assault	Prosecutor's Office Ministry of Justice Specialized body
- Damage to property	<i>Ibid.</i>
- Desecration of graves	Prosecutors Office Specialized body
- Attacks on places of worship	Specialized body
- Vandalism	Prosecutors Office Specialized body
- Verbal assault/threats/insults	Prosecutors Office Ministry of Justice Specialized body
- Incitement to hatred	Prosecutors Office Specialized body
Use of data	The police, local authorities, local discrimination agencies and the Centre for Equal Opportunities and Opposition to Racism. 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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Use of data	-
Availability of data	-
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative Developments	The Ministry of Security set up a working group with the aim to amend the Criminal Code.
Examples of hate crimes/incidents	-
Practical Initiatives	Law Enforcement Officer Programme on Combating Hate Crimes.

Participating State	BULGARIA
Number of cases in 2009	
- Recorded by police	20
- Prosecuted	22
- Sentenced	7
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Commission for Protection against Discrimination (CPD)) Supreme Judicial Council Prosecutor's Office
Bias motivation determined by	Victim Prosecution Court
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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	Specific provisions for violent crimes and those against property committed on the grounds of the victims' "nationality, race, religion or political conviction" were introduced to the Penal Code,.
Examples of hate crimes/incidents	Racist attack Racist graffiti Property damage and threats against Roma
Practical Initiatives	Strengthening data collection and the responses of law enforcement and prosecutors to hate crimes.

Participating State	CANADA
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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
Victim groups 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 (French, English) Religion Sexual orientation (bisexual, heterosexual, homosexual) 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Analytical reports and data tables are intended to respond to the needs of criminal-justice officials and to inform the public. Information may be obtained on the Statistics Canada website (www.statcan.gc.ca).
Availability of data	
- Public	Yes
- Only upon request	Yes Some detailed information on hate crimes may be obtained upon request (assuming the information does not breach confidentiality). For example, clearance status, location of incident, gender and age group of victims and accused persons, use of weapons, relationship of accused to victim. However, this information would only be available for police services.
- 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	CROATIA
Number of cases in 2009	
- Recorded by police	32
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office
Bias motivation determined by	Victim Law-enforcement officer Offender
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Transgender Sex/gender Regional origin, hate towards police officers, glorification of Nazism and Fascism <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	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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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	Anti-Roma attack using Molotov cocktails Physical assault against an LGBT person
Practical Initiatives	-

Participating State	CYPRUS
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion Sexual orientation Disability Sex/gender Age, Community
Multiple bias	Yes
Classification by type of crimes	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- Recorded by police	265
- Prosecuted	188+34 in pre trial procedures
- Sentenced	103
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 Office) Ministry of Justice (Informatics Department of the Ministry of Justice)
Bias motivation determined by	Law-enforcement officer
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 the 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	Arson attack on Roma property resulting in the injury of the resident Roma family and destruction of the property.
Practical Initiatives	Establish training programmes for police and judicial officials to respond to extremist crimes, including accompanying manuals

Participating State	DENMARK
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Intelligence Agency (Security and Intelligence Service) Prosecutor's Office (Director of Public Prosecutions)
Bias motivation determined by	Prosecution
Victim groups recorded based on	Ethnicity/national origin/minority
Multiple bias	No
Classification by type of crimes	
- Homicide	Intelligence Agency
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Intelligence Agency
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	-
Use of data	The Prosecutor uses the data to ensure a uniform practice for hate crimes cases in all police districts. The Security and Intelligence Service monitors data to assess organized criminal activity rooted in racism, xenophobia, etc.
Availability of data	
- Public	Yes The Director of Prosecutions publishes an annual report on case summaries of violations of Article 266 of the Criminal Code (http://www.rigsadvokaten.dk/media/Praksis-266b.pdf). 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	Attempted murder on ethnic grounds Physical assault against LGBT persons
Practical Initiatives	Initiation of an Action Plan focusing on, among other issues, combating hate crimes.

Participating State	ESTONIA
Number of cases in 2009	
- Recorded by police	2
- Prosecuted	0
- Sentenced	0
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice
Bias motivation determined by	Law enforcement
Victim groups recorded based on	-
Multiple bias	No
Classification by type of crimes	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
Use of data	The data are used for policy proposals and legislative purposes.
Availability of data	
- Public	Reports with hate crimes are published on an occasional basis.
- Only upon request	-
- Restricted to authorities	-
Legislative Developments	
Examples of hate crimes/incidents	
Practical Initiatives	

Participating State	FINLAND
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Police College of Finland, Research Department
Bias motivation determined by	Victim
Victim groups recorded based on	Race/colour Ethnicity/national origin/minority Language Citizenship Religion Sexual orientation Transgender Gender identity Disability
Multiple bias	Yes
Classification by type of crimes	
- Homicide	Interior Ministry Ministry of Justice 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Reports are used for training purposes and preventive anti-discrimination work.
Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	FRANCE
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice
Bias motivation determined by	Prosecution Court
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Sexual orientation Disability Sex/gender Political conviction, state of health <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	No
Classification by type of crimes	
- 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
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
- Sentenced	-
Use of data	Data are used for the development of reports submitted to international organizations.
Availability of data	-
- Public	No
- Only upon request	Yes
- Restricted to authorities	-
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	GEORGIA
Number of cases in 2009	
- Recorded by police	41
- Prosecuted	11
- Sentenced	N/A
Information last updated?	2009
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 Offender Prosecution Court Any person, any state body or self government, mass media, state authority
Victim groups recorded based on	Race/colour Religion Disability
Multiple bias	Yes
Classification by type of crimes	
- Homicide	Interior Ministry 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	Interior Ministry Statistical Office Supreme Court
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	-
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 2009	
- Recorded by police	4583 (including 590 violent crimes)
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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
Victim groups recorded based on	Race/colour Xenophobia Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability 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>
- Verbal assault/threats/insults	<i>ibid.</i>
- Incitement to hatred	<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/cln_174/SharedDocs/Pressemitteilungen/DE/2010/03/politisch_motivierte_kriminalitaet.html?nn+109632) and (http://www.bmi.bund.de/cae/servlet/contentblob/463552/publicationFile/40129/vsb_2008.pdf)
- Only upon request	Yes Information can be made public within the framework of responses of 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	The murder of a Muslim woman of Egyptian origin
Practical Initiatives	-

Participating State	GREECE
Number of cases in 2009	
- Recorded by police	2
- Prosecuted	2
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office Ministry of Justice
Bias motivation determined by	Victim Law-enforcement officer Prosecution Court
Victim groups recorded based on	Race/colour <u>Specific categories:</u> Anti-Semitism
Multiple bias	No
Classification by type of crimes	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	Prosecutor's Office Ministry of Justice
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	-
- Verbal assault/threats/insults	-
- Incitement to hatred	Interior Ministry Prosecutor's Office Ministry of Justice Other
Use of data	-
Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	No
Examples of hate crimes/incidents	The desecration of a Jewish cemetery
Practical Initiatives	-

Participating State	HOLY SEE
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 nine States.
Practical Initiatives	-

Participating State	HUNGARY
Number of cases in 2009	
- Recorded by police	15
- Prosecuted	7
- Sentenced	-
Information last updated?	2009
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
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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	Six murders, four assaults causing serious injuries and one minor assault on Roma persons.
Practical Initiatives	-

Participating State	ICELAND
Number of cases in 2009	
- Recorded by police	0
- Prosecuted	0
- Sentenced	0
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
Victim groups 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	-
- Verbal assault/threats/insults	The National Police Commissioner of Iceland
- Incitement to hatred	<i>Ibid.</i>
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 2009	
- 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
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 2009	

- Recorded by police	142
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police (General Command of the Carabinieri, Office of Organized Crime Department for Public Security, General Directorate of Preventive Policing)
Bias motivation determined by	Law-enforcement officer
Victim groups 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
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	No
- Only upon request	Yes
- Restricted to authorities	-
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	KAZAKHSTAN
Number of cases in 2009	
- Recorded by police	15
- Prosecuted	4
- Sentenced	4
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office National Security Committee (KNB)
Bias motivation determined by	Victim Offender Court
Victim groups recorded based on	Ethnicity/national origin/national minority Religion
Multiple bias	No
Classification by type of crimes	
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	<i>Ibid.</i>
- Verbal assault/threats/insults	-
- Incitement to hatred	<i>Ibid.</i>
Use of data	Information about hate crimes is presented to

	executive and legislative bodies and to others upon their 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 2009	
- Recorded by police	79
- Prosecuted	58
- Sentenced	41
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Victim Prosecution Court
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- Recorded by police	6
- Prosecuted	5
- Sentenced	-
Information last updated?	2009
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	Victim Offender Court
Victim groups 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>
- Verbal assault/threats/insults	Ministry of Justice Law-enforcement agency/police
- Incitement to hatred	<i>Ibid.</i>
Use of data	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 provides 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 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	Xenophobic assault on two persons
Practical Initiatives	-

Participating State	LIECHTENSTEIN
Number of cases in 2009	
- Recorded by police	6
- Prosecuted	6
- Sentenced	1
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency Liechtenstein National Police
Bias motivation determined by	Victim Law-enforcement officer Offender
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Sexual orientation Sex/gender <u>Specific categories:</u> Anti-Semitic Crimes Anti-Muslim Crimes
Multiple bias	Yes

Classification by type of crimes	
- Homicide	Liechtenstein National Police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Liechtenstein National Police
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are submitted to the Interior Ministry.
Availability of data	
- Public	Yes As part of crime statistics, offences against the ant-racism section (§283 penal code) (http://www.llv.li/amtsstellen/llv-rkamtsgeschaefte-rechenschaftsbericht/llv-rk-amtsgeschaefte-2007.htm)
- Only upon request	No
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	LITHUANIA
Number of cases in 2009	
- Recorded by police	51
- Prosecuted	11
- Sentenced	16
Information last updated?	2009
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	Victim Law-enforcement officer
Victim groups recorded based on	Ethnicity/national origin/national minority Sex/gender Age Citizenship
Multiple bias	No
Classification by type of crimes	
- Homicide	Interior Ministry Law-enforcement agency 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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	Yes Data are published monthly as part of crime statistics. (http://www.vrm.lt/fileadmin/Image_Archive/IR)

	D/Statistika/index2.phtml?id=198).
- Only upon request	Yes Some disaggregated data on victim groups (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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	No
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative Developments	A provision on aggravating circumstances was added to the Criminal Code that applies in cases where crimes were motivated by the victims' "national or social background, political or religious affiliation, property or social status, gender, race or colour of skin".
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	MALTA
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- Recorded by police	2
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information Centre) Prosecutor's Office (Department of Organization and Inspection) The National Bureau of Statistics
Bias motivation determined by	Victim Offender

Victim groups 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	-
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are communicated to NGOs during public meetings.
Availability of data	
- Public	No
- 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?	2008
Are data collected?	
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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	-
Victim groups recorded based on	-
Multiple bias	-
Classification by type of crimes	
- Homicide	Ministry of Interior 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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 (National Expertise Centre on Diversity of the Police Academy – LECD Police) NGO Hotline Discrimination on the Internet (MDI)
Bias motivation determined by	Prosecution Court
Victim groups 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
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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	Introduced a campaign 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 crimes.

Participating State	NORWAY
Number of cases in 2009	
- Recorded by police	236
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police
Bias motivation determined by	Victim Law-enforcement officer
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation
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	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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/f11276003)

	76/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 2009	
- Recorded by police	209
- Prosecuted	28
- Sentenced	27
Information last updated?	2009
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) Intelligence Agency Prosecutor's Office Ministry of Justice; (Statistics Division)
Bias motivation determined by	Victim Offender Prosecution Court Other Private person or institution reporting the crime
Victim groups recorded based on	Race/colour Ethnicity/national original/national minority Citizenship Religion Sexual orientation Sex/gender Other (religious indifference, political affiliation, different perspective on life) <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
- 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	Law-enforcement agency Prosecutor's Office
- Verbal assault/threats/insults	Interior Ministry Law-enforcement agency Prosecutor's Office
- Incitement to hatred	<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 is available in the Statistical Office of the Ministry of Justice.
- Only upon request	Yes
- 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	Xenophobic threat and abuse
Practical Initiatives	Database developed to identify cases of a discriminatory, xenophobic or racist character.

Participating State	PORTUGAL
Number of cases in 2009	
- 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 based on	-
Multiple bias	-
Classification by type of crimes	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative Developments	-
Examples of hate crimes/incidents	Murder of an African worker Homicide by omission of a transgender person
Practical Initiatives	-

Participating State	ROMANIA
Number of cases in 2009	
- Recorded by police	28
- 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 Magistracy)
Bias motivation determined by	Law-enforcement officer Prosecutor Court
Victim groups recorded based on	-
Multiple bias	No
Classification by type of crimes	
- Homicide	Prosecutor's Office The Superior Council of Magistracy
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	-
- Verbal assault/threats/insults	Prosecutor's Office The Superior Council of Magistracy
- Incitement to hatred	<i>Ibid.</i>
Use of data	The Prosecutor's Office 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 2009	
- 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
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	
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 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- Recorded by police	82
- Prosecuted	42
- Sentenced	38
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police Intelligence Agency Prosecutor's Office Ministry of Justice Specialized Body 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
Victim groups 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 NGO's 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are shared between 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	Yes
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	-

Participating State	SLOVAK REPUBLIC
Number of cases in 2009	
- Recorded by police	132
- Prosecuted	-
- Sentenced	18
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
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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	Article 424, on incitement to national, racial and ethnic hatred, criminalizes threats based on race, nation, nationality, colour of skin, ethnicity, origin or religion.
Examples of hate crimes/incidents	An anti-Roma attack
Practical Initiatives	-

Participating State	SLOVENIA
Number of cases in 2009	
- 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
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 2009	
- Recorded by police	23
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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
Victim groups 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	-
- Verbal assault/threats/insults	Law-enforcement agency
- Incitement to hatred	-
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	A racist attack A xenophobic attack An anti-Roma attack
Practical Initiatives	-

Participating State	SWEDEN
Number of cases in 2009	
- Recorded by police	5797
- Prosecuted	450
- Sentenced	-
Information last updated?	2009
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 Other

Victim groups 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-Roma crimes Crimes against Afro-Swedes
Multiple bias	No
Classification by type of crimes	
- Homicide	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	National Council for Crime Prevention
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	National Council for Crime Prevention Prosecutor's Office
Use of data	-
Availability of data	-
- Public	Yes: Website of the Swedish Council for Crime Prevention, at: < http://www.bra.se >. A summary of 2009 hate crime statistics is available in English at: < http://www.bra.se/extra/measurepoint/?module_instance=4&name=Summary_Hate_crimes_2009.pdf&url=/dynamaster/file_archive/100819/f5301c2c8117cb8966a57c5dfad2df27/Summary%255fHate%255fcrimes%255f2009.pdf >.
- Only upon request	Yes
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	-
Practical Initiatives	Hate crimes included as part of compulsory human rights training for judges. Special hate crimes officers trained in Skåne County.

Participating State	SWITZERLAND
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	36
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Federal Commission against Racism
Bias motivation determined by	Prosecution Court
Victim groups recorded based on	Race/colour Ethnicity/national origin/national minority Religion Other Roma/Travellers Foreigners, asylum-seekers, members of the majority group/whites <u>Specific categories:</u>

	Anti-Semitic crimes Anti-Muslim crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crimes	
- Homicide	Prosecutor's Office Specialized body – 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are available to 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	-
Practical Initiatives	-

Participating State	TAJIKISTAN
Number of cases in 2009	
- 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
Victim groups 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	No agency specified.
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	No agency specified.
- Attacks on places of worship	-
- Vandalism	No agency specified.
- Verbal assault/threats/insults	-
- Incitement to hatred	No agency specified.

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 2009	
- Recorded by police	-
- Prosecuted	250
- Sentenced	242
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Ministry of Justice (IT Department)
Bias motivation determined by	Offender
Victim groups 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	-
- Verbal assault/threats/insults	Ministry of Justice
- Incitement to hatred	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative Developments	-
Examples of hate crimes/incidents	Two LGBT persons were murdered Anti-Christian attack against a Protestant/Christian bookstore
Practical Initiatives	-

Participating State	TURKMENISTAN
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Courts
Bias motivation determined by	-
Victim groups 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	-
- Verbal assault/threats/insults	-
- Incitement to hatred	-
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 2009	
- 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
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<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 2009	
- Recorded by police	52,102 (crimes in England and Wales) 6,590 (crimes in Scotland)
- Prosecuted	13,030

- Sentenced	10,690
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Home Office Association of Chief Police Officers Other NGO -Community Security Trust
Bias motivation determined by	Victim Other (any witnesses, civil society, police specialists, family members)
Victim groups 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	Yes
Classification by type of crimes	
- Homicide	Home Office Association of Chief Police Officers
- 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Use of data	Data are publicly available
Availability of data	
Public	Yes Data covering the period from April-March each year the last published versions are available at: (http://www.justice.gov.uk/publications/docs/stat-s-race-criminal-justicesystem-07-08-revised.pdf) Data from the Crown Prosecution Service are available at: (http://www.cps.gov.uk/publications/docs/CPS_hate_crime_report_2009.pdf)
Only upon request	No
- Restricted to authorities	Disaggregated data on specific categories (Anti-Roma, Anti-Semitism, Anti-Muslim and Anti-Christian) are restricted to the authorities. Data are used for intelligence gathering.
Legislative Developments	Scottish Parliament extended list of aggravating circumstances to include crimes motivated by the victims' disability, sexual orientation and transgender identity.
Examples of hate crimes/incidents	The murder of a man with learning disabilities
Practical Initiatives	Cross-Government Action Plan on hate crimes

Participating State	UNITED STATES
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-

- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	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
Bias motivation determined by	Offender
Victim groups 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>
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	<i>Ibid.</i>
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
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 in 2009	Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act added crimes motivated by "gender, sexual orientation, gender identity, or disability" as separate offences to the federal hate crimes law.
Examples of hate crimes in 2009	-
Practical Initiatives in 2009	-

Participating State	UZBEKISTAN
Number of cases in 2009	
- Recorded by police	6
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
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
Victim groups 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
- Verbal assault/threats/insults	<i>Ibid.</i>
- Incitement to hatred	Intelligence Agency
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: 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
	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 Justice
	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 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
United Kingdom	Office for Criminal Justice Reform
United States of America	United States Mission to the Organization for Security and Co-operation in Europe
Uzbekistan	

ANNEX B: Questionnaire for NPCs

Section I. Hate Crime Data Collection

Does your government collect any data on hate crimes?

Yes No

<p>Question 1</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Who collects data on hate crimes? <i>(Please check all boxes that apply)</i></p> <p><input type="checkbox"/> Ministry of Interior</p> <p><input type="checkbox"/> Law enforcement agency/police</p> <p><input type="checkbox"/> Intelligence agency</p> <p><input type="checkbox"/> Prosecutors Office</p> <p><input type="checkbox"/> Ministry of Justice</p> <p><input type="checkbox"/> Specialized body</p> <p><input type="checkbox"/> Statistical office</p> <p><input type="checkbox"/> Other: <input type="text"/></p> <p>Please indicate the full name(s) of all institution(s) and specific department(s) dealing with collection of data on hate crimes</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
<p>Question 2</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Whose perception or description of bias motivation is recorded when collecting data? <i>(Please check all boxes that apply)</i></p> <p><input type="checkbox"/> Victim's</p> <p><input type="checkbox"/> Law enforcement officer's</p> <p><input type="checkbox"/> Offender's</p> <p><input type="checkbox"/> Prosecution's</p> <p><input type="checkbox"/> Court's</p> <p><input type="checkbox"/> Other: <input type="text"/></p>
<p>Question 3</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Please provide information about forms used by different agencies for hate crimes data collection. Links to websites can be indicated below, copies of form(s) can be sent to tninfo@odihhr.pl</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
<p>Question 4</p> <p>Changes since previous submissions for</p>	<p>General categories:</p> <p><input type="checkbox"/> Race/colour</p> <p>Specific categories:</p> <p><input type="checkbox"/> Anti-Semitic crimes</p>

the 2008 Hate Crime Report?

Yes No

- Ethnicity/national origin/minority
- Citizenship
- Language
- Religion
- Sexual orientation
- Transgender
- Disability
- Sex/gender
- Other:
- Anti-Muslim crimes
- Anti-Christian crimes
- Anti-Roma crimes
- None

Please elaborate and/or send relevant documents to tndinfo@odihr.pl

Are the above categories further disaggregated (for example by bias motivation, etc.)?

Yes No

Please elaborate and/or send relevant documents to tndinfo@odihr.pl

Does your government record multiple biases in hate crimes (for example, attacks on persons based on their religion **and** ethnicity)?

Yes No

Please describe any guidelines addressing multiple biases

Question 5

Changes since previous submissions for the 2008 Hate Crime Report?

Yes No

Is data classified according to the type of crimes?

Yes No

Please check all boxes that apply

	Min. of Int.	Law enf. ag.	Intell. ag.	Pros. office	Min. of Just.	Spec. body	Stat. office	Other (as specified in Q1.)

	<table border="1"> <tr><td>Homicide</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Physical assault</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Damage to property</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Desecration of graves</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Attack against places of worship</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Vandalism</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Verbal assault/threats/insults</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Incitement to hatred</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr><td>Other (specify below)</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>Please describe any other categories used to classify types of crimes</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	Homicide	<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"/>	Physical assault	<input type="checkbox"/>	Damage to property	<input type="checkbox"/>	Desecration of graves	<input type="checkbox"/>	Attack against places of worship	<input type="checkbox"/>	Vandalism	<input type="checkbox"/>	Verbal assault/threats/insults	<input type="checkbox"/>	Incitement to hatred	<input type="checkbox"/>	Other (specify below)	<input type="checkbox"/>																																																																
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<p>Question 6</p> <p>Have figures changed for 2008 and/or 2009?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Please indicate how many cases of hate crimes were recorded by police and court authorities. If available, please specify which section of the Criminal Code the number of cases refer to.</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;">2009</th> <th style="text-align: center;">2008</th> </tr> </thead> <tbody> <tr> <td>Number of cases recorded by police</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td>Number of cases prosecuted</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> <tr> <td>Number of cases in which perpetrators were sentenced</td> <td style="text-align: center;"><input type="text"/></td> <td style="text-align: center;"><input type="text"/></td> </tr> </tbody> </table>		2009	2008	Number of cases recorded by police	<input type="text"/>	<input type="text"/>	Number of cases prosecuted	<input type="text"/>	<input type="text"/>	Number of cases in which perpetrators were sentenced	<input type="text"/>	<input type="text"/>																																																																														
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<p>Question 7</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Do you have comparative tables on the number of hate crimes for any time-period from 2000 to 2009?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please provide relevant documents to tndinfo@odihhr.pl</p>																																																																																										
<p>Question 8</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Please describe how the data/reports are used by the government (for example, shared with NGOs, presented to specific executive/legislative bodies)</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>																																																																																										
<p>Question 9</p> <p>Changes since previous submissions for</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Is there a difference in the type of data collected by different bodies (for example, between the Ministry of Interior and other governmental/specialized bodies)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>																																																																																										

<p>the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Please describe how you deal with it</p> <div data-bbox="459 188 1423 344" style="border: 1px solid gray; height: 70px; width: 100%;"></div>
<p>Question 10</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Is the data made available to the public?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please indicate when data is usually published and the frequency of such publications (annual, biannual, etc.). Please also provide links to websites or copies of any relevant publications indicating a section on hate crimes data collection. Copies can be sent to tndinfo@odhr.pl</p> <div data-bbox="459 631 1423 788" style="border: 1px solid gray; height: 70px; width: 100%;"></div> <p>Please indicate the periods for which data is published</p> <p>From (month/year) <input type="text"/> To (month/year) <input type="text"/></p>
<p>Question 11</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Is there any data which is available only upon request?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please indicate when data is usually published and the frequency of such publications (annual, biannual, etc.). Please also provide any other relevant information.</p> <div data-bbox="459 1173 1423 1330" style="border: 1px solid gray; height: 70px; width: 100%;"></div>
<p>Question 12</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Is there any data on hate crimes which is not publicly available?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>What type of data is withheld from the public?</p> <div data-bbox="459 1505 1423 1662" style="border: 1px solid gray; height: 70px; width: 100%;"></div> <p>Which authorities collect this data?</p> <div data-bbox="459 1751 1423 1908" style="border: 1px solid gray; height: 70px; width: 100%;"></div> <p>What is this data used for (for example, intelligence gathering, assessment of security situation, policy formulation)?</p>

	<div data-bbox="459 145 1423 302" style="border: 1px solid black; height: 70px; width: 100%;"></div> <p data-bbox="459 347 837 376">Please explain further if required</p> <div data-bbox="459 392 1423 548" style="border: 1px solid black; height: 70px; width: 100%;"></div>
<p data-bbox="225 571 384 600">Question 13</p> <p data-bbox="225 627 411 761">Changes since previous submissions for the 2008 Hate Crime Report?</p> <p data-bbox="225 784 411 828"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p data-bbox="459 571 1324 600">Do you conduct crime victimization surveys with questions on hate crimes?</p> <p data-bbox="459 616 638 660"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p> <p data-bbox="459 683 1468 761">Please indicate when data is usually published and the frequency of such publications (annual, bi-annual, etc.). Please also provide links to websites or copies of any relevant publications. Copies can be sent to tndinfo@odihr.pl</p> <div data-bbox="459 779 1423 936" style="border: 1px solid black; height: 70px; width: 100%;"></div>
<p data-bbox="225 1046 384 1075">Question 14</p> <p data-bbox="225 1102 411 1236">Changes since previous submissions for the 2008 Hate Crime Report?</p> <p data-bbox="225 1258 411 1303"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p data-bbox="459 1046 1436 1075">Please provide the text of any legislation that requires data collection on hate crimes</p> <div data-bbox="459 1093 1423 1249" style="border: 1px solid black; height: 70px; width: 100%;"></div>



Section II. Legislation

<p>Question 1</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>ODIHR collects information regarding participating States' hate crimes legislation. ODIHR uses the definition of hate crimes contained in its <u>Hate Crime Laws - A Practical Guide</u>.</p> <p>Please provide the following:</p> <ul style="list-style-type: none"> 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; the details of when the law was passed or amended; the details of official gazette number or other legal source for citation purposes. <p>Please provide any text of legislation in English as well as in the original language.</p> <p>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.</p> <div data-bbox="459 748 1423 907" style="border: 1px solid gray; height: 70px; width: 100%;"></div>
<p>Question 2</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Does your state have criminal laws prohibiting hate speech? For example speech which advocates or incites racial, national, ethnic, or religious hatred or conflict, which criminalises denial of genocide or the Holocaust, or which justifies or glorifies violence against any particular group of persons?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please provide the text</p> <div data-bbox="459 1196 1423 1355" style="border: 1px solid gray; height: 70px; width: 100%;"></div>
<p>Question 3</p> <p>Changes since previous submissions for the 2008 Hate Crime Report?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>What policies, instructions or definitions exist to guide responses to hate crimes from criminal justice professionals and the judiciary (for example, guidelines for prosecutors)?</p> <p>Please elaborate or provide relevant documents. Documents can be sent to <u>tndinfo@odhr.pl</u></p> <div data-bbox="459 1543 1423 1702" style="border: 1px solid gray; height: 70px; width: 100%;"></div>

Section III. Notable Examples of Hate Crimes

Question 1

Changes since previous submissions for the 2008 Hate Crime Report?

Yes No

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 Section I, Question 4.

Please provide not more than three specific examples from 2009, which illustrate the cases of hate crimes and the response of authorities. Please use the fields below.

Examples

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

Section IV. Initiatives

Question 1

Changes since previous submissions for the 2008 Hate Crime Report?

Yes No

ODIHR also compiles information about existing measures to combat hate crimes and to promote mutual respect and understanding.

A section which outlines compiled practices & initiatives can be found on the relevant country page on **TANDIS (<http://tandis.odhr.pl>)**. Is this information up to date and accurate?

Yes No

Please provide additional information about initiatives undertaken to combat hate crimes in the categories below. Please use the fields below OR the **online form** on TANDIS to submit information.

Please also submit links to websites or copies of any reports about the initiative.

Important note: If the 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.

Initiatives

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

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

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Links to website(s) describing the initiative and/or links to reports.
Reports can also be sent to tndinfo@odihr.pl

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ANNEX C: Selected 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 to “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 D: List of NGOs

Armenia, *Pink Armenia*, website: <<http://pinkarmenia.org/>>;

Austria, *Forum Gegen Antisemitismus* (Forum Against Anti-Semitism), website: <<http://www.fga-wien.at/>>;

Austria, *ZARA - Verein für Zivilcourage und Anti-rassismuarbeit (ZARA)* (ZARA – Civil Courage and Anti-racism Work), website: <<http://www.zara.or.at/>>;

Belarus, *Union of Jewish Communities in Belarus*, website: <www.coalitionagainsthate.org>, <<http://www.homoliber.org/>>;

Belgium, *Antisemitisme.be*, website: <<http://antisemitisme.be/>>.

Bulgaria, *Български хелзинкски комитет* (The Bulgarian Helsinki Committee), website: <<http://www.bghelsinki.org/index.php?lg=en>>;

Canada, *Canadian Arab Federation*, website: <<http://www.caf.ca/HomePage.aspx>>;

Canada, *League for Human Rights of the B'nai Brith Canada*, website: <<http://www.bnaibrith.ca/>>;

Cyprus, *Kıbrısli Türk İnsan Hakları Vakfı Bülteni (KTIHV)* (Turkish Cypriot Human Rights Foundation), website: <www.ktihv.org>;

Czech Republic, *Člověk v tísni (PIN)* (People in Need), website: <www.clovekvtsni.cz>, <www.peopleinneed.cz>;

Czech Republic, *In IUSTITIA*, website: <<http://en.in-ius.cz/>>;

Estonia, *Jewish Community of Estonia*, website: <www.jewish.ee>;

Finland, *Suomen Islamilainen Neuvosto (SINE) ry* (Islamic Council of Finland), website: <<http://www.sine.fi>>;

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/>>;

Germany, *Avrupa Batı Trakya Türk Federasyonu (ABTTF)* (Federation of Western Thrace Turks in Europe), website: <www.abtff.org>;

Germany, *Die Amadeu Antonio Stiftung* (The Amadeu Antonio Foundation), website: <<http://www.amadeu-antonio-stiftung.de>>;

Germany, *Die Türkische Gemeinde in der Metropolregion Nürnberg (TGMN)* (Turkish Community in the Nuremberg Metropolitan Region), website: <<http://www.tgmn.de>>;

Germany, *Heidelberger Forum für Politik und Wissenschaft* (Heidelberger Forum for Politics and Science), website: <www.forum-hd.de>;

Germany, *RAA Sachsen e.V* (RAA Saxony), website: <<http://www.raa-sachsen.de/>>;

Germany, *Zentrum für Antisemitismusforschung (ZFA)* (Center for Research on Anti-Semitism), website: <<http://zfa.kgw.tu-berlin.de/index.htm>>;

Greece, *The Central Board of Jewish Communities*, website: <http://www.kis.gr/home_en.html>;

Greece, *Bati Trakya Azınlığı Yüksek Tahsilliler Derneği* (Western Thrace Minority University Graduates Association), website: <<http://www.btaytd.com/tr/>>;

Greece, *Greek Helsinki Monitor (GHM)*, website: <www.greekhelsinki.gr>;

Hungary, *Magyar Iszlám Közösség* (Hungarian Islamic Community), website: <www.magyariszlam.hu>;

Hungary, *Társaság a Szabadságjogokért (TASZ)* (Hungarian Civil Liberties Union – HCLU), website: <<http://tasz.hu>>;

Italy, *Arcigay Italian Lesbian Gay Association*, website: <www.arcigay.it>;

Italy, *EveryOne Group for International Cooperation on Human Rights Culture*, website: <www.everyonegroup.com>;

Italy, *Lunaria*, website: <<http://www.lunaria.org/>>;

Kazakhstan, *Soros Foundation-Kazakhstan (SFK)*, website: <<http://www.soros.kz/en.html>>;

Kyrgyzstan, *Kalym Shamym*;

Latvia, *Latvijas Cilvēktiesību centrs (LCC)* (The Latvian Centre for Human Rights), website: <<http://www.humanrights.org.lv>>;

Luxembourg, *Chachipe*, website: <<http://romarights.wordpress.com/>>;

Moldova, *GenderDoc-M Information Center*, website: <<http://www.gay.md/eng/genderdoc.php>>;

Moldova, *Helsinki Citizens Assembly*;

Netherlands, *Art-1 - voorkomt en bestrijdt discriminatie1* (Art-1: prevents and combats discrimination), website: <<http://www.art1.nl/artikel/73-English>>;

Netherlands, *Bureau Discriminatiezaken Hollands Midden en Haaglanden*, (The Office for Discrimination Issues of the region Hollands Midden and Haaglanden), website: <<http://www.discriminatiezaken.nl/>>;

Netherlands, *Centrum Informatie en Documentatie Israël (CIDI)*, website: <<http://www.cidi.nl/>>;

Netherlands, *COC Leiden*, website: <<http://www.cocleiden.nl/>>;

Netherlands, *Turks Forum*, website: <<http://www.turksforum.nl/>>;

Norway, *Antirasistisk Senter* (the Norwegian Centre against Racism), website: <www.antirasistisk-senter.no>;

Poland, *Nigdy Więcej* (Never Again Association), website: <<http://www.nigdywiecej.org>>;

Romania, *Centrul pentru Monitorizarea si Combaterea Antisemitismului* (Center for Monitoring and Combating Antisemitism), website: <www.antisemitism.ro>, <www.holocaust.ro>;

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)* (The Moscow Bureau for Human Rights), website: <<http://antirasizm.ru/>>;

Russian Federation, *The Moscow Protestant Chaplaincy: Task force on Racial Violence and Harassment*, website: <<http://www.mpcrussia.org>>;

Serbia, *Lesbian Human Rights Organization* (LABRIS), website: <<http://www.labris.org.yu/en/>>;

Serbia, *Gej Strejt Alijansa (GSA)* (Gay-Straight Alliance), website: <<http://www.gsa.org.rs/cms-run/>>;

Serbia, *Regionalni centar za manjine* (Regional Centre for Minorities), website: <<http://www.minoritycentre.org>>;

Slovakia, *Ludia proti rasizmu* (People Against Racism), website: <www.rasizmus.sk>;

Spain, *Centro de Investigaciones en Derechos Humanos*, (Research Center for Human Rights), website: <<http://www.cidh.es/>>;

Spain, *Federacion de Comunidades Judias de Espana* (Federation of Jewish Communities in Spain), website: <<http://www.fcje.org/menu.php>>;

Spain, *Unión de Comunidades Islámicas de España* (Union of Islamic Communities of Spain), website:

<http://es.ucide.org/home/index.php?option=com_content&view=frontpage&Itemid=54>;

Sweden, *Svenska kommittén mot anti-Semitism (SKMA)* (Swedish Committee Against Antisemitism), website: <<http://www.skma.se/>>;

Sweden, *Svenska Kommitten mot Islamofobi* (Swedish Committee Against Islamophobia), website: <<http://antiislamofobi.blogspot.com/>>;

Switzerland, *Coordination Intercommunautaire contre l'Antisémitisme et la Diffamation (CICAD)* (Intercommunity Coordination against Anti-Semitism and Defamation), website: <<http://www.cicad.org>>;

Switzerland, *Stiftung gegen Rassismus und Antisemitismus (GRA)* (Foundation against Racism and Anti-Semitism), website: <<http://www.gra.ch>>;

Switzerland, *Türkische Gemeinschaft Sweiz (TGS)* (Turkish Community in Switzerland);

Turkey, *Helsinki Citizens Assembly of Turkey*, website: <www.hyd.org.tr>;

Turkey, *İnsan Hakları Gündemi Derneği (İHG)* (Human Rights Agenda Association), website: <<http://www.rightsagenda.org>>;

Turkey, *Lambda Istanbul*, website: <www.lambdaistanbul.org>;

Turkey, *Pembe Hayat* (Pink Life LGBTT Solidarity Association), website: <<http://www.pembehayat.org>>;

Turkey, *Türkiye Protestan Kiliseler Birliği* (Association of Protestant Churches of Turkey), website: <<http://turkiyeprotestankiliseleri.org>>, <<http://www.protestantkiliseler.org>>;

Ukraine, *Informational-Educational Center "Za Ravnie Prava" Public Organization*;

Ukraine, *Jewish Foundation of Ukraine (JFU)*, website: <www.jew-fund.kiev.ua/>;

Ukraine, *Конгрес національних громад України* (Congress of National Communities of Ukraine), website: <<http://www.kngu.org/>>;

United Kingdom, *The Community Security Trust*, website: <<http://www.thebst.org.uk/>>;

United Kingdom, *Embargoed!*, website: <www.embargoed.org>;

United Kingdom, *ENGAGE*, website: <www.iengage.org.uk>;

United Kingdom, *Institute for Conflict Research (ICR)*, website: <http://www.conflictresearch.org.uk/cms/index.php?option=com_frontpage&Itemid=1>;

United Kingdom, *Kurdish Human Rights Project*, website: <<http://www.khrp.org>>;

United Kingdom, *Scope: Time to Get Equal*, website: <<http://www.scope.org.uk/>>;

United States, *American-Arab Anti-Discrimination Committee (ADC)*, website: <<http://www.adc.org/>>;

United States, *Council on American-Islamic Relations (CAIR)*, website: <www.cair-net.org>;

United States, *Leadership Conference on Civil Rights Education Fund*, website: <<http://www.civilrights.org/about/lccref/>>;

United States, *National Coalition for the Homeless*, website: <<http://www.nationalhomeless.org/>>;

United States, *National Coalition of Anti-Violence Programs (NCAVP)*, website: <<http://www.avp.org/>>.

Regional NGOs:

Amnesty International, website: <www.amnesty-eu.org>;

Anti-Defamation League (ADL), website: <http://www.adl.org>;

European Jewish Congress, website: <http://www.eurojewcong.org>;

European Roma Rights Centre, website: <http://www.errc.org/English_index.php>;

Human Rights First, website: <<http://www.humanrightsfirst.org/>>;

Human Rights Watch, website: <<http://www.hrw.org/>>;

ILGA-Europe, website: <<http://www.ilga-europe.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

ABC News, website: <<http://www.abc.net.au/>>;

Adn Kronos International (AKI), website:
<<http://www.adnkronos.com/AKI/English/hp/>>;

BBC Monitor, website: <<http://www.monitor.bbc.co.uk/>>;

BBC News, website: <<http://news.bbc.co.uk/>>;

Birmingham Respect, website: <<http://birminghamrespect.wordpress.com/>>;

European Jewish Congress, website: <<http://www.eurojewcong.org/ejc/index.php>>;

Finding Dulcinea Librarian of the Internet, website:
<http://www.findingdulcinea.com/news.topic__ss_categories_ss_international.html>;

France 24: International News 24/7, website: <<http://www.france24.com/en/>>;

Haaretz, website: <<http://www.haaretz.com>>;

ICARE news: Internet Centre Anti Racism Europe, website:
<<http://www.icare.to/news.php?en>>;

Il Messaggero, website: <http://www.ilmessaggero.it/home_page.php?refresh_ce>;

Islam Online.net, website: <<http://www.islamonline.net/English/index.shtml>>;

Jewish Telegraphic Agency (JTA), website: <<http://www.jta.org>>;

Magenta News, website: <<http://www.magenta.nl/news>>;

MSNBNC, website: <http://www.msnbc.msn.com/id/3032507/ns/world_news>;

Novia Gazeta: first independent newspaper in Transnistria, website:
<<http://novaiazeta.org.ru/>>;

Новый Регион: Российское информационное агентство (New Region: Russian Information Agency), website: <<http://www.nr2.ru/>>;

Radio Free Europe/Radio Liberty, website: <<http://www.rferl.org>>;

The Dawn Media Group, website: <<http://www.dawn.com/>>;

The Guardian, website: <<http://www.guardian.co.uk/>>;

The New York Times, website: <<http://www.nytimes.com/>>;

Union of Councils for Jews in the Former Soviet Union (UCSJ), Bigotry Monitor, website: <<http://www.ucsj.org>>.

ANNEX F: Maps

MAP | No.1 Overview of information submitted by participating States



Participating States that completed the online questionnaires

- Austria
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- Georgia
- Germany
- Greece
- Hungary
- Iceland
- Kazakhstan
- Kyrgyzstan
- Latvia
- Liechtenstein
- Lithuania
- Moldova
- Montenegro
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Serbia
- Slovakia
- Spain
- Sweden
- Turkey
- United Kingdom

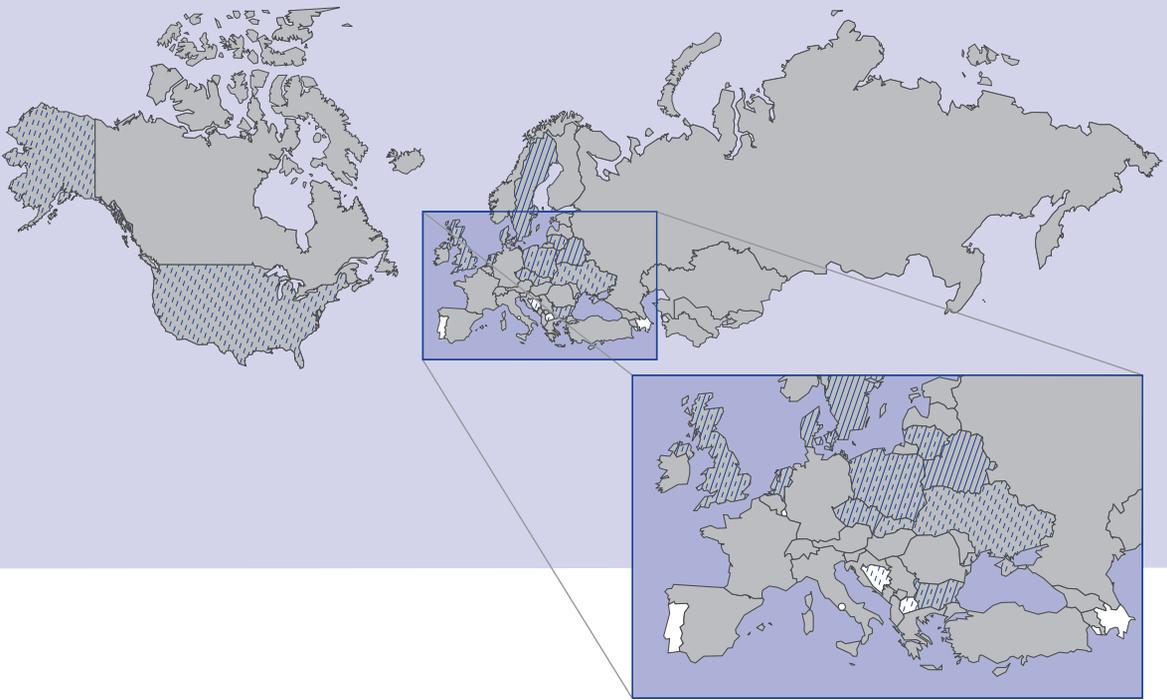
Participating States that provided questionnaires offline or general information

- ▨ Andorra
- ▨ Armenia
- ▨ Belarus
- ▨ Belgium
- ▨ Bosnia and Herzegovina
- ▨ Holy See
- ▨ Italy
- ▨ Former Yugoslav Republic of Macedonia
- ▨ Switzerland
- ▨ Uzbekistan

Participating States that did not complete the questionnaire or provide information at the time of writing

- ▧ Albania
- ▧ Azerbaijan
- ▧ France
- ▧ Ireland
- ▧ Luxembourg
- ▧ Malta
- ▧ Monaco
- ▧ Russian Federation
- ▧ San Marino
- ▧ Slovenia
- ▧ Tajikistan
- ▧ Turkmenistan
- ▧ Ukraine
- ▧ United States

MAP | No.2 Overview of information



Who collects data in the OSCE region

- Albania
- Andorra
- Armenia
- Austria
- Belarus
- Belgium
- 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
- Romania
- Russian Federation

- Serbia
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- United Kingdom
- United States
- Uzbekistan

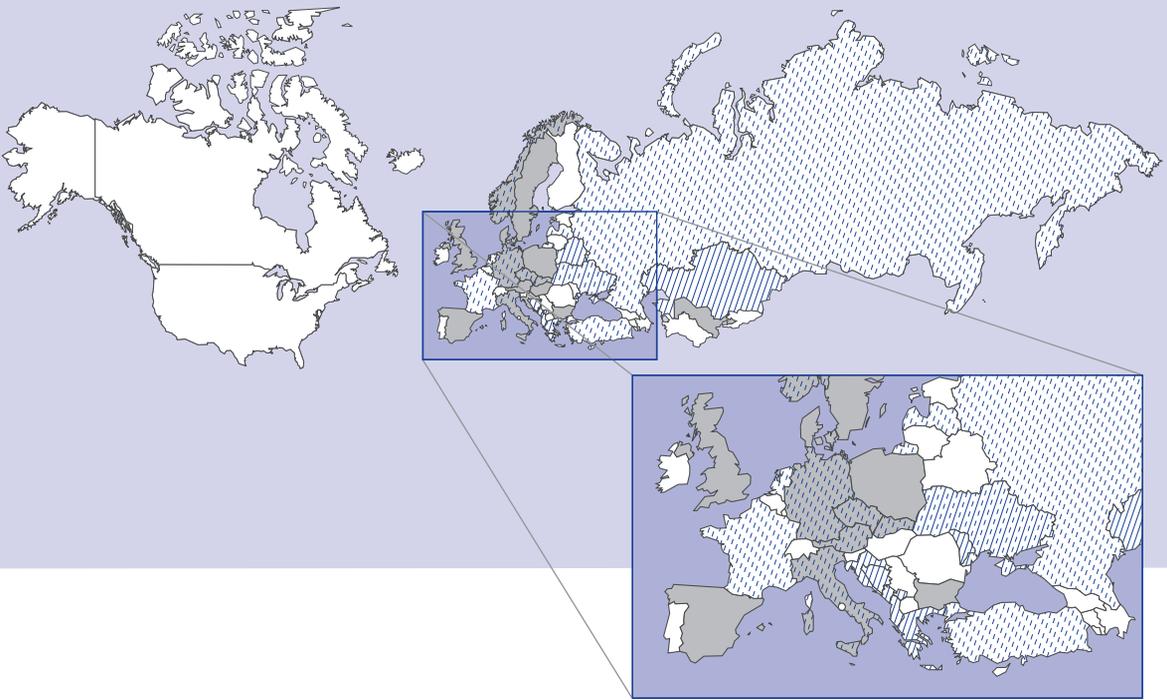
Legal framework developments in 2009

- ▨ Bosnia and Herzegovina
- ▨ Bulgaria
- ▨ Lithuania
- ▨ Former Yugoslav Republic of Macedonia
- ▨ Malta
- ▨ Poland
- ▨ Slovakia
- ▨ Ukraine
- ▨ United Kingdom
- ▨ United States

Institutional developments in 2009

- ▨ Belarus
- ▨ Bulgaria
- ▨ Czech Republic
- ▨ Denmark
- ▨ Lithuania
- ▨ Netherlands
- ▨ Poland
- ▨ Sweden
- ▨ United Kingdom

MAP | No.3 Racism and Xenophobia



Participating States that submitted data figures or provided information

- | | |
|--|---|
| <ul style="list-style-type: none"> ■ Austria ■ Bulgaria ■ Croatia ■ Czech Republic ■ Denmark ■ Germany ■ Hungary ■ Italy | <ul style="list-style-type: none"> ■ Norway ■ Poland ■ Slovakia ■ Spain ■ Sweden ■ United Kingdom ■ Uzbekistan |
|--|---|

Participating States that had not submitted data at the time of writing

- | | |
|---|---|
| <ul style="list-style-type: none"> □ Albania □ Andorra □ Armenia □ Azerbaijan □ Belarus □ Belgium □ Bosnia and Herzegovina □ Canada □ Cyprus □ Estonia □ Finland □ France □ Georgia □ Greece □ Holy See □ Iceland □ Ireland □ Kazakhstan □ Kyrgyzstan □ Latvia □ Liechtenstein □ Lithuania □ Luxembourg □ Former Yugoslav Republic of Macedonia □ Malta □ Moldova □ Monaco □ Montenegro □ Netherlands □ Portugal □ Romania □ Russian Federation □ San Marino □ Serbia | <ul style="list-style-type: none"> □ Slovenia □ Switzerland □ Tajikistan □ Turkey □ Turkmenistan □ Ukraine □ United States |
|---|---|

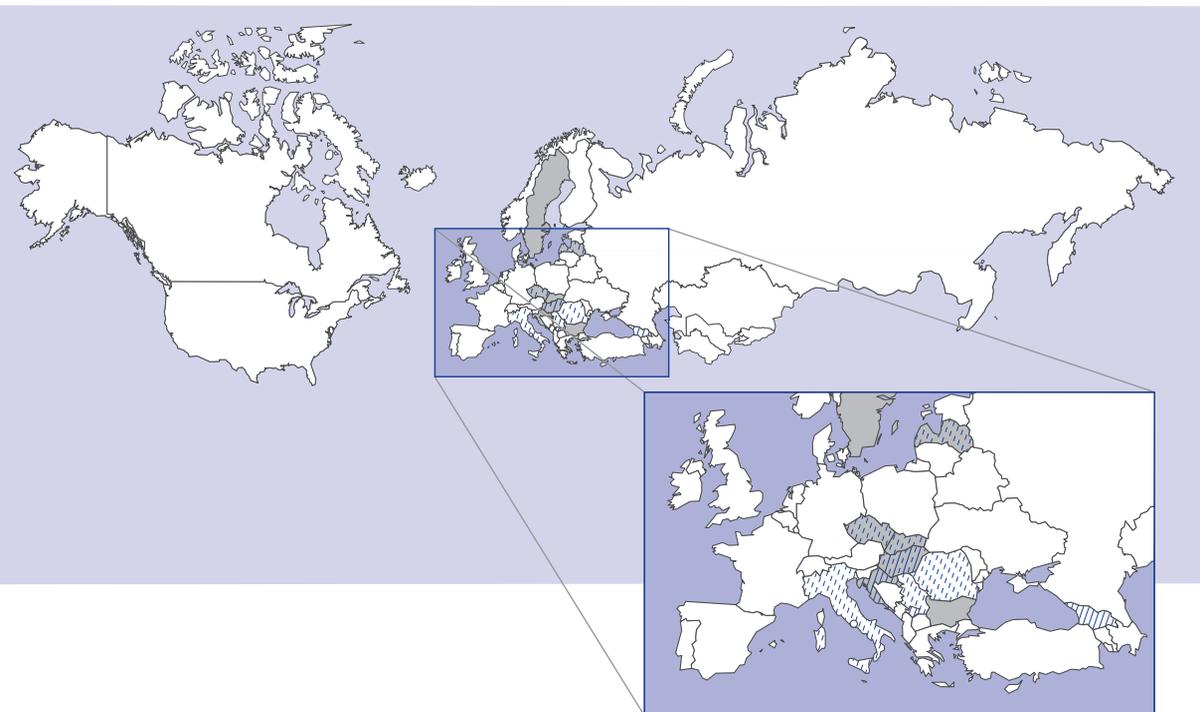
OSCE/UNHCR submission

- ▨ Albania (UNHCR)
- ▨ Belarus (UNHCR)
- ▨ Bosnia and Herzegovina (OSCE)
- ▨ Croatia (UNHCR)
- ▨ Greece (UNHCR)
- ▨ Kazakhstan (UNHCR)
- ▨ Moldova (UN Office)
- ▨ Montenegro (OSCE & UNHCR)
- ▨ Tajikistan (OSCE & UNHCR)
- ▨ Ukraine (UNHCR)
- ▨ Uzbekistan (OSCE)
- ▨ Kosovo (OSCE)

NGO reports

- | | |
|---|---|
| <ul style="list-style-type: none"> ▩ Austria ▩ Cyprus ▩ Czech Republic ▩ France ▩ Germany ▩ Italy ▩ Latvia | <ul style="list-style-type: none"> ▩ Malta ▩ Netherlands ▩ Norway ▩ Russian Federation ▩ Slovakia ▩ Turkey ▩ Ukraine |
|---|---|

MAP | No.4 Roma and Sinti



Participating States that submitted data figures or provided information

- Bulgaria
- Croatia
- Czech Republic
- Hungary
- Latvia
- Slovakia
- Sweden

OSCE/UNHCR submission

- ▨ Croatia (UNHCR)
- ▨ Georgia (UNHCR)
- ▨ Hungary (ODIHR)
- ▨ Kosovo (OSCE)

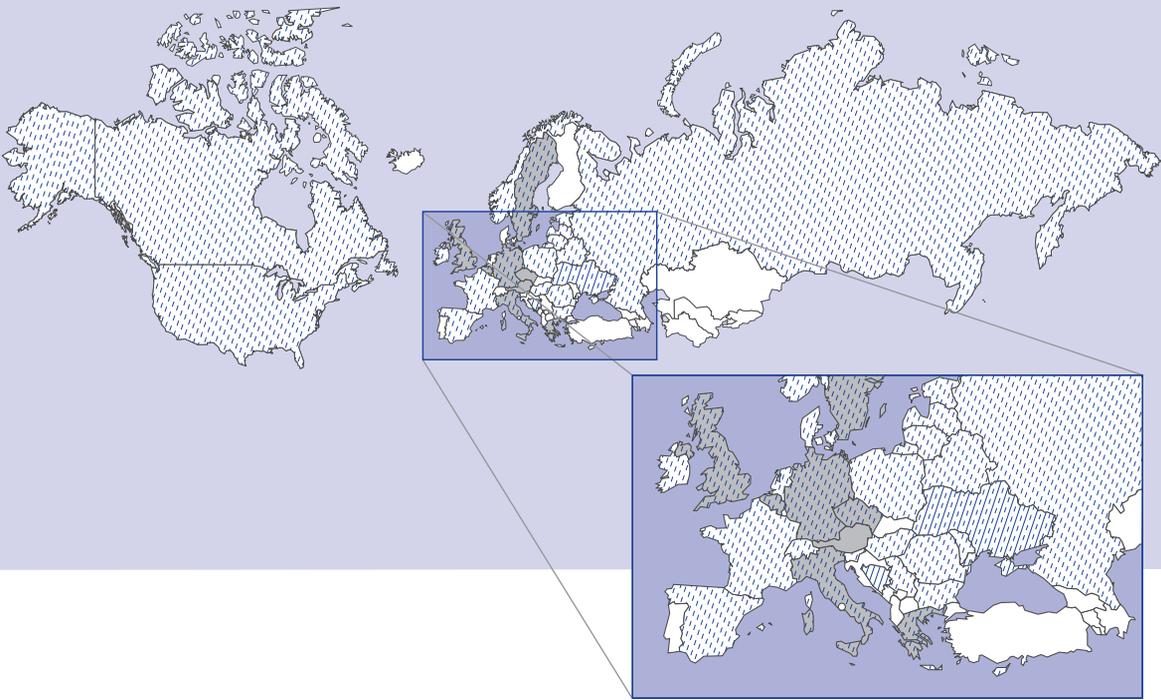
NGO reports

- ▨ Czech Republic
- ▨ Hungary
- ▨ Italy
- ▨ Latvia
- ▨ Romania
- ▨ Serbia
- ▨ Slovakia

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Belgium
- Bosnia and Herzegovina
- Canada
- Cyprus
- Denmark
- Estonia
- Finland
- France
- Georgia
- Germany
- Greece
- Holy See
- 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
- Slovenia
- Spain
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- Uzbekistan
- United Kingdom
- United States

MAP | No.5 Anti-Semitism



Participating States that submitted data figures or provided information

- Austria
- Belgium
- Czech Republic
- Germany
- Greece
- Italy
- Sweden
- United Kingdom

OSCE/UNHCR submission

- Bosnia and Herzegovina (OSCE)
- Ukraine (UNHCR)

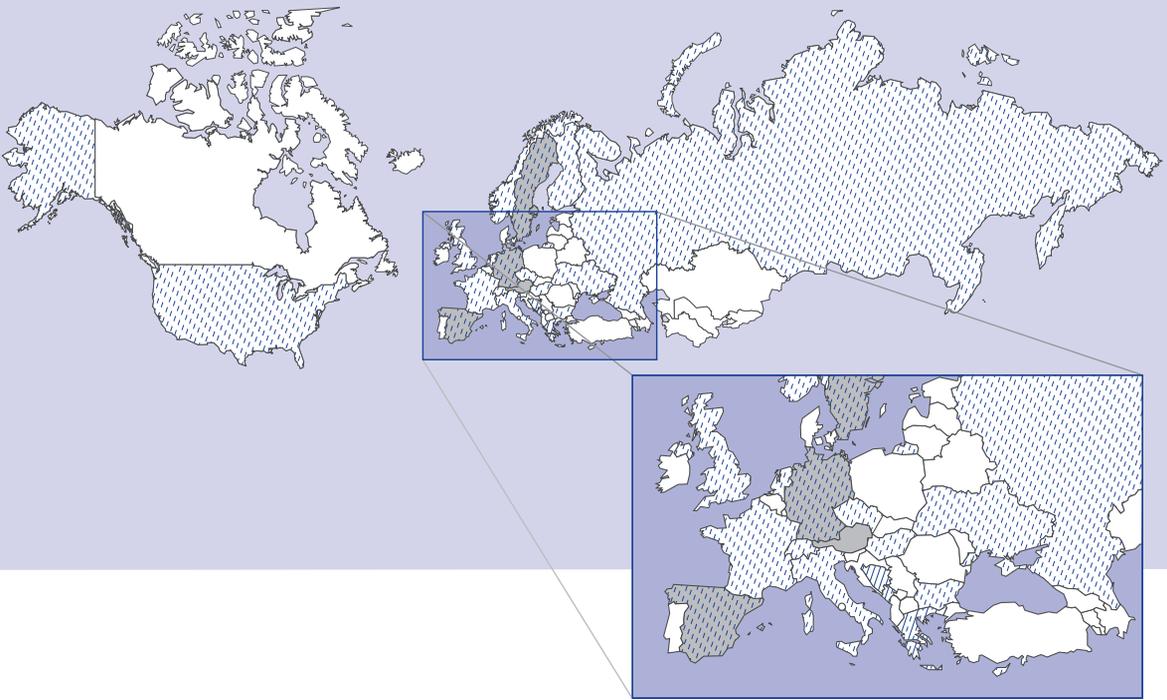
NGO reports

- Austria
- Belarus
- Belgium
- Bulgaria
- Canada
- Czech Republic
- Cyprus
- Denmark
- Estonia
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Moldova
- Netherlands
- Norway
- Poland
- Romania
- Russian Federation
- Serbia
- Slovenia
- Spain
- Sweden
- Switzerland
- Ukraine
- United Kingdom
- United States

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Azerbaijan
- Belarus
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Denmark
- Estonia
- Finland
- France
- Georgia
- 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
- Uzbekistan
- United States

MAP | No.6 Intolerance against Muslims



Participating States that submitted data figures or provided information

- Austria
- Germany
- Spain
- Sweden

OSCE/UNHCR submission

- Bosnia and Herzegovina (OSCE)
- Greece (UNHCR)
- Montenegro (OSCE)

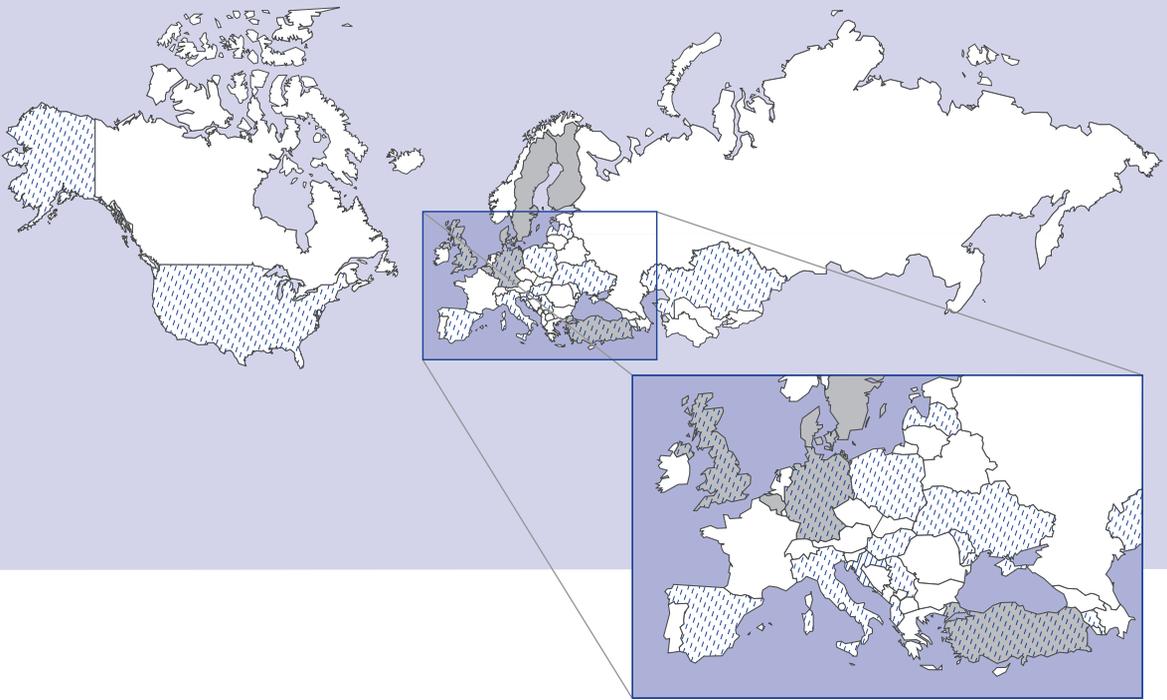
NGO reports

- Bulgaria
- Cyprus
- Czech Republic
- Finland
- France
- Germany
- Greece
- Hungary
- Italy
- Montenegro
- Netherlands
- Norway
- Russian Federation
- Spain
- Sweden
- Switzerland
- Ukraine
- United Kingdom
- United States

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Azerbaijan
- Belarus
- Belgium
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Georgia
- Greece
- Holy See
- Hungary
- Iceland
- 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
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- Uzbekistan
- United Kingdom
- United States

MAP | No.8 Intolerance against LGBT persons



Participating States that submitted data figures or provided information

- Belgium
- Croatia
- Denmark
- Germany
- Norway
- Sweden
- Turkey
- United Kingdom

OSCE/UNHCR submission

- ▨ Croatia (UNHCR)

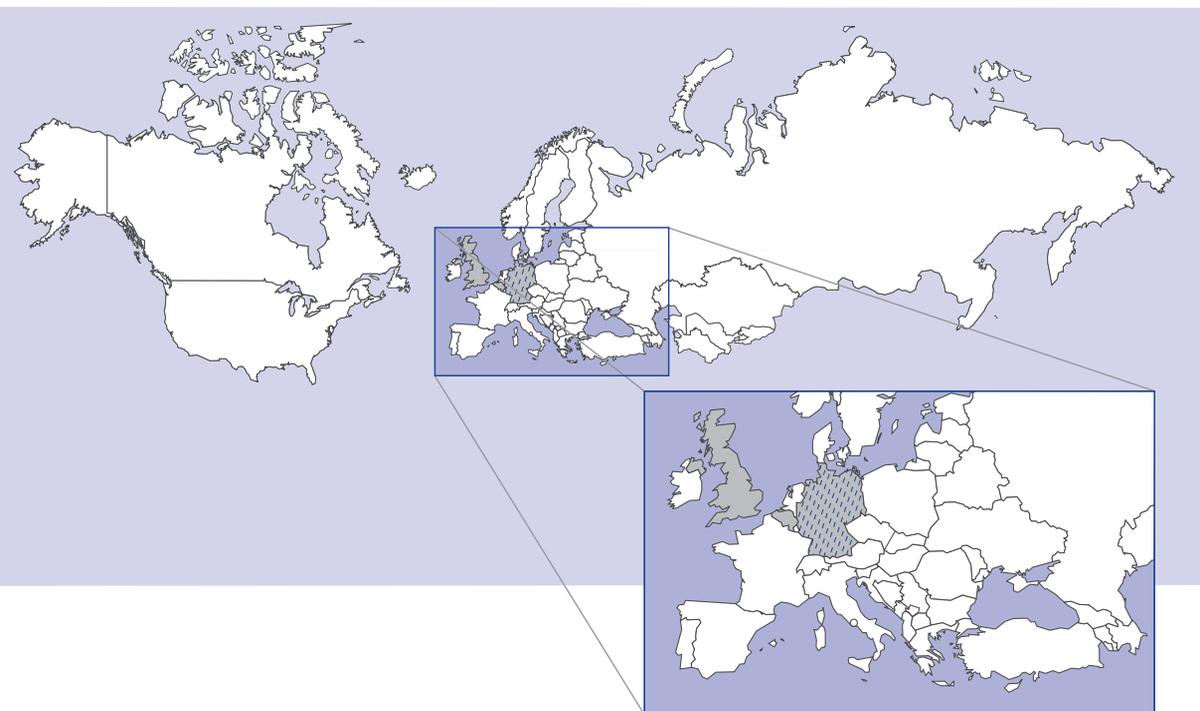
NGO reports

- ▤ Albania
- ▤ Armenia
- ▤ Germany
- ▤ Hungary
- ▤ Italy
- ▤ Kazakhstan
- ▤ Latvia
- ▤ Moldova
- ▤ Poland
- ▤ Serbia
- ▤ Spain
- ▤ Turkey
- ▤ Ukraine
- ▤ United Kingdom
- ▤ United States

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Cyprus
- Czech Republic
- Estonia
- Finland
- 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
- Poland
- Portugal
- Romania
- Russian Federation
- San Marino
- Serbia
- Slovakia
- Slovenia
- Spain
- Switzerland
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan
- United States

MAP | No.9 Intolerance against persons with disabilities



Participating States that submitted data figures or provided information

- Belgium
- Germany
- United Kingdom

OSCE/UNHCR submission



NGO reports

- Germany

Participating States that had not submitted data at the time of writing

- Albania
- Andorra
- Armenia
- Austria
- Azerbaijan
- Belarus
- Bosnia and Herzegovina
- Bulgaria
- Canada
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Georgia
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- Romania
- Russian Federation
- San Marino
- Serbia
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland
- Tajikistan
- Turkey
- Turkmenistan
- Ukraine
- Uzbekistan
- United States