

HATE CRIMES IN THE OSCE REGION: INCIDENTS AND RESPONSES

ANNUAL REPORT FOR 2012



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Foreword

This edition of *Hate Crimes in the OSCE Region, Incidents and Responses* is part of the continuing efforts by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) to address the pernicious problem of hate crimes. The publication makes available up-to-date information, based largely on official data provided by governments. Collecting and publishing data is a first vital step in understanding the prevalence, extent and nature of hate crimes, in order to be able to respond more effectively.

The information collected by ODIHR makes clear that hate crimes remained a serious and wide-ranging problem in 2012. There is a pressing need for more effective responses, recognizing that such crimes violate the security and dignity of individuals, endanger entire communities, undermine public confidence in governmental authorities and can escalate into serious threats to national and international security.

Throughout 2012, ODIHR has pursued a range of strategies to combat hate crimes. In addition to collecting and disseminating information, ODIHR produced practical publications and tools to assist OSCE participating States and civil society. These included country-specific booklets entitled *Understanding Hate Crimes*, developed in co-operation with OSCE field operations. ODIHR also initiated work on two forthcoming manuals, a handbook on data collection and a guide for prosecutors of hate crimes. In co-operation with partners, ODIHR promoted the effective use of its *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims* and its teaching materials on anti-Semitism. It further elaborated its innovative Training against Hate Crimes for Law Enforcement programme, which it implemented in several countries. In addition, ODIHR sponsored seminars, expert workshops, roundtable meetings and training sessions on various aspects of addressing hate crimes.

ODIHR continued to build partnerships in 2012 with other international organizations and civil society organizations, as well as with other OSCE institutions and offices. This has greatly enhanced its work, enabling it to extend its reach, deepen the impact of its programmes and support efforts at the grass roots level, while at the same time working more cost-effectively.

While the OSCE as an organization can make important contributions to the fight against hate crimes, the primary burden rests with governments, which are ultimately responsible for meeting their commitments in this field. ODIHR is grateful for the support and co-operation it has received from the governments of participating States, especially the National Points of Contact on Combating Hate Crimes, and from its many partner organizations, without which this report would not have been possible.

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

Acronyms

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

EXECUTIVE SUMMARY

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

This report is the result of a requirement established by the OSCE Ministerial Council that the OSCE Office for Democratic Institutions and Human Rights (ODIHR) serve as a collection point for information and statistics on hate crimes and make this information publicly available.⁴ Thus, its purpose is to provide hard data and other information about the extent and types of hate crimes in the OSCE region in 2012, including information about the principal hate crime categories, developments in legislation and responses to hate crimes by governments and NGOs.

This approach emphasizes the presentation of official data provided by governments. Much of the information and data contained in this report was provided by the National Points of Contact on Combating Hate Crimes (NPCs) appointed by the governments of participating States in line with a commitment to appoint a national point of contact on hate crime.⁵ In accordance with ODIHR’s mandate, the report also includes information from intergovernmental organizations (IGOs) and non-governmental organizations (NGOs).⁶

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

In 2012, hate crimes continued to be a serious problem across the OSCE region, constituting a range of violence from intimidation, threats and vandalism to assault, arson and murder.

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

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

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

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

⁵ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

⁶ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2.

A variety of OSCE activities in 2012 were aimed at assisting states, IGOs and NGOs to address hate crimes. These included an expanded training programme for law-enforcement officers and prosecutors, training for NGOs, outreach activities, the development of handbooks and other practical materials, and a variety of seminars and meetings.

The report for 2012 follows the format, structure and methodology established in the 2008 report and used since that time. Where circumstances have not changed, language used in this report is drawn directly from the previous year's reports.

Part I: Information submitted by participating States

The full extent of hate crimes in the OSCE region continues to be obscured by a lack of adequate or reliable data. Although there were improvements to data collection by governments in 2012, it is clear from the information provided to ODIHR that significant gaps in data collection remain a major obstacle to understanding the prevalence and nature of hate crimes within most participating States and across the OSCE as a region. A number of participating States do not collect any statistics on hate crimes. Some participating States collect data, but do not make the data public.

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

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

In addition to addressing the statistics and methods of data collection reported by participating States, ODIHR has also included information for 2012 on improvements to hate crimes legislation and institutional improvements. Part I also includes some information provided by intergovernmental organizations.

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

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

Racially or ethnically charged incidents have developed into broader unrest in a number of countries in recent years, demonstrating that hate crimes have the potential to escalate into

wider social conflict. Intolerant discourse was perceived as a factor contributing to the occurrence of hate crimes.

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

Part III: Recommendations

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

Part IV: Country-by-Country Overview

The final section of this report provides a fact sheet for each OSCE participating State, summarizing key information provided to ODIHR, including facts about the basis used for data collection and, where available, statistics on hate crimes committed in 2012.

INTRODUCTION

Hate crimes and incidents often share key features across the OSCE region. They can escalate rapidly into broader social unrest, are often severely underreported, and they can be exacerbated by or take place in a context of intolerant discourse.

Escalation can be particularly dangerous in post-conflict situations in which ethnicity played a part in the conflict. However, hate crimes can also escalate into wider disturbances in countries with no recent history of conflict. This danger is particularly relevant for a security organization such as the OSCE.

Participating States have acknowledged hate crimes do not happen in a vacuum and “can be fuelled by racist, xenophobic and anti-Semitic propaganda,”⁷ and have repeatedly expressed their concern regarding “racist, xenophobic and discriminatory public discourse”.⁸ 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.

Under-reporting of hate crimes also continues to be a significant problem across the OSCE region. NGOs in numerous countries have reported to ODIHR that victims and members of their communities often do not report these crimes for a number of reasons, including fear of the police and a lack of trust that the authorities will follow up on their cases seriously. In some instances, victims may not identify the crime against them as a hate crime, either because the experience is so common among those in their circumstances or because they are unaware that a crime with a hate motive is more serious than the same crime without such a motive. Some victims may report the offence to another person, such as a teacher or social worker, but may not report it to the police because concerns about discrimination can reduce their confidence to come forward and report their experiences. Such under-reporting distorts statistics and may create the impression that hate crimes are less prevalent than they actually are. In addition, even if offences are reported, the police or other agencies may not have hate crime-reporting systems in place to capture this information.

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

⁷ OSCE Permanent Council, Decision No. 607, “Combating Anti-Semitism”, Vienna, 22 April 2004, <<http://osce.org/pc/30980>>.

⁸ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

This report presents information for the calendar year 2012. It builds on previous reports, covering the years 2006-2011, as well as on the initial overview of hate crimes in the OSCE region, completed in 2005.⁹

OSCE commitments and ODIHR's mandate

The term “hate crime” was first used officially by the OSCE at the 2003 Ministerial Council Meeting in Maastricht.¹⁰ However, the concept was acknowledged by participating States more than a decade earlier, at the 1991 Geneva Meeting, where participating States expressed their concern about crimes based on prejudice, discrimination, hostility or hatred.¹¹ The previous year, in the Copenhagen Document, participating States pledged to take effective measures to provide protection against any acts that constitute incitement to violence against people or groups based on national, “racial”, ethnic or religious discrimination, hostility or hatred.¹²

At Maastricht, in 2003, participating States articulated “the importance of legislation regarding crimes fuelled by intolerance and discrimination”.¹³ This commitment recognized the key role hate crime legislation plays in ensuring that the criminal-justice system has the authority to investigate, prosecute and impose sentences for these offences.

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

- “To continue to serve as a collection point for information and statistics on hate crimes and relevant legislation provided by participating States and [to] make this information publicly available through its Tolerance and Non-Discrimination Information System and its report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region”;
- “To strengthen [...] its early warning function to identify, report and raise awareness on hate-motivated incidents and trends”; and
- “[...] to provide recommendations and assistance to participating States, upon their request, in areas where more adequate responses are needed”.¹⁴

⁹ Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2011 (Warsaw: ODIHR, 2012), <<http://tandis.odihr.pl/hcr2011>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2010 (Warsaw: ODIHR, 2011), <<http://tandis.odihr.pl/hcr2010>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2009 (Warsaw: ODIHR, 2010), <<http://www.osce.org/odihr/73636>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2008 (Warsaw: ODIHR, 2009), <<http://www.osce.org/odihr/40203>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2007 (Warsaw: ODIHR, 2008), <<http://www.osce.org/odihr/33989>>; Hate Crimes in the OSCE Region: Incidents and Responses – Annual Report 2006 (Warsaw: ODIHR, 2007), <<http://www.osce.org/odihr/26759>>; Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives (Warsaw: ODIHR, 2005), <<http://www.osce.org/odihr/16405>>.

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

¹¹ “Report of the CSCE Meeting of Experts on National Minorities”, *op. cit.*, note 1.

¹² Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, 5-29 June 1990, para 40.1, <<http://osce.org/odihr/elections/14304>>.

¹³ OSCE Ministerial Council Decision No. 4/03, *op. cit.*, note 2.

¹⁴ OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

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

- “Enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes”;
- “Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents States from devising effective policies. In this regard, explore, as complementary measures, methods for facilitating, the contribution of civil society to combat hate crimes”;
- “In co-operation with relevant actors, explore ways to provide victims of hate crimes with access to counselling, legal and consular assistance as well as effective access to justice”;
- “Introduce or further develop professional training and capacity building activities for law enforcement, prosecution and judicial officials dealing with hate crimes”;
- “Nominate, if they have not yet done so, a national point of contact on hate crimes to periodically report to the ODIHR reliable information and statistics on hate crimes”; and
- “Consider drawing on resources developed by the ODIHR in the area of education, training and awareness-raising to ensure a comprehensive approach to the tackling of hate crimes”.¹⁵

OSCE participating States have also recognized the particular harm caused by specific types of hate crimes. In 2004, for example, the Ministerial Council tasked ODIHR to “follow closely [...] anti-Semitic incidents in the OSCE area making full use of all reliable information available” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims” and to “make these findings public”.¹⁶ OSCE decisions and declarations have also included specific commitments, such as “fighting prejudice, intolerance and discrimination against Christians and members of other religions”.¹⁷ Similar commitments related to Roma and Sinti were made as early as 1991.¹⁸

Objective

As in previous years, the primary objective of this report is to provide information on the prevalence of and government responses to hate crimes in the OSCE region, in accordance with the decisions of the OSCE Ministerial Council set out above. There are substantial challenges to overcome in assessing the extent of hate crimes. Such crimes are significantly under-reported by victims, and many participating States have no effective monitoring or reporting systems in place to gather this information. While the governments of some

¹⁵ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

¹⁶ OSCE Ministerial Council, Decision No. 12/04, “Tolerance and Non-Discrimination”, Sofia, 7 December 2004, <<http://osce.org/mc/23114>>.

¹⁷ For example, OSCE Ministerial Council, Decision No. 10/05, “Tolerance and Non-discrimination: Promoting Mutual Respect and Understanding”, Ljubljana, 6 December 2005, <<http://osce.org/mc/17462>>.

¹⁸ “Report of the CSCE Meeting of Experts on National Minorities”, *op. cit.*, note 1.

participating States are able to provide statistics on hate crimes, these numbers almost certainly under-report their prevalence. Reports from NGOs and IGOs help fill out the picture, but these cannot always be verified. Therefore, while this report aims to present a comprehensive account of the prevalence of hate crimes, it can be more accurately seen as a compilation of reported hate crimes, primarily from participating States, supported by data compiled from reports by NGOs, IGOs and the media.

Some participating States did not report any data on hate crimes to ODIHR for 2012. In some cases this is because they do not have the facilities to do so, while in others it is because no hate crimes were reported to state authorities. However, it should be noted that this lack of data is unlikely to reflect an absence of hate crimes within these jurisdictions, just as the availability of more information on hate crimes in other states does not necessarily mean those states have a higher incidence of hate crimes. The availability of data and information may simply indicate that some participating States have a broader definition of hate crimes or are more effective at identifying, recording and reporting on specific types of hate crimes, or on hate crimes in general. These methodological limitations mean that comparisons across states in terms of the prevalence of hate crimes are extremely difficult to make.

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

Methodology

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

The report relies mainly on information and statistics provided by governments, since such data collection is primarily the responsibility of states,¹⁹ as is the responsibility to respond to hate crimes.²⁰

As of 2012, 55 of the 57 OSCE participating States had appointed NPCs to support ODIHR in its task of serving “as a collection point for information and statistics collected by participating States”.²¹ As in previous years, the bulk of information for this report was gathered through the completion of an online questionnaire by NPCs. The questionnaire for 2012 contained questions about the following areas:²²

¹⁹ OSCE Ministerial Council, Decision 9/09, *op. cit.*, note 3.

²⁰ Participating States underscored that “the primary responsibility for addressing acts of intolerance and discrimination rests with participating States, including their political representatives”, OSCE Ministerial Council, Decision No. 10/07, “Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding”, Madrid, 30 November 2007, <<http://www.osce.org/mc/29452>>.

²¹ The list of institutions serving as NPCs can be found in Annex B.

²² The full text of the questionnaire is available in Annex E.

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

Each NPC was given access to a link to their own unique web-based questionnaire, where information provided in previous submissions could be accessed. NPCs were asked to submit their initial responses between the beginning of February and the beginning of April 2013. Revisions made in 2010 to the online questionnaire, which included improving the clarity of particular questions and providing examples of responses to more complex questions, remained in place. The quality and detail of the information received from participating States continued to improve.

Data from NGOs

Since 2010, an information sheet setting out a sample format for the reporting of hate crimes was distributed in several languages to NGO contacts.²³ Additionally, in accordance with the decision of the Maastricht Ministerial Council, ODIHR made use of publicly available information from IGOs and NGOs.²⁴ In order to strengthen the capacities of these organizations to monitor and record information on hate crimes, ODIHR reached out to civil society partners by organizing 11 training sessions in 2012, at which more than 230 NGO representatives were trained.

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

²³ The information sheet provided to NGOs is available in Annex C.

²⁴ OSCE Ministerial Council, Decision No. 4/03, *op cit.*, note 2; The list of NGOs is available in Annex D.

IGO data

ODIHR received responses to the call for submissions from three OSCE field operations in 2012.²⁵

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

Among OSCE partner IGOs, this report draws on information from UNHCR; the United Nations Human Rights Council; the United Nations Human Rights Committee (HRC); the United Nations Committee on the Elimination of Racial Discrimination (CERD Committee); the United Nations Development Programme (UNDP); the IOM; several bodies of the European Union (EU), including, in particular, the Agency for Fundamental Rights (FRA); bodies of the Council of Europe, such as the European Commission against Racism and Intolerance (ECRI) and the Commissioner for Human Rights; and the Organisation of Islamic Cooperation Islamophobia Observatory (OIC). Specifically, UNHCR offices covering 29 countries, co-ordinated by the UNHCR office in Vienna, provided information to ODIHR on hate crimes in their areas of responsibility.²⁶ ODIHR also received information from four IOM field missions, co-ordinated by the IOM office in Vienna.²⁷

Terminology

A hate crime is a criminal act committed with a bias motive.²⁸ ODIHR uses this definition as the analytical filter through which the data submitted by participating States, NGOs, IGOs and others are considered and presented.

Every hate crime has two elements. The first element is that an act is committed that constitutes a criminal offence under ordinary criminal law. The second element is that the offender intentionally chooses a target with a protected characteristic. A protected characteristic is a characteristic shared by a group, such as “race”, language, religion, ethnicity, nationality or any other similar common factor.²⁹ For example, if a person is assaulted because of his or her real or perceived ethnicity, this constitutes a hate crime.

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

²⁵ OSCE Mission to Skopje, OSCE Mission in Kosovo, and OSCE Mission to Bosnia and Herzegovina.

²⁶ Communication from UNHCR Liaison Office, Vienna, 27 May 2013, concerning: Austria, Azerbaijan, Belarus, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Georgia, Greece, Hungary, Ireland, Latvia, Lithuania, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, and Ukraine. UNHCR Representative Office in Russian Federation provided communication on situation in Russian Federation on 3 June 2013.

²⁷ Communication from IOM Vienna, 23 July 2013. The countries providing information were Azerbaijan, former Yugoslav Republic of Macedonia, and Ukraine. Information was also received on Kosovo.

²⁸ This language is included in the preamble paragraphs of OSCE Ministerial Council Decision 9/09, *op. cit.*, note 3.

²⁹ *Hate Crime Laws: A Practical Guide*, (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/odihr/36426>>.

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

The term “hate incident” or “hate-motivated incident” is used to describe an incident or act committed with a bias motive that does not reach the threshold of a hate crime, either because a criminal offence was not proven or because the act may not have been a criminal offence under a particular state’s legislation. Nonetheless, hate-motivated incidents may precede, accompany or provide the context for hate crimes. Since hate-motivated incidents can be precursors to more serious crimes, records of such incidents can be useful to demonstrate not only a context of harassment, but also evidence of escalating patterns of violence.³⁰

³⁰ *Preventing and Responding to Hate Crimes: A Resource Guide for NGOs in the OSCE Region*, (Warsaw: ODIHR, 2009), p. 16, <<http://www.osce.org/odihr/39821>>.

PART I – INFORMATION SUBMITTED BY PARTICIPATING STATES AND INTERGOVERNMENTAL ORGANIZATIONS

A. Introduction

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

For the 2012 report participating States submitted data that were of higher overall quality than in previous years. Nevertheless, there continue to be disparities in the quality and level of detail of the individual submissions from participating States. This presents an obstacle to making sound comparative analyses of the data. For example, even where statistics exist, they are not always disaggregated according to bias motivation, type of crime or outcome of prosecution. If submissions from different states were more uniform, it would be possible to undertake a more meaningful comparative analysis of the information and data compiled. Reliable data are needed to enable states to assess the extent and nature of hate crimes within their jurisdictions and, thus, to address the problem effectively. Data are also needed to test the extent to which policy responses have been successful.

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

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

Part I also includes information provided by intergovernmental organizations.

B. Data collection

Overview

At the time this report was written, ODIHR had received completed questionnaires on hate crime for the year 2012 from 35 participating States,³¹ reporting on the most current practices, as well as information from Romania, Kyrgyzstan, Slovakia, Spain, Ukraine and Uzbekistan.

The description of data collection methods relies on information provided in the questionnaires submitted by participating States to ODIHR over the cumulative period of 2008–2012. During that time period, 51 participating States indicated to ODIHR that they

³¹ The participating States submitting questionnaires were: Andorra, Austria, Azerbaijan, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, former Yugoslav Republic of Macedonia, Moldova, Norway, Poland, Portugal, Serbia, Sweden, Switzerland, Turkey, United Kingdom and the United States.

collect some data on hate crimes.³² The former Yugoslav Republic of Macedonia stated that they do not compile any statistics of this type. Malta, Monaco, Mongolia and San Marino have not indicated whether they collect hate crime data. The Holy See provided ODIHR with information on crimes and incidents motivated by bias against Christians in 12 participating States.

This section provides a brief overview of the hate crime data-collection systems used in participating States, including a comparative table with the number of reported hate crimes from the years 2010 through 2012.

While 51 states have reported that they collect hate crime data, and 41 states completed questionnaires or otherwise provided updated information on data collection for 2012, 27 participating States submitted official statistics or information on incidents of hate crimes in 2012 at the time this report was written.³³

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

Authorities responsible for hate crime data collection

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

- Law-enforcement bodies (26 states);³⁴
- Prosecutor's Office (27 states);³⁵
- Interior Ministry (23 states);³⁶
- Ministry of Justice (21 states);³⁷
- Statistic offices (11 states);³⁸

³² Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Turkmenistan, Ukraine, United Kingdom, United States and Uzbekistan.

³³ Austria, Azerbaijan, Belgium, Cyprus, Denmark, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Poland, Norway, Serbia, Spain, Slovakia, Turkey, United Kingdom, Ukraine and Uzbekistan. Several participating States indicated that their statistics would be available later in the year for inclusion in the final report.

³⁴ Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Cyprus, Czech Republic, Germany, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Poland, Romania, Slovenia, Spain, Sweden, Ukraine, United Kingdom, United States and Uzbekistan.

³⁵ Armenia, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Finland, Georgia, Greece, Hungary, Kazakhstan, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Poland, Portugal, Romania, Russian Federation, Slovakia, Sweden, Tajikistan, United Kingdom and Uzbekistan.

³⁶ Andorra, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Finland, Georgia, Italy, Kazakhstan, Kyrgyzstan, Latvia, Moldova, Poland, Romania, Russian Federation, Slovakia, Tajikistan, Turkey, Ukraine, United Kingdom and Uzbekistan.

³⁷ Andorra, Austria, Belgium, Bosnia and Herzegovina, Croatia, Czech Republic, Estonia, Finland, France, Greece, Ireland, Italy, Latvia, Luxembourg, Poland, Portugal, Serbia, Slovakia, Slovenia, Tajikistan and Turkey.

³⁸ Belgium, Bosnia and Herzegovina, Canada, Finland, Germany, Ireland, Moldova, Montenegro, Russian Federation, Switzerland and Ukraine.

- Intelligence agencies (5 states);³⁹ and
- Other institutions (19 states).⁴⁰

Bias-motivation categories

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

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

- Ethnicity/origin/minority (35 states);⁴¹
- Religion (34 states);⁴²
- “Race”/colour (35 states);⁴³
- Sexual orientation (21 states);⁴⁴
- Citizenship (16 states);⁴⁵
- Gender (17 states);⁴⁶
- Disability (16 states);⁴⁷
- Language (14 states);⁴⁸
- Transgender (11 states);⁴⁹ and

³⁹ Belgium, Bosnia and Herzegovina, Denmark, Spain and Tajikistan.

⁴⁰ Armenia (Ombudsman), Belgium, (Center for Equal Opportunity and Opposition to Racism), Bulgaria, (Judicial Bodies, National Agency for State Security), Croatia (Office for Human Rights and National Minorities), Finland (Police College of Finland, National Research Institute of Legal Policy), France (Human Rights Defender), Georgia (Supreme Court), Iceland (The National Police Commissioner), Kazakhstan (Committee of National Security), Latvia (Security Police and Court Administration), Lithuania, (Court), Montenegro (Supreme Court), Netherlands (NGO), Poland (Ombudsman), Romania (The Superior Council of Magistracy), Sweden (National Council for Crime Prevention), Switzerland (Federal Commission against Racism), United Kingdom (NGO) and Uzbekistan (National Security Service).

⁴¹ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴² Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴³ Andorra, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Serbia, Slovakia, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

⁴⁴ Andorra, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, Norway, Serbia, Sweden, United Kingdom and the United States.

⁴⁵ Austria, Belgium, Cyprus, Finland, France, Germany, Latvia, Liechtenstein, Moldova, Poland, Russian Federation, Serbia, Slovenia, Switzerland, Ukraine and the United Kingdom.

⁴⁶ Belgium, Canada, Croatia, Cyprus, Czech Republic, France, Ireland, Latvia, Liechtenstein, Luxembourg, Moldova, Netherlands, Serbia, Slovenia, Tajikistan, Ukraine and Uzbekistan.

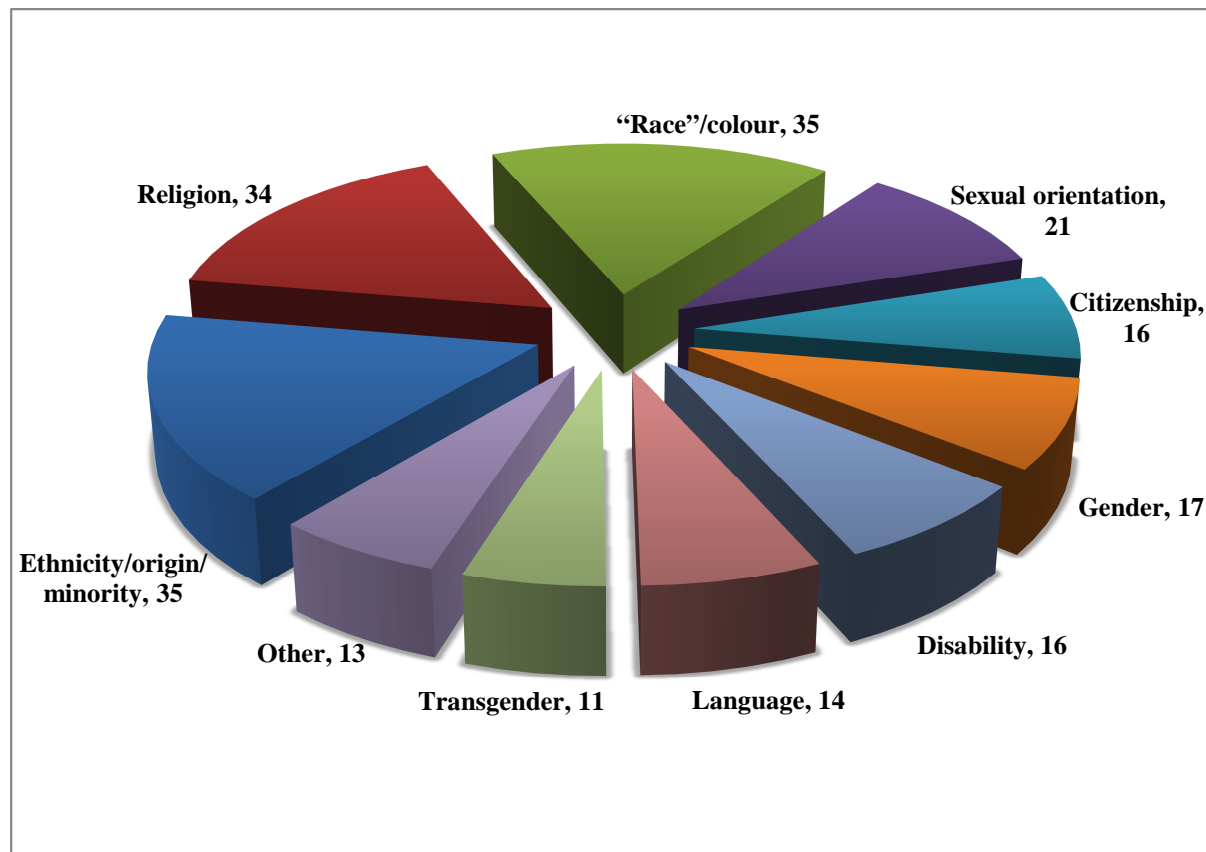
⁴⁷ Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Ireland, Latvia, Luxembourg, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁸ Belgium, Canada, Croatia, Cyprus, Finland, Georgia, Germany, Latvia, Lithuania, Moldova, Serbia, Slovakia, United Kingdom and Uzbekistan.

- Other (13 states).⁵⁰

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

Bias motivations recorded in hate crime figures



Between 2008-2012, 41 states reported recording data on more than one category.⁵¹ For example, many states record data on “race”/colour, ethnicity and religion. Twenty-two participating States disaggregate these data and provide separate figures for the individual categories.⁵² Twenty-six participating States reported that their data on hate crimes are simply recorded as one figure without specifying the number of crimes committed according to each

⁴⁹ Belgium, Canada, Finland, Germany, Latvia, Luxembourg, Norway, Portugal, Serbia, Sweden and the United Kingdom.

⁵⁰ Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, France, Germany, Italy, Liechtenstein, Poland, Serbia and Ukraine.

⁵¹ Andorra, Azerbaijan, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁵² Austria, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Slovenia, Sweden, Switzerland, United Kingdom and the United States.

bias motivation.⁵³ Eight participating States did not indicate how bias motivations are recorded.⁵⁴

Multiple biases in hate crimes – when a crime is committed because of more than one bias (such as “race” and religion) – were recorded by 17 states.⁵⁵

Overview of specific bias motivations recorded in statistics

In 2012, few changes were reported with regard to the recording of crimes with specific bias motivations. The chart below provides an overview and shows that, among the specific bias motivations identified, 22 participating States recorded anti-Semitic crimes;⁵⁶ 21 recorded anti-Muslim crimes;⁵⁷ 16 recorded crimes motivated by bias against Christians and members of other religions;⁵⁸ and 14 recorded anti-Roma crimes.⁵⁹ It must be emphasized, however, that data submitted on hate crimes with specific bias motivations remain scarce.

Participating State	Overview of specific bias motivations recorded			
	Anti-Semitic crimes	Anti-Muslim crimes	Crimes motivated by bias against Christians or other religions	Anti-Roma crimes
Austria	x	x		
Belgium	x	x	x	x
Bulgaria		x	x	x
Canada	x	x	x	
Croatia	x	x	x	x
Czech Republic	x	x	x	x
Denmark	x	x	x	
Finland	x	x	x	
France	x			
Germany	x			
Greece	x	x		

⁵³ Albania, Andorra, Azerbaijan, Belarus, Belgium, Bulgaria, Cyprus, Estonia, Georgia, Hungary, Iceland, Ireland, Kyrgyzstan, Luxembourg, Moldova, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Spain, Tajikistan, Turkey, Ukraine and Uzbekistan.

⁵⁴ Armenia, Holy See, former Yugoslav Republic of Macedonia, Malta, Monaco, Montenegro, San Marino and Turkmenistan.

⁵⁵ Cyprus, Czech Republic, Finland, Georgia, Germany, Greece, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Portugal, Serbia, Slovenia, Spain, Switzerland and the United Kingdom.

⁵⁶ Austria, Belgium, Canada, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

⁵⁷ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, Greece, Iceland, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

⁵⁸ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Finland, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

⁵⁹ Belgium, Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Spain, Sweden, Switzerland and the United Kingdom.

Iceland		x		
Ireland	x			
Italy	x			
Latvia				x
Liechtenstein	x	x		
Moldova	x	x	x	x
Netherlands	x	x	x	x
Poland	x	x	x	x
Portugal				x
Serbia	x	x	x	x
Spain	x	x	x	x
Sweden	x	x	x	x
Switzerland	x	x	x	x
Tajikistan		x		
United Kingdom	x	x	x	x
United States	x	x	x	

Methodological issues relating to categorizing data

Categorization of data on hate crimes by participating States varies greatly. For example, some countries include the categories of “social status”,⁶⁰ “education”⁶¹ or “foreigner”,⁶² as well as “ethnicity” or “race”. These categories may reflect the most common types of hate crimes that take place in particular states, but for the purposes of international comparisons, inconsistent categorization is problematic.

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

Types of crimes

Between 2008 and 2012, 43 participating States reported that they classify data on hate crimes according to the type of crime committed.⁶³

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

- Homicide (40 states);⁶⁴

⁶⁰ For example, Croatia.

⁶¹ For example, Belgium.

⁶² For example, Ukraine.

⁶³ Albania, Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

- Physical assault (39 states);⁶⁵
- Damage to property (36 states);⁶⁶
- Grave desecrations (33 states);⁶⁷
- Vandalism (35 states);⁶⁸
- Threats/threatening behaviour (37 states);⁶⁹
- Attacks on places of worship (27 states);⁷⁰ and
- Other (27 states).⁷¹

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

Some states collect data under the rubric of “extremism”.⁷² In general, extremist crimes are those committed for political or ideological purposes, or by members of extremist political groups. Laws on extremism can be relevant to hate crimes. Extremism laws have often been 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.

⁶⁴ Andorra, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁵ Andorra, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

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

⁶⁷ Albania, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Kazakhstan, Latvia, Lithuania, Luxembourg, Moldova, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Switzerland, Tajikistan, Turkey, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁸ Andorra, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

⁶⁹ Andorra, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States and Uzbekistan.

⁷⁰ Belarus, Belgium, Bosnia and Herzegovina, Canada, Czech Republic, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Norway, Poland, Russian Federation, Serbia, Slovakia, Slovenia, Switzerland, Turkey, United Kingdom and the United States.

⁷¹ Austria, Belarus, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Norway, Serbia, Slovakia, Slovenia, Switzerland, Turkey, Ukraine and the United States.

⁷² For example, Austria, Czech Republic, Germany, Slovakia, Switzerland and the Russian Federation all have such laws, although of very different scopes. In Germany, for example, data collection under the rubric “extremism” corresponds to politically motivated crimes (*politisch motivierte Kriminalität*), including right-wing or left-wing crimes, crimes committed by foreigners and other politically motivated crimes.

In many instances, however, these laws have different effects than hate crime laws. For example, under some extremism laws racist crimes committed by individuals with no affiliation to an extremist group are not recognized as hate crimes and no data are recorded.

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

An overview of data-collection methods reported to ODIHR from 2008 to 2012 highlights the difficulties in distinguishing between hate crimes and other manifestations of intolerance in this report’s data. Since 2008, among the 50 participating States that have reported collecting data, 31 states reported to ODIHR that they collect data on both hate crimes and crimes of incitement to hatred and/or of discrimination.⁷³ The table comparing hate crime statistics from 2010 with those from 2012 at the end of Part I B draws attention to such differences in data collection and whether hate crimes are distinguished in the figures presented.

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

Uses of data

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

A total of 52 participating States have responded to questions concerning how hate crime data is shared with the public. Thirty-six participating States have indicated that they have some form of data on hate crimes publicly available.⁷⁴ Ten states have reported that data can be obtained by the public upon request and if appropriate procedures are followed,⁷⁵ while six states do not disclose any information to the public.⁷⁶

Number of hate crimes

States were asked in the questionnaire to indicate the number of hate crimes they recorded between 2010 and 2012.

⁷³ For the full list of states collecting data, see the states listed in footnote 32. The states reporting they collect data on both hate crimes and crimes of incitement to hatred and/or discrimination in one total figure are: Armenia, Austria, Belarus, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Iceland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Netherlands, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Sweden, Switzerland, Turkey and Ukraine.

⁷⁴ Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Kazakhstan, Liechtenstein, Montenegro, Moldova, Norway, Poland, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

⁷⁵ Croatia, Estonia, Greece, Italy, Kyrgyzstan, Latvia, Lithuania, Netherlands, Portugal, and Turkey.

⁷⁶ Albania, Azerbaijan, Italy, Luxembourg, Tajikistan and Uzbekistan.

The different concepts of hate crimes and the various methodologies applied in recording the number of cases (in some jurisdictions the number of cases is recorded, in some the number of offences, and in others the number of perpetrators) highlight the challenges to making valid comparisons. The table below presents an overview of the number of hate crimes recorded in each year from 2010 to 2012 and reported by participating States to ODIHR. The number of reported cases of hate crimes needs to be analyzed with great caution. Some states record hate crimes specifically, while others look to crime statistics for general figures. This underscores the point that the number of recorded cases of hate crimes simply indicates incidents acknowledged by the authorities as hate crimes or reported by victims.

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

Participating State	Type of data	Cases recorded by police 2012	Cases recorded by police 2011	Cases recorded by police 2010	Cases prosecuted 2012	Cases prosecuted 2011	Cases prosecuted 2010	Cases sentenced 2012	Cases sentenced 2011	Cases sentenced 2010
Albania										
Andorra										
Armenia										
Austria	Data include crimes of incitement to hatred.	90	57	99		38				
Azerbaijan			1	1					1	
Belarus	Police data include crimes of incitement to hatred and those of damaging historical/cultural values.									
Belgium	Data refer to crimes with a racist or xenophobic motive and include crimes of incitement to hatred and crimes of discrimination.	614 (first semester)	1152	815	893	865	860			
Bosnia and Herzegovina	Data include crimes of incitement to hatred.		15	15						
Bulgaria	Data include crimes of incitement to	Not yet available	29	20	Not yet available	41	34		10	4

	hatred and crimes of discrimination.									
Canada		Not yet available	1322	1,401						
Croatia	Data include crimes of incitement to hatred and discrimination.	Not yet available	57	34		20	34		10	3
Cyprus	Data include crimes involving hate speech.	12	15	34	7	13	32	0	2	18
Czech Republic	Data represent total number of criminal offences with an extremist context.	173 (including 16 crimes involving violence against people or property)	238 (including 31 crimes involving violence against people or property)	252 (including 55 crimes involving violence against people or property)	289 (including 65 crimes involving violence against people or property).	246 (including 31 crimes involving violence against people or property)	231 (including 48 crimes involving violence against people or property)	159	106 people	52 people
Denmark	Police data include discrimination and propaganda crimes. Prosecution and sentencing data refer only to cases of incitement to hatred.		384	334	0	0	0	0	0	0
Estonia	Data include crimes of incitement to hatred.									

Finland	Police data include crimes of incitement to hatred and crimes of discrimination. Prosecution and sentencing data only include crimes of incitement to hatred and crimes of discrimination.	732 reports, 1099 offences (836 excluding crimes of incitement to hatred and crimes of discrimination)	918 reports, 1412 offences	860 reports 1,407 offences	38	29	38	12	12	
France	Data include discrimination and defamation crimes.				Not yet available		2,007		431	562
Georgia	Data include crimes of discrimination and persecution	13	19	41	5	1	11			
Germany	Police data include hate crimes, as well as those of incitement to hatred and of propaganda. Prosecution data only include crimes of incitement to hatred and of propaganda.	4,514 (including 524 violent crimes)	4,040 (including 528 violent crimes)	3,770 (including 467 violent crimes)						
Greece					1				1	
Holy See										
Hungary	Data include crimes of incitement to hatred and of discrimination.	36	35	19	16	28	12			
Iceland	Data include crimes	6	2	2						

	of incitement to hatred and of discrimination.									
Ireland		98	142	127						
Italy	Data include crimes of incitement to hatred and those involving insults.	71	68	56	31			10	19	60
Kazakhstan	Data include crimes of incitement to hatred.	58	10	5		10	4	12	4	1
Kyrgyzstan	Data include extremist crimes and incitement to hatred crimes.	46								
Latvia	Data include crimes of incitement to hatred.	18	12	6	2	4	4	2	4	5
Liechtenstein				6			3			2
Lithuania		7	5	-	2	2		2		
Luxembourg		-	-	-	-	-	-	-	-	-
The former Yugoslav Republic of Macedonia										
Malta										
Moldova		3								
Monaco										
Mongolia										
Montenegro										

Netherlands	Total data refer to all discrimination cases registered at the Prosecution Service.						170			90
Norway	Data include crimes of incitement to hatred.	216	218	307						
Poland	Data include crimes of incitement to hatred.	266	222	251	76	43	30	39	24	30
Portugal										
Romania	Data refer to crimes of incitement to hatred and of discrimination.									
Russian Federation	Data include crimes of incitement to hatred.									
San Marino										
Serbia	Data include crimes of incitement to hatred.		39	37	39	36	35	37	26	15
Slovakia	Data include crimes of incitement to hatred.	102	242					16	16	18
Slovenia	Data include crimes of incitement to hatred.		45	34						
Spain		261	224	92						

Sweden	Data include crimes of incitement to hatred and of discrimination.	5,518	5,493	5,139	Not yet available	347	440			
Switzerland	Data only include crimes involving incitement to hatred and discrimination.	181	182	204	15	14	32	15	6	25
Tajikistan										
Turkey	Data only include crimes of incitement to hatred and of discrimination.				497	628	330	158	17	297
Turkmenistan										
Ukraine	Data include both hate crimes and crimes of incitement to hatred and of discrimination.	3	5	5	2					
United Kingdom		41,204 (in England, Wales and Northern Ireland) 6,472 (in Scotland)	44,519 (in England, Wales and Northern Ireland) 6,169 (in Scotland)	48,127 (in England, Wales and Northern Ireland) 5,819 (in Scotland)	Not yet available (England, Wales and Northern Ireland) 5,580 (in Scotland)	15,284 (in England, Wales and Northern Ireland) 4,518 (in Scotland)	15,020 (in England, Wales and Northern Ireland) 4,322 (in Scotland)		12,651 (in England and Wales)	11,405 (in England, Wales and Northern Ireland)
United States			7,254	7,699						
Uzbekistan		4	4							

C. Legal framework: overview of developments

European Union and European Court of Human Rights

In 2012, the EU Fundamental Rights Agency (FRA) released a report entitled “Making hate crime visible in the European Union: acknowledging victims' rights”.⁷⁷ This publication examined legislation, policy and practice related to hate crime, and how the EU Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law can contribute to making hate crime visible, especially with respect to hate crime data-collection methods.⁷⁸ FRA also published a short fact-sheet on “Hate crimes in the European Union” and another report titled “EU MIDIS Data in Focus Report 6: Minorities as victims of crime”.⁷⁹

In 2012, the European Court of Human Rights ruled on several cases that involved the state's failure to adequately investigate violent acts that may have been bias motivated. As in past cases, the Court examined the procedural obligation to investigate the violations of the right to life (Article 2) or inhumane treatment (Article 3) in conjunction with the non-discrimination principle (Article 14) to determine the state's duty to investigate hate crimes.

Several of these cases involved allegations of violence or mistreatment by police that may have been racially motivated, and the failure of authorities to properly investigate these allegations. The case of *Fedorchenko and Lozenko v. Ukraine* involved an arson attack against a Roma family that killed five, in which there were allegations of a police major's participation, in addition to claims that the perpetrators wanted to drive out “Gypsy drug traffickers”.⁸⁰ The Court held that neither the investigation of the arson nor the pursuance of the bias motivation were adequately addressed. The case of *Makhashevy v. Russia* involved allegations of police mistreatment and violence against three ethnic Chechens who had been picked up by police following reports of a bar fight.⁸¹ The Court held that the investigation into police abuse was inadequate and also failed to consider the potential bias motivation of the incident. The case of *B.S. v. Spain* involved alleged police mistreatment and beating, along with the use of racial slurs, of a prostitute of African origin on at least three occasions.⁸² The Court held the investigation into police abuse was inadequate and failed to consider the bias motivation of the conduct.

One additional case looked at the role of police in investigating a potential hate crime committed by private individuals. In the case of *Yotova v. Bulgaria*, the applicant was a Roma woman who was shot in her front yard from a passing car, as she hosted a party at her house.⁸³ The incident occurred two days after a serious altercation between some youths of Roma origin and some youths of Bulgarian origin from a nearby village. The

⁷⁷ “Making hate crimes visible in the European Union: acknowledging victims' rights”, EU Fundamental Rights Agency, 2012, <http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf>.

⁷⁸ “Hate crime in the European Union” (factsheet), European Union Agency for Fundamental Rights, 27 November 2012, <http://fra.europa.eu/sites/default/files/fra-factsheet_hatecrime_en_final_0.pdf>.

⁷⁹ “EU MIDIS Data in Focus Report 6: Minorities as victims of crime”, European Union Agency for Fundamental Rights, November 2012, <<http://fra.europa.eu/en/publication/2012/eu-midis-data-focus-report-6-minorities-victims-crime>>.

⁸⁰ *Fedorchenko and Lozenko v. Ukraine* (no. 387/03) ECHR-V 2012.

⁸¹ *Makhashevy v. Russia* (no. 20546/07) ECHR-I 2012.

⁸² *B.S. v. Spain*, (no. 47159/08) ECHR-III 2012.

⁸³ *Yotova v. Bulgaria*, (no. 43606/04) ECHR-IV 2012.

Court found that there was an inadequate investigation into the attempted murder, which also failed to properly consider the potential bias motivation.

National developments

The following information was submitted by OSCE participating States regarding legislative changes related to hate crimes in 2012.

France: France amended all hate crime provisions contained in its criminal code to include gender identity.⁸⁴

Georgia: Georgia amended its criminal code to include gender identity and sexual orientation as protected characteristics. These additional characteristics apply to the general penalty enhancement provision.⁸⁵

Greece: Greece amended its criminal code to include gender identity as a protected characteristic. This additional characteristic applies to the general penalty enhancement provision.⁸⁶

Hungary: Hungary amended its criminal code to increase the punishment for homicide or battery on the grounds of age and disability, and to increase the punishment for violent offences on the grounds of disability, “sexual identity” and sexual orientation.⁸⁷

Malta: Malta adopted amendments to its criminal code provisions on hate crime by expanding the list of protected characteristics from “racial hatred” to now include “hatred against another person or group on the grounds of gender, gender identity, sexual orientation, race, colour, language, ethnic origin, religion or belief or political or other opinion or similar”. These additional characteristics apply to general penalty enhancements for any bias-motivated crime in the Penal Code, as well as to specific penalty enhancements for bias crime in relation to the specific provisions for grievous bodily harm, using violence, threats or harassment and property damage.⁸⁸

Norway: The Norwegian government published a new action plan on crime prevention for the period 2013-2016, which includes an objective to improve the quality and functionality of the system of registration and reporting of hate crime in Norway.⁸⁹

Serbia: Serbia introduced and passed its first hate crime law by adopting a general penalty enhancement provision that allows the judge to consider it an aggravating circumstance when the crime is “is based on hatred for another person’s race, religion, national or ethnic background, gender, sexual orientation or gender identity.”⁹⁰

⁸⁴ Information from French NPC, 26 September 2013.

⁸⁵ Information from Georgian NPC, 1 October 2013.

⁸⁶ Questionnaire from Greek NPC, 11 July 2013.

⁸⁷ Information from Hungarian NPC, 9 September 2013.

⁸⁸ See proposed amendments,

<<http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lp&itemid=22923&l=1>>.

⁸⁹ Information received from Norwegian NPC, 11 September 2013.

⁹⁰ Questionnaire from Serbian NPC, 4 April 2013.

D. Activities by international organizations to address hate crimes

OSCE and ODIHR activities

The first OSCE Supplementary Human Dimension Meeting (SHDM) of 2012, held in April in Vienna, was entitled “Combating Racism, Intolerance and Discrimination in Society through Sport”. It brought together representatives of participating States, Partners for Co-operation, IGOs and NGOs to discuss contemporary challenges and possible solutions. Discussions focused on preventing and responding to hate crimes and other incidents in the context of sports and sporting events, and on ways sporting events could be used as confidence-building measures to promote integration and equality.⁹¹

In line with its mandate, ODIHR continued to assist participating States and civil society to combat hate crimes. In 2012, ODIHR conducted a range of programmes to address hate crimes, including on such issues as:

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

The following paragraphs summarize ODIHR’s activities in 2012 in each of these fields.

Collecting information: ODIHR continued to work with intergovernmental agencies and civil society to collect additional information on hate-motivated crimes and produced its annual report *Hate Crimes in the OSCE Region – Incidents and Responses*.⁹²

Developing practical materials and handbooks: To help participating States address the data deficit, ODIHR continued its work to develop a practical guide for policymakers on how to collect hate crime data. The handbook, to be entitled *Hate Crime Data Collection and Monitoring Systems: a Practical Guide* is the first step of a larger programme that will provide tailored assistance in data collection to interested participating States. The handbook is being developed in partnership with NGOs, IGOs and public authorities.

In co-operation with the International Association of Prosecutors, ODIHR completed the draft version of its forthcoming publication, *Prosecuting Hate Crime: A Practical Guide*. On 5 and 6 July, ODIHR organized a consultation meeting in Warsaw with a group of 28 prosecutors from 23 participating States to discuss the draft. The meeting was complemented by a pilot training session based on the *Guide*.

ODIHR sponsored a number of events in 2012 to promote the use of the *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing*

⁹¹ The final report of the meeting is available at <<http://www.osce.org/odihr/91015>>.

⁹² The report for 2011, issued in 2012, is available at <<http://tandis.odihr.pl/hcr2011>>.

*Islamophobia through Education*⁹³, which is a joint publication issued in October 2011 by ODIHR, the United Nations Educational, Social and Cultural Organization (UNESCO) and the Council of Europe. The three organizations jointly organized two roundtable meetings in 2012:

- “Countering Intolerance against Muslims through Education for Societies in Transition” (Vienna, 6 September); and
- “Globalization, Diversity and Social Cohesion in Educational Settings” (Paris, 5 November).

In addition, ODIHR presented the *Guidelines* to the Parliamentary Assembly of the Council of Europe (PACE) at its summer session in Strasbourg on 26 June. Following the presentation, PACE adopted a resolution which encourages Council of Europe member States to use the *Guidelines*.⁹⁴ In September, ODIHR presented the *Guidelines* to 50 primary and secondary teachers at a training session in Nottingham, United Kingdom, organized by the NGO Show Racism the Red Card.

ODIHR continued to expand its teaching materials on anti-Semitism, with the launch of the Austrian version of these tools on 4 May at an expert workshop in Vienna. The workshop gathered 12 experts from seven OSCE participating States for a discussion of how the Austrian materials address both contemporary and historical anti-Semitism and of how they differ from the teaching materials that have been developed for other countries.

Working with international organizations and OSCE field operations: ODIHR organized its annual training seminar on addressing hate crimes. The 2012 event, held on 15 and 16 October in Warsaw, was attended by representatives from OSCE field operations, the International Organization for Migration (IOM) and the office of the United Nations High Commissioner for Refugees (UNHCR).

In co-operation with the OSCE Mission in Skopje and the OSCE Presence in Albania, ODIHR published two new booklets in local languages aimed at helping police, prosecutors, government officials and NGOs better understand the concept of hate crime and associated issues. The booklets, entitled *Understanding Hate Crimes*, are adapted to incorporate the local laws and context.⁹⁵

Supporting and training law-enforcement agencies: ODIHR’s programme Training against Hate Crimes for Law Enforcement (TAHCLE) was further improved and expanded in 2012, including through the development of a generic curriculum that can be customized to the needs of each participating State. A brochure providing a programme description of TAHCLE was issued in October.⁹⁶ In Bulgaria, ODIHR worked with an intergovernmental working group to customize the curriculum and

⁹³ *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education* (Warsaw: OSCE Office for Democratic Institutions and Human Rights, October 2011), <<http://www.osce.org/odihr/84495>>.

⁹⁴ PACE resolution 1887 (2012) available at:

<<http://www.assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=18921&Language=EN>>.

⁹⁵ *Understanding Hate Crimes*, OSCE Mission to Skopje (ODIHR, Warsaw, 2012),

<<http://www.osce.org/odihr/104168>>; *Understanding Hate Crimes: A Handbook for Albania*, OSCE Presence in Albania (ODIHR, Warsaw, 2012), <<http://www.osce.org/odihr/104164>>.

⁹⁶ *Training against Hate Crimes for Law Enforcement, Programme Description*, available at <<http://www.osce.org/odihr/94898>>.

trained 47 investigators on how to recognize and investigate hate crimes. TAHCLE was also used in Croatia, Hungary and Poland to train police officers on investigating hate crimes. ODIHR presented TAHCLE at the annual meeting of the Association of European Police Colleges (AEPC), attended by senior representatives from across Europe. Following the presentation, the AEPC invited ODIHR to facilitate a training seminar for representatives of its police college members in 2013.

Further to previous police training activities carried out by ODIHR in partnership with OSCE Mission in Kosovo, TAHCLE was incorporated into the Kosovo⁹⁷ police curriculum in 2012.

ODIHR, in co-operation with the OSCE Strategic Police Matters Unit, presented the OSCE manual *Police and Roma and Sinti: Good Practices in Building Trust and Understanding*,⁹⁸ in Bratislava on 6 December, followed by a seminar in Donovaly for some 40 participants, most of whom were police officers who work directly with Roma communities. The manual deals with hate crimes, as well as other issues.

ODIHR also worked to strengthen the capacity of prosecutors in the OSCE region to identify and prosecute hate crimes. In particular, in September, ODIHR trained 22 prosecutors upon invitation of the OSCE Mission to Bosnia and Herzegovina.

Supporting and training civil society: In 2012, ODIHR trained more than 230 representatives from civil society organizations from 31 OSCE participating States on understanding, recognizing and monitoring hate crimes.⁹⁹ On the margins of the April Supplementary Human Dimension Meeting, ODIHR organized a civil society meeting for 25 NGO representatives to discuss racism and hate crimes related to sports. Participants prepared recommendations that were presented during the SHDM, underscoring the need for sporting associations and fan clubs to condemn acts of intolerance and discrimination, as well as stressing the positive impact of the participation of sports celebrities in awareness-raising campaigns. In addition, ODIHR organized two workshops, in Dublin on 25 May and Oslo on 26 November, on hate crimes targeting people with disabilities. The workshops gathered more than 50 activists, who gained a deeper understanding of the concept of hate crimes and greater knowledge of monitoring and reporting mechanisms, as well as potential areas of engagement to support government efforts to respond to hate crimes against persons with disabilities.

Monitoring hate crimes: On 13 November 2012, the OSCE Mission in Bosnia and Herzegovina launched its report *Tackling Hate Crimes: An analysis of bias-motivated incidents in Bosnia and Herzegovina, with recommendations*. The report was the first to provide an overview and analysis of the domestic legal framework, describing initiatives undertaken to date, and identifying areas for improvement in Bosnia and Herzegovina. Key findings included: insufficient identification, investigation and

⁹⁷ This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence. All references to Kosovo institutions/leaders refer to the Provisional Institutions of Self Government.

⁹⁸ OSCE manual *Police and Roma and Sinti: Good Practices in Building Trust and Understanding*, available at <<http://www.osce.org/odihr/69579>>.

⁹⁹ Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Malta, Moldova, Montenegro, Norway, Poland, Russian Federation, Serbia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom and the United States.

accurate reporting of bias indicators by the police; problems in communication and co-operation between the police and prosecutors; and a lack of a systematic, harmonized and comprehensive mechanism for collecting data on hate crimes. The report also offers recommendations for law enforcement, governmental and judicial authorities, as well as civil society on how to prevent and respond to bias-motivated crimes.

United Nations activities

In 2012, the issue of hate crimes continued to be a concern for a number of UN bodies working in the areas of human rights and discrimination, including treaty bodies and specialized agencies.

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

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

- Austria increase efforts to prosecute and punish forms of discrimination, including hate crime, and to intensify the training for prosecutors, judges, lawyers, other judicial and police officers in the criminal justice system on the principles of the Convention;¹⁰⁰
- Canada introduce in its legislation a specific offence criminalizing racist violence, which would be in addition to its general aggravating circumstances provision;¹⁰¹
- Italy provide training to local public authorities on racial discrimination, as a measure to address the lack of systemized training for law enforcement on obligations under the treaty and the low number of prosecutions, despite the high number of hate crimes and violence;¹⁰² and

¹⁰⁰ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Austria”, CERD/C/AUT/CO/18-20, pp. 4-5, 23 October 2012, available at <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fAUT%2fCO%2f18-20&Lang=en>.

¹⁰¹ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Canada”, CERD/C/CAN/CO/19-20, p. 4, 4 April 2012, available at <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fCAN%2fCO%2f19-20&Lang=en>.

¹⁰² “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Italy”, CERD/C/ITA/CO/16-18, p. 6, 4 April 2012, available at <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fITA%2fCO%2f16-18&Lang=en>.

- Turkmenistan ensure that hate crimes are effectively investigated and brought to justice, regardless of the official status of alleged perpetrators.¹⁰³

The CERD Committee also issued an opinion in the individual communication of *Mahali Dawas and Yousef Shava v. Denmark*.¹⁰⁴ That opinion examined the state duty to take effective action against acts of discrimination under Article 2 and to provide effective remedies under Article 6 in relation to adequate investigation and prosecution of hate crimes. In the case before the committee, the petitioners were a family of Iraqi immigrants living in Denmark who were repeatedly subjected to racist taunts and verbal abuse in their housing complex. At one point, a crowd of 35 neighbours tried to break down their door, shouting racist slogans after allegations that one of the family members stole a necklace. The crowd did manage to gain entry into the residence, damaging windows and interior items and physically assaulting Mr. Dawas and Mr. Shava. The Police investigated the incident, and the perpetrators pleaded guilty to assault and property damage charges during early proceedings. However, the prosecutor moved for reduced charges and a summary hearing. By taking such action, the Committee found that the prosecutor failed to inquire into the potential bias motivations of the crime. The Committee especially noted that the potential gravity of events — where 35 people stormed a house with violence and shouting racial epithets — required a full investigation of the potential bias motivation under the obligations of the treaty.

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

- The Czech Republic to ensure hate crimes are adequately investigated and prosecuted and that judges, prosecutors and police officers are effectively trained to prosecute hate crimes;¹⁰⁵
- Finland to continue its efforts to ensure racially motivated crimes are promptly identified, investigated and prosecuted;¹⁰⁶
- The Netherlands to develop a system of recording statistical data on hate crimes based on the most common types of offences, and of adequate training for law enforcement and legal professionals on the importance of recognizing bias motive as an aggravating circumstance;¹⁰⁷

¹⁰³ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Turkmenistan”, CERD/C/TKM/CO/6-7 p. 3, 13 April 2012, available at <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fTKM%2fCO%2f6-7&Lang=en>.

¹⁰⁴ Committee on the Elimination of Racial Discrimination, Communication No. 46/2009, Opinion adopted by the Committee at its eightieth session, 13 February to 9 March 2012, CERD /C/80/D/46/2009, available at <<http://www2.ohchr.org/english/bodies/cerd/jurisprudence.htm>>.

¹⁰⁵ “Report of the Working Group on the Universal Periodic Review: Czech Republic”, Human Rights Council, A/HRC/22/3, p. 18, 26 December 2012, available at <<http://www.ohchr.org/EN/HRBodies/UPR/s/CZSession14.aspx>>.

¹⁰⁶ “Report of the Working Group on the Universal Periodic Review: Finland”, Human Rights Council, A/HRC/21/8, pp. 15-16; 5 July 2012, available at <<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session21/Pages/ListReports.aspx>>.

¹⁰⁷ “Report of the Working Group on the Universal Periodic Review: Finland”, Human Rights Council, A/HRC/21/8, pp. 15-16; 5 July 2012, available at <<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session21/Pages/ListReports.aspx>>.

¹⁰⁷ “Report of the Working Group on the Universal Periodic Review: Netherlands”, Human Rights Council, A/HRC/21/15, pp. 16-17; 9 July 2012, available at <<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session21/Pages/ListReports.aspx>>.

- Poland to consider strengthening legislation on hate crimes, institute a national mechanism on hate crime data collection, and to ensure immediate, adequate and independent investigations of racially motivated crimes;¹⁰⁸
- Ukraine to further pursue its efforts on training law enforcement to respond to hate crimes in order to ensure proper investigation;¹⁰⁹ and
- The United Kingdom to continue work monitoring hate crime, investigating and sanctioning such crimes, working with affected communities, as well as strengthening its data collection in terms of disaggregated data.¹¹⁰

The UN Human Rights Council adopted Resolution 21/33, “From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance”, which calls on states to “consider adopting effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance [...] (and to) take measures so that motivations are considered an aggravating factor for the purpose of sentencing.”¹¹¹

European Union

On 25 October 2012, the EU adopted Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of all victims of crime, replacing Council Framework Decision 2001/220/JHA. The Directive contains provisions that specifically recognize the needs of victims of hate crimes.

Article 22 of the Directive sets out the following obligations for Member States:

- An individual assessment will be offered to all victims to identify potential “specific protection needs”, which should take into account “the personal characteristics of the victim such as his or her age, gender and gender identity or expression, ethnicity, race, religion, sexual orientation, health, disability, residence status, communication difficulties, relationship to or dependence on the offender and previous experience of crime.”;
- “Particular attention shall be paid to [...] victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be

¹⁰⁸ “Report of the Working Group on the Universal Periodic Review: Poland”, Human Rights Council, A/HRC/21/14, p. 17, 9 July 2012, available at <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session21/Pages/ListReports.aspx>.

¹⁰⁹ “Report of the Working Group on the Universal Periodic Review: Ukraine”, Human Rights Council, A/HRC/22/7, pp. 18, 21, 20 December 2012, available at <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UASession14.aspx>.

¹¹⁰ “Report of the Working Group on the Universal Periodic Review: United Kingdom”, Human Rights Council, A/HRC/21/9, pp. 18, 20; 6 July 2012, available at <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session21/Pages/ListReports.aspx>.

¹¹¹ UN Human Rights Council, Resolution 21/33, “From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance”, Human Rights Council (21st session: Geneva 10-28 September 2012) A/HRC/RES/21/33, available at http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/21/33.

related to their personal characteristics”, and that “victims of [...] hate crime [...] shall be duly considered”; and

- Different types of “special measures” shall be made available during the investigation and court proceedings for qualifying victims.

Article 25 of the Directive also directs Members States to ensure adequate and appropriate training for officials likely to come into contact with victims, including law enforcement, prosecution, judges and victim-support services.¹¹²

Council of Europe

The European Commission against Racism and Intolerance (ECRI) issued a number of reports in its fourth country monitoring cycle. In 2012, ECRI recommended that:

- Andorra conduct information campaigns to make the criminal law provisions relating to racism and intolerance known to the general public and particularly to potential victims of such crimes, and to strengthen the collection of data on the application of criminal law provisions, punishing racist offences so that their effectiveness can be assessed;¹¹³
- Croatia ensure that all acts of racist violence are promptly and thoroughly investigated with a view to prosecution of the perpetrators;¹¹⁴
- Denmark ensure the application of aggravating circumstances for bias motivation, where relevant, and are setting up a monitoring system on the use of such provisions and instructions from the Director of Public Prosecutions obliging prosecutors to raise racist motivation of a criminal offence in court;¹¹⁵
- Ireland improve and supplement the existing arrangements for collecting data on racist incidents, and assess the application of criminal law provisions against racism in order to identify any gaps that need closing, including making racist motivation an aggravating circumstance;¹¹⁶

¹¹² See European Union Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 on establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, available at <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32012L0029:EN:NOT>>.

¹¹³ “ECRI Report on Andorra (fourth monitoring cycle)”, ECRI, adopted on 23 March 2011, published 31 May 2011, CRI(2012)24, p. 14, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Andorra/Andorra_CBC_en.asp>.

¹¹⁴ “ECRI Report on Croatia (fourth monitoring cycle)”, ECRI adopted on 20 June 2012, published 25 September 2012, CRI(2012)45 p. 27, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Croatia/Croatia_CBC_en.asp>.

¹¹⁵ “ECRI Report on Denmark (fourth monitoring cycle)”, ECRI, adopted on 23 March 2012, published 22 May 2012, CRI(2012)25, pp. 16-17, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Denmark/Denmark_CBC_en.asp>.

¹¹⁶ “ECRI Report on Ireland (fourth monitoring cycle)”, ECRI, adopted 5 December 2012, published 19 February 2013, CRI(2013)1, pp. 12-13, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Ireland/Ireland_CBC_en.asp>.

- Liechtenstein provide specific training for those working in the criminal justice system on the application of the criminal law provisions aimed at combating racist offences providing for racist or xenophobic motivation to be considered as an aggravating-circumstances for all offences for the Victims' Assistance Office to carry out awareness raising activities in this regard; and¹¹⁷
- Sweden use its training and awareness-raising measures in their continuing efforts to ensure that criminal law provisions concerning racism and racial discrimination are properly applied by all persons in the criminal justice system and to strengthen further its data collection and monitoring system on racist incidents.¹¹⁸

In 2012, the Commissioner for Human Rights of the Council of Europe, Nils Muižnieks, undertook several country visits, during which he raised issues regarding governments' efforts to combat hate crime. The Commissioner recommended:

- The Czech Republic continue developing its training on hate crime for all those involved in the criminal justice system;¹¹⁹
- Greece pursue efforts to improve its police response to hate crimes, including by providing specialized training, noting the disturbing reports of hate crimes during 2012;¹²⁰ and
- Italy address potential inconsistent interpretation of aggravating circumstances provisions for bias motivated crime through political leadership and awareness raising for all persons involved in the criminal justice system.¹²¹

E. Institutional developments

A number of participating States undertook initiatives in 2012 to improve their institutional responses to hate crimes. These actions did not require legislative changes but, instead, used existing powers to develop programmes or to improve the skills and capacities of staff.

¹¹⁷ "ECRI Report on Liechtenstein (fourth monitoring cycle)", ECRI, adopted on 5 December 2012, published 19 February 2013, CRI(2013)2, pp. 15-16, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Liechtenstein/Liechtenstein_CBC_en.asp>.

¹¹⁸ "ECRI Report on Sweden (fourth monitoring cycle)", ECRI, adopted on 19 June 2012, published 25 September 2012, CRI(2012)46, pp. 17-19, available at <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Sweden/Sweden_CBC_en.asp>.

¹¹⁹ "Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Czech Republic on 12-15 November 2012", Council of Europe, CommDH(2013)1, p. 11, 21 February 2013, available at <<https://wcd.coe.int/ViewDoc.jsp?id=2030637>>.

¹²⁰ "Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Greece on 28 January to 1 February 2013", Council of Europe, CommDH(2013)6, p. 28, 16 April 2013, <<https://wcd.coe.int/ViewDoc.jsp?id=2053611>>.

¹²¹ "Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Italy on 3-6 July 2012", Council of Europe, CommDH(2012)26, pp. 22-23, 18 September 2012, available at <<https://wcd.coe.int/ViewDoc.jsp?id=1975447>>.

Hungary: The Ministry of Interior worked with ODIHR to organize a TAHCLE training session for investigative law-enforcement officers as part of setting up a specialized unit on hate crimes at the National Police Headquarters.¹²²

Italy: the Observatory for Security against Acts of Discrimination promoted several initiatives to improve police responses to hate crime, across the regional and federal structures of the Italian Police, including seminars and training sessions, and held a seminar for personnel at the Public Security Department of the Ministry of the Interior. In addition, an inter-institutional working group discussed the development of a national strategy to prevent and combat discrimination on the grounds of sexual orientation and gender identity within the programme “Combating discrimination based on sexual orientation and gender identity” promoted by the Council of Europe.¹²³

Latvia: The Ombudsman Office held a training seminar on practical human rights issues for police officers, which included analysis of hate crimes.¹²⁴

Lithuania: The government began implementation of the 2012-2014 Non-discrimination and Inter-institution Action Plan, in which the Ministry of the Interior is obligated to prepare and regularly publish statistics on the criminal acts committed on grounds of the victim's nationality, “race”, ethnic origin, religion, language or belonging to another group.¹²⁵

Sweden: Sweden instituted or continued a number of hate crime programmes.¹²⁶ These included two projects supported by Victim Support Association to help staff of local organizations better understand hate crime; the Crime Victim Compensation and Support Authority funded a research project aimed at understanding the causes, consequences and support measures for hate crime in Skåne County; a project in Norrbotten in which the crime victim co-ordinator of the police authority reviews police reports daily to follow up with victims, including potential hate crime victims, for further support; several training events held by the Police District in Greater Gothenburg with various level of staffs on hate crime; a train-the-trainers course on hate crime for the Police Authority in Skåne County; the Police Authority in Skåne County participated in a research project from Stockholm University designed to gauge the level of potential prejudices in responding to hate crime cases; and a project by the Prosecution Development Centre in Malmö to identify and track potential hate crime cases in order to evaluate case-handling by police and prosecutors.

United States: The Federal Bureau of Investigations (FBI) revised its Hate Crime Data Collection Guide and Training Manual to reflect recent changes to the law. The manual serves as a basis for training and awareness raising with law enforcement, and was developed with the assistance of civil society, local law enforcement and NGOs.¹²⁷

Uzbekistan: On the 20th anniversary of the Uzbekistan Constitution, the National Center for Human Rights, together with the Intercultural Center and UNDP, organized a

¹²² Questionnaire from the Hungarian NPC, 5 April 2013.

¹²³ Information received from Italian NPC, 8 November 2013.

¹²⁴ Questionnaire from the Latvian NPC, 10 April 2013.

¹²⁵ Questionnaire from the Lithuanian NPC, 29 March 2013.

¹²⁶ Questionnaire from the Swedish NPC, 7 March 2013.

¹²⁷ Questionnaire from the United States NPC, 9 September 2013.

conference to discuss harmonizing Uzbek legislation with the requirements under the Convention on the Elimination of all forms of Racial Discrimination (CERD).¹²⁸

Details of all the initiatives described above are available on the TANDIS website.¹²⁹

¹²⁸ Information from Uzbekistan Ministry of Foreign Affairs, 9 April 2013.

¹²⁹ See TANDIS website: <<http://tandis.odhr.pl/>>.

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

A. *Introduction*

Unlike Part I of this report, which is drawn almost entirely from information provided to ODIHR by the governments of participating States, Part II incorporates information from a variety of other sources, including IGOs and NGOs. These sources have been consulted in accordance with ODIHR’s mandate from the OSCE Ministerial Council to make use of such information.¹³⁰

Finally, the bulk of Part II addresses particular bias motivations specified in OSCE commitments. While hate crimes share many common features, the OSCE Ministerial Council has recognized “the specificity of different forms of intolerance”¹³¹ and “the uniqueness [...] of the historical background of each form”.¹³² Taking this into account, separate sections of Part II focus on racist and xenophobic crimes, anti-Roma and Sinti crimes, anti-Semitic crimes, anti-Muslim crimes and crimes motivated by bias against Christians and members of other religions. Hate crimes against a number of other groups are also addressed, on the basis of data received, including crimes motivated by bias against lesbian, gay, bisexual or transgender (LGBT) people, as well as crimes motivated by bias against people with disabilities. Some responses to hate crimes by governments and NGOs with regard to specific target groups or types of hate crimes are also described in the relevant sections.

¹³⁰ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2; See also, “Methodology”, in Part I.

¹³¹ OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 20.

¹³² OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4.

B. Hate crimes against specific target groups

RACIST AND XENOPHOBIC CRIMES AND INCIDENTS

Background

The OSCE has long recognized the threat to international security posed by racism, xenophobia and related forms of intolerance. As early as 1990, the Copenhagen Document¹³³ and the Charter of Paris for a New Europe¹³⁴ condemned racial and ethnic hatred. These statements and related commitments were reiterated and strengthened at a number of subsequent Ministerial Council meetings and other conferences.¹³⁵

At the Ministerial Council meeting in Maastricht in 2003, participating States committed themselves to take steps against discrimination, intolerance and xenophobia targeting migrants and migrant workers; to combat hate crimes fuelled by racist or xenophobic propaganda; and to publicly denounce such crimes.¹³⁶

The Astana Declaration, issued on 30 June 2010 by the Chairperson-in-Office at the end of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those based on racism or xenophobia.¹³⁷

To further the work within its mandate, ODIHR organized a number of events and activities in 2012 to address the problems of racism and xenophobia. In April, ODIHR convened a Supplementary Human Dimension Meeting (SHDM) on Combating Racism, Intolerance and Discrimination in Society through Sport.¹³⁸ On the margins of the SHDM, ODIHR arranged a meeting for 25 NGO representatives, who prepared recommendations that were presented during the meeting, underscoring the need for sporting associations and fan clubs to condemn acts of intolerance and discrimination, and stressing the positive impact of the participation of sports celebrities in awareness-raising campaigns. On 1 October in Warsaw, ODIHR organized a training seminar for 22 civil society representatives of African descent from Austria, Germany, Hungary, Ireland, Malta, Moldova, Poland, Slovenia, Spain, Sweden and the United States. The

¹³³ “Document of the *Copenhagen Meeting* of the Conference on the Human Dimension of the CSCE”, p. 21, *op. cit.*, note 12.

¹³⁴ “*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://osce.org/mc/39516>>.

¹³⁵ “Document of the *Moscow Meeting* of the Conference on the Human Dimension of the CSCE”, Moscow, 3 October 1991, p. 46, <<http://osce.org/odhr/elections/14310>>; Fourth Meeting of the CSCE Council of Ministers, “CSCE and the New Europe - Our Security is Indivisible Decisions of the Rome Council Meeting”, Rome, 30 November - 1 December 1993, p. 18, <<http://osce.org/mc/40401>>; “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, Budapest, corrected version 21 December 1994, p. 35, <http://www.osce.org/mc/39554>; OSCE Ministerial Council, Decision No. 5/01, “Decisions of the Bucharest Ministerial Council Meeting”, Bucharest, 3-4 December 2001, p. 29, <http://www.osce.org/mc/40515>; OSCE Ministerial Council Decision No. 6/02, “Tolerance and Non-Discrimination”, Porto, 7 December 2002, <<http://tandis.odihr.pl/documents/03547.pdf>>; OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2; OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 16; OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 17; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 20.

¹³⁶ OSCE Ministerial Council, Decision No. 4/03, *op. cit.*, note 2.

¹³⁷ Astana Declaration by the Chairperson-in-Office, Astana, 30 June 2010, available at <<http://www.osce.org/cio/69789>>.

¹³⁸ The final reports of the meeting, *op. cit.*, note 91.

seminar included presentations on the concept of hate crime and ways in which members of communities of persons of African descent can increase reporting to law-enforcement agencies.

In 2012, the OSCE Chairmanship's Personal Representative on Combating Racism, Xenophobia and Discrimination, also Focusing on Intolerance and Discrimination against Christians and Members of Other Religions, Judge Catherine McGuinness, made a number of country visits, together with the other Personal Representatives of the Chairmanship, traveling to Armenia, Austria, Azerbaijan and Norway. During these visits she emphasized the importance of improving the collection of accurate data on hate crimes.

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

As detailed in Part I B (data collection), participating States use a variety of approaches in classifying bias motivations in relation to racism and xenophobia. Looking at the broadest spectrum, between 2008 and 2012, 40 participating States reported recording data according to at least one category related to racism or xenophobia, which could include "race"/colour, ethnicity/nationality/national origin, citizenship or language.¹³⁹ However, only 14 states reported that they disaggregate these data using more specific categories. In response to ODIHR's 2012 questionnaire, 16 states provided figures to ODIHR, while the NPCs for Belgium, Greece, Hungary, Lithuania and the United States also identified specific cases.¹⁴⁰

In addition, this section includes information on racist and xenophobic hate crimes and incidents from 31 NGOs and civil society organizations in 18 participating States.¹⁴¹ UNHCR and the OSCE Mission to Bosnia and Herzegovina and the OSCE Mission in Kosovo also provided information.

Armenia: No official data on racist or xenophobic hate crimes were reported to ODIHR. The Open Society Foundation reported one physical assault.¹⁴²

Austria: Official law-enforcement figures record 90 hate crimes: nine physical assaults, 22 cases of property damage, nine cases of threat and 50 other racist/xenophobic crimes.¹⁴³ The NGO ZARA reported two cases of threats, against an African man and a Peruvian woman; seven physical assaults, including against a man of Turkish origin by a group; a Peruvian woman who was with her daughter; a Chechen family, also involving a threat with a knife; a couple in a café, a Jamaican man; and against a man of Turkish origin, which included a threat using a dog.¹⁴⁴

¹³⁹ Andorra, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Estonia, Denmark, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Ukraine, United Kingdom, United States and Uzbekistan.

¹⁴⁰ Belgium, Canada (data only cover Toronto), Finland, Germany, Hungary, Ireland, Kazakhstan, Lithuania, Moldova, Norway, Poland, Russian Federation, Serbia, Sweden, Switzerland and the United Kingdom.

¹⁴¹ Armenia, Austria, Belgium, Germany, Greece, Hungary, Italy, Lithuania, Moldova, Netherlands, Poland, Russian Federation, Serbia, Spain, Turkey, Switzerland, Ukraine and the United Kingdom.

¹⁴² Information received from Open Society Foundation, Armenia, 5 April 2013.

¹⁴³ Questionnaire from the Austrian NPC, 22 March 2013.

¹⁴⁴ Information from ZARA, 7 May 2013.

Belgium: Official figures reported 614 racist/xenophobic crimes recorded by law enforcement (during the first six months of 2012), 893 cases prosecuted and 66 cases sentenced.¹⁴⁵ Muslim Rights Belgium reported three cases of threats; three physical assaults, including two against Muslim couples; and one case of vandalism against a mosque.¹⁴⁶

Bosnia and Herzegovina: No official data on racist or xenophobic hate crimes were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported 24 incidents, including two physical assaults – one against an ethnic Bosniac man resulting in serious injury, and one against an ethnic Serb family – and three cases of threats against ethnic Bosniacs or Serbs.¹⁴⁷ No information was provided by NGOs.

Bulgaria: No official data on racist or xenophobic hate crimes were reported to ODIHR. UNHCR reported one serious physical assault by a group against two asylum seekers from Afghanistan, resulting in the hospitalization of one of the victims.¹⁴⁸

Canada: The Toronto Police Service recorded 42 crimes based on bias against ethnicity, race, and nationality.¹⁴⁹ No information was provided by NGOs.

Finland: Official law-enforcement figures record 957 hate crimes: 510 physical assaults, 105 cases of damage to property, 15 cases of disturbance of the peace, 107 cases of threats and 51 other racist/xenophobic crimes.¹⁵⁰ No information was provided by NGOs.

Germany: Official law-enforcement figures record 2,922 xenophobic crimes, 415 of which involved violence, and 584 racist crimes, 98 of which involved violence.¹⁵¹ The Amadeu Antonio Foundation reported 34 physical assaults, including five by a group, and eight resulting in serious injury. The attacks included physical assaults against a man of African descent who was cleaning bathrooms in a nightclub; against a woman and her children, involving pepper spray; an attack against an Indian student, resulting in his hospitalization; against a Greek restaurant owner resulting in his hospitalization; against two men by a group, resulting in the hospitalization of one man; against an activist supporting Iranian refugees, resulting in his hospitalization; and against a Vietnamese man, almost killing him, in a prison. The victims were mainly people of African descent, and also included several people of Turkish background, a Lebanese woman with her children, a Greek man, a Chinese student and an Indian student. The foundation reported a further 14 cases of damage to property, including five arson attacks against houses for asylum seekers, a migrant family's house and a Lebanese restaurant; and seven incidents of damage to property and/ or graffiti, including on a house for asylum seekers, on both a Turkish restaurant, and an Asian owned restaurant; a series of attacks against another restaurant, including graffiti and bottles being thrown; damage to the home of a Kenyan man after he was followed home; graffiti and property damage against a Turkish family's house, including sausages being put in shoes outside the front door. The Foundation reported the desecration of a memorial plaque

¹⁴⁵ Questionnaire from the Belgian NPC, 4 April 2013.

¹⁴⁶ Information received from Muslim Rights Belgium, 10 June 2013.

¹⁴⁷ Communication from OSCE Mission in Bosnia and Herzegovina, 7 May 2013.

¹⁴⁸ Communication from UNHCR, 27 May 2013.

¹⁴⁹ Questionnaire from the Canadian NPC, 5 September 2013.

¹⁵⁰ Information received from the Finnish NPC, 31 July 2013.

¹⁵¹ Questionnaire from the German NPC, 2 July 2013.

commemorating racist attacks in Rostock¹⁵² and three cases of threats, including against a man trying to protect another from a racist attack and a threat with a knife against a woman.¹⁵³ The NGO Victim's Perspective reported two arson attacks – one against a Turkish snack bar and one against an Asian snack bar – two cases of threats, including one involving a bottle against a Cameroonian man that was stopped by passersby, and one against a Nigerian man; 11 physical assaults, including five resulting in serious injury and three carried out by a group. The victims included a Pakistani street vendor, a man from Angola, a woman from Afghanistan, men from Romania and Kenya, a man of Turkish background, a child at school and a Bosnian family.¹⁵⁴

Greece: The NPC for Greece reported a case involving the destruction of merchandise belonging to two men of African origin.¹⁵⁵ Human Rights Watch reported two attacks by a group including one against two men from Somalia involving bottles and one against four men, resulting in their hospitalization.¹⁵⁶ The Racist Violence Recording Network reported the murders of an Egyptian man and an Iraqi boy; 142 physical assaults including 66 assaults resulting in serious injury; and 22 incidents of property damage also involving physical assaults, including against shops and restaurants owned by migrants. The majority of victims were from Afghanistan and Pakistan, and also included victims from Algeria, Bangladesh, Egypt, Morocco, Somalia, Sudan and Guinea.¹⁵⁷ The NGOs the Federation of Western Thrace Turks in Europe and the Western Minority University Graduates Association both reported one case of graffiti on the building of the Xanthi Turkish Union.¹⁵⁸

Hungary: Official law-enforcement figures record 36 hate crimes and 16 cases prosecuted.¹⁵⁹ The NPC also reported 2 case examples of racist physical assault. The NGO Athena Institute reported one serious physical assault by a group against Nigerian refugees, involving pepper spray and brass knuckles.¹⁶⁰ The Mahatma Gandhi Human Rights Organization reported one physical assault in a prison against a Kenyan man carried out by a group.¹⁶¹

Ireland: Official law-enforcement figures record 94 racist and xenophobic hate crimes.¹⁶² UNHCR reported one physical assault against a woman of African descent.¹⁶³

Italy: No official data on racist or xenophobic hate crimes were reported to ODIHR. The NGO Lunaria reported a series of acts of vandalism against the same man's property

¹⁵² In August 1992, hundreds of people attacked a house for asylum seekers, followed by an attack against a house for Vietnamese guest workers in Rostock.

¹⁵³ Amadeu Antonio Foundation, "Chronik der Gewalt", <<https://www.mut-gegen-rechte-gewalt.de/service/chronik>>.

¹⁵⁴ Opferperspektive, „Rechte Gewalt in Brandenburg“, <http://www.opferperspektive.de/event/events_by_criteria/1?note=%2A&location=%2A&page=9&year=2012>.

¹⁵⁵ Questionnaire from the Greek NPC, *op. cit.*, note 86.

¹⁵⁶ "Hate on the Streets", Human Rights Watch, <<http://www.hrw.org/features/greece-hate-on-the-streets>>.

¹⁵⁷ Information received from the Racist Violence Incidents Recording Network through UNHCR, *op. cit.*, note 148.

¹⁵⁸ Information from Federation of Western Thrace Turks in Europe, 3 April 2013; Information received from Western Minority University Graduates Association, 27 March 2013.

¹⁵⁹ Questionnaire from the Hungarian NPC, *op. cit.*, note 122.

¹⁶⁰ Information from Athena Institute, 5 April 2013.

¹⁶¹ Information from the Mahatma Gandhi Human Rights Organization (Hungary), 21 February 2013.

¹⁶² Information from the Irish NPC, 1 September 2013.

¹⁶³ Communication from UNHCR, *op. cit.*, note 148.

over several months; an arson attack against a refugee centre; 34 physical assaults, including twelve resulting in serious injury and 14 carried out by a group, including one against a family. The largest groups of victims were men from Bangladesh and men of African origin, other victims included a family from Morocco, men from India and Pakistan, an Ecuadorian man, and a Colombian woman.¹⁶⁴

Kazakhstan: Official figures record 58 hate crimes and 12 cases sentenced.¹⁶⁵ No information was provided by NGOs.

Latvia: Official law-enforcement figures record 18 hate crimes based on ethnicity, with two cases prosecuted and two cases sentenced.¹⁶⁶ No information was provided by NGOs.

Lithuania: Official law-enforcement figures record seven hate crimes: five based on ethnicity, with one physical assault; one desecration of graves, two attacks against places of worship and one case of violation of public order; and two crimes based on race, with one physical assault and one case of violation of public order.¹⁶⁷ The NGO European Foundation for Human Rights reported one physical assault by a group against Polish schoolchildren.¹⁶⁸

Moldova: Official law-enforcement figures record three hate crimes based on ethnicity.¹⁶⁹ The NGO A World Without Nazism reported one physical assault.¹⁷⁰

Netherlands: No official data on racist or xenophobic hate crimes were reported to ODIHR. The Turks Forum Netherlands reported one murder, one case of arson against a Turkish store and one physical assault against a disabled teenage girl wearing a headscarf.¹⁷¹

Norway: Official law-enforcement figures record 162 crimes motivated by bias against racial or ethnic origin.¹⁷² No information was provided by NGOs.

Poland: Official law-enforcement figures record 266 hate crimes, including 126 physical assaults, 54 cases of attacks against places of worship and 86 cases of threats or threatening behavior.¹⁷³ The NGO Never Again Association reported 21 physical assaults, including two resulting in serious injury, eight of which were carried out by a group and three involving weapons such as knives, baseball bats, bottles and chains; three cases of vandalism and damage to property, two of which were associated with celebrating anti-racism and Africa Day events; one case of arson against a Chechen family's flat, with the father and five children inside; and one case of the desecration of

¹⁶⁴ Information received from Lunaria, 8 August 2013.

¹⁶⁵ Questionnaire from the Kazakh NPC, 1 April 2013.

¹⁶⁶ Questionnaire from the Latvian NPC, *op. cit.*, note 124.

¹⁶⁷ Questionnaire from the Lithuanian NPC, *op. cit.*, note 125.

¹⁶⁸ Information from the European Foundation for Human Rights, 5 April 2013.

¹⁶⁹ Questionnaire from the Moldovan NPC, 4 April 2013.

¹⁷⁰ Information from A World Without Nazism, 25 February 2013.

¹⁷¹ Information from Turks Forum Netherlands, 4 April 2013.

¹⁷² Questionnaire from the Norwegian NPC, 4 April 2013.

¹⁷³ Questionnaire from the Polish NPC, 5 April 2013.

graves, at the Ostrołęka Soviet cemetery in Northeastern Poland.¹⁷⁴ ODIHR received a direct report of a serious assault against a Senegalese man.¹⁷⁵

Russian Federation: No official data on racist or xenophobic hate crimes were reported to ODIHR. The NGO SOVA Centre for Information and Analysis and the Civic Assistance Committee reported nine physical assaults, including five carried out by a group causing serious injuries, and two that also involved theft of personal property.¹⁷⁶ The SOVA Centre for Information and Analysis reported a further 12 murders, 85 physical assaults, two death threats and ninety-five incidents of damage to property, including one involving a Molotov cocktail against a Caucasian-cuisine restaurant and one involving an explosive device against an Uzbek-owned store. The largest group of victims was from Central Asia and the second largest two groups was of people of African descent and from the Caucasus.¹⁷⁷ The NGO A World Without Nazism reported 14 physical assaults, including four by a group, four resulting in serious injury and one involving a knife; three arson attacks, six murders and one incident of damage to property. Most of the victims were from the Caucasus and Central Asia.¹⁷⁸ The Moscow Protestant Chaplaincy reported 12 physical assaults, including ten carried out by a group, six resulting in serious injuries, one in which a bat was used as a weapon, one involving gasoline being sprayed on the victim, and one assault in the course of a robbery. All of the victims were from Cameroon or Congo. The attacks mainly took place on public transport or near metro stations. In one case, a man from Congo was assaulted on a tram by a group, with other passengers joining in.¹⁷⁹

Serbia: Official figures record 39 cases of hate crime prosecuted and 37 cases sentenced.¹⁸⁰ The Regional Centre for Minorities reported one case of physical assault against two students by a group.¹⁸¹

Spain: No official data on racist or xenophobic hate crimes were reported to ODIHR. UNHCR reported an assault against a woman of African descent on the metro, and a further assault against a man who was trying to defend her.¹⁸² The NGO CIDH Pro Igual reported one physical assault by a group against migrants, resulting in serious injury.¹⁸³ The Union of Islamic Communities in Spain and the NGO Movement Against Intolerance reported the murder of a Senegalese man and a physical assault against another Senegalese man outside a club. The Union of Islamic Communities in Spain reported two further physical assaults, also against men of African descent.¹⁸⁴ The Movement Against Intolerance reported the murder of a man from the Dominican Republic by a group; two cases of threats, one involving an Ecuadorian school girl, who later committed suicide; one case of property damage to a Chinese-owned bar and one case of graffiti; ten physical assaults, including four resulting in serious injury,

¹⁷⁴ Information from Never Again Association, 26 March 2013.

¹⁷⁵ Information from victim to ODIHR, 2 December 2013.

¹⁷⁶ Information from SOVA Centre for Information and Analysis, 4 April 2013; Information from Civic Assistance Committee, 4 April 2013.

¹⁷⁷ Information from SOVA Centre for Information and Analysis, *Ibid.*

¹⁷⁸ Information from A World Without Nazism, *op. cit.*, note 170.

¹⁷⁹ Information from Moscow Protestant Chaplaincy 18 February 2013.

¹⁸⁰ Questionnaire from the Serbian NPC, *op. cit.*, note 90.

¹⁸¹ Information from Regional Centre for Minorities, 5 April 2013.

¹⁸² Communication from UNHCR, *op. cit.*, note 148.

¹⁸³ Information from CIDH *Pro Igual*, 4 April 2013.

¹⁸⁴ Information from Union of Islamic Communities in Spain, 29 March 2013.

involving weapons such as bats and guns. The victims were mainly men of African descent, while one was a woman of African descent.¹⁸⁵

Switzerland: Official figures record 181 police-recorded hate crimes, 20 cases prosecuted and 15 cases sentenced.¹⁸⁶ The Foundation against Racism and Anti-Semitism, reported one case of property damage to a home for asylum seekers by bottles, paint bombs, and graffiti; two physical assaults by a group, against a Brazilian woman and a male wheelchair user, both causing serious injury.¹⁸⁷

Sweden: Of the police reports recorded in 2012, an estimated 3,979 were identified by the Swedish National Council for Crime Prevention (Brå) as xenophobic/racist hate crimes.¹⁸⁸ No reports from NGOs were received.

Turkey: No official data on racist or xenophobic hate crimes were reported to ODIHR. The NGO London Legal Group reported one case of a series of acts of vandalism against the statue of an Armenian musician; two cases of threats; and four physical assaults, three of which were against elderly women of Armenian background one of which also involved a robbery.¹⁸⁹

Ukraine: Official figures record three cases handled by investigative units and two criminal prosecutions.¹⁹⁰ The NGO African Centre reported two physical assaults, including one by a group, involving the throwing of stones. The victims were all of African descent.¹⁹¹ The Diversity Initiative and the Congress of National Communities reported seven physical assaults, including five resulting in serious injury and four carried out by a group; and one attack involving a knife.¹⁹² The Congress of National Communities reported a further five physical assaults, including one carried out by a group; two attacks involving a knife and; one attack where the victim was intentionally hit by a car.¹⁹³ The Diversity Initiative reported a further five physical assaults, including three stabbings; and one case of damage to a plaque commemorating the deportation of the Crimean Tatars.¹⁹⁴ The majority of victims of the assaults comprised people of African descent. There was also one Vietnamese male victim The NGO A World Without Nazism reported two physical assaults resulting in serious injury, including an assault with a brick and one involving a knife attack.¹⁹⁵

United Kingdom: Official law-enforcement figures record 39,906 racist crimes. In Scotland, 4,012 cases were prosecuted.¹⁹⁶ The Observatory on Intolerance Against Christians reported one case of threats against a Church of England Bishop of African

¹⁸⁵ Information from Movement Against Intolerance, 23 April 2013.

¹⁸⁶ Questionnaire from Swiss NPC, 2 August 2013.

¹⁸⁷ Information from Foundation against Racism and Anti-Semitism, “Chronologie”, <<http://chronologie.gra.ch>>.

¹⁸⁸ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

¹⁸⁹ Information from London Legal Group, 3 April 2013.

¹⁹⁰ Communication from Permanent Mission of Ukraine to the OSCE, 11 November 2013.

¹⁹¹ Information from the African Centre, 4 April 2013.

¹⁹² Information from Diversity Initiative through Communication from UNHCR, *op. cit.*, note 148 and communication from IOM, 23 July 2013; Information from Congress of National Communities, 18 April 2013.

¹⁹³ *Ibid.*, Information from Congress of National Communities.

¹⁹⁴ Communication from UNHCR, *op. cit.*, note 148.

¹⁹⁵ Information from A World Without Nazism, *op. cit.*, note 170.

¹⁹⁶ Questionnaire from the UK NPC, 31 October 2013.

descent.¹⁹⁷ The NGO ENGAGE reported ten physical assaults, two resulting in serious injury and two by a group. The victims were mainly men of South Asian background and one girl. ENGAGE reported a further two cases of damage to property, one against a Bangladeshi restaurant and the other against a family of Pakistani background, involving throwing objects at their house.¹⁹⁸ The NGO Faith Matters reported two cases of threats.¹⁹⁹

United States: The NPC for the United States reported one physical assault causing the hospitalization of a man of Arab descent.²⁰⁰ No information was received from NGOs.

The OSCE Mission in Kosovo reported the following incidents: three murders; 28 assaults; five threats; 31 thefts; five cases of explosives/shots fired; 12 cases of stone throwing; nine cases of arson/fire and four cases of property damage. The report highlighted the murder of a Kosovo Serb couple in Ferizaj/Uroševac; an arson attack against two Serb houses after several returnees received threatening letters, including one whose house was burnt down; one knife attack against a Kosovo Serb and an attack by a group against two Kosovo Albanians in the street.²⁰¹ The information was gathered mainly from police reports, with some of the incidents reported directly to the Mission.

¹⁹⁷ Information from Observatory on Intolerance Against Christians, 1 March 2013.

¹⁹⁸ Information from ENGAGE, 30 April 2013.

¹⁹⁹ Information from Faith Matters, 4 April 2013.

²⁰⁰ Questionnaire from the United States NPC, *op. cit.*, note 127.

²⁰¹ Communication from OSCE Mission in Kosovo, 5 April 2013.

Key resolutions and statements from international organizations

The Human Rights Council, in its Universal Periodic Review, recommended that Poland strengthen measures to prevent racist violence, especially against people of African origin.²⁰²

The Report by Mutuama Ruterre, the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, on the implementation of General Assembly resolution 66/143, emphasized that states should ensure that there is a criminal law that provides for aggravating circumstances for bias-motivated crime; that such crimes are adequately investigated and prosecuted to avoid impunity for crimes that undermine democratic principles; that comprehensive data are collected on hate crimes; and that law-enforcement agents and members of the judiciary are trained to investigate and prosecute hate crimes, as well as to engage with affected communities to increase their willingness to report such crimes.²⁰³

The OSCE Parliamentary Assembly issued a Resolution Addressing Racism and Xenophobia Affecting People of African Descent in the OSCE Region, reaffirming OSCE commitments to combat racism and hate crimes and encouraging implementation of recommendations from the OSCE/ODIHR “Roundtable on the contemporary forms of racism and xenophobia affecting of People of African Descent in the OSCE region”²⁰⁴

Government and NGO responses to racist and xenophobic crimes and incidents

The Czech Republic Ministry of Interior has been tasked to produce an analysis of perpetrators of racist and xenophobic crimes. The objective is to produce recommendations that lead to a better understanding of violent extremist, racist or xenophobic criminal activity and contribute to the improvement of preventive measures.²⁰⁵

The Danish Security and Intelligence Service organized a full day workshop with the aim of identifying concrete ways to prevent intolerance and hate crimes at the local level, and ensure that victims of hate crimes receive the necessary support.²⁰⁶

Following a series of murders committed by the right-wing extremist group NSU in winter 2011, the German police and domestic intelligence authorities set up the *Gemeinsames Abwehrzentrum Rechtsextremismus (GAR)*, a co-ordination platform with representatives from the federal and regional government. The primary objective of GAR is to strengthen government efforts to successfully combat right wing extremist

²⁰² “Report of the Working Group on the Universal Periodic Review: Poland”, Human Rights Council, A/HRC/21/14, p. 17, *op. cit.*, note 108.

²⁰³ “Report of the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuama Ruterre: implementation of the General Assembly resolution 66/143” A/HRC/20/38, 29 May 2012, pp. 10-11, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.38_En.PDF>.

²⁰⁴ “Monaco Declaration of the OSCE Parliamentary Assembly and Resolutions Adopted at the Twenty-First Annual Session” Monaco, 5-9 July 2012, pp. 67-69, available at <http://www.oscepa.org/publications/declarations/cat_view/97-all-documents/1-publications/4-declarations/173-2012-monaco-declaration>.

²⁰⁵ Questionnaire from the Czech Republic NPC, 21 August 2013.

²⁰⁶ Questionnaire from the Danish NPC, 19 June 2013.

crime by improving co-ordination and information exchange among law enforcement authorities.²⁰⁷

In Ireland, the police have established Ethnic Liaison Officers. Their role is to make contact with the local minority and vulnerable communities to build trust in the policing service and to ensure that racist hate crime is detected and prevented in Irish society.²⁰⁸

In Poland and Ukraine, the NGO Never Again Association implemented the UEFA Euro 2012 Social Responsibility Program called “Respect Diversity”, which involved various anti-racial awareness-raising activities before and during the European Championship.²⁰⁹

In Romania, the project ‘Mission Possible’ a partnership of the Foundation Resource Centre for Ethno-cultural Diversity, the police Agent’s School and the Crime Research and Prevention Institute, Bucharest trained 28 members of the Police Agents school in Câmpina on preventing and responding to hate crimes.²¹⁰

In the Russian Federation, the Moscow Protestant Chaplaincy held quarterly community events in order to share safety tips to “help identify potentially dangerous events” and to encourage the community to share experiences and serve as a support group.²¹¹ The SOVA Centre for Information and Analysis and the Civic Assistance Committee completed the first full year of a project that provides direct support to victims of hate crime.²¹²

In Spain 2,690 members of the Guardia Civil and local police were trained on identifying and registering racist and xenophobic incidents. Spain also adopted a training manual for police and security forces that provides detailed information on key concepts, international and national standards, police best practices, and recommendations for a protocol on police practice in cases of racist or xenophobic crimes.²¹³

In Sweden, the Discrimination Bureau in Uppsala conducted training programmes for schools, businesses, public sector agencies, associations and organizations on discrimination and hate crime. The Bureau counseled individuals on their rights when victims of discrimination or hate crime, as well as running a project called *Online Presence* that trains school staff, youth and support organizations to recognize hate online and to take appropriate responsive steps.²¹⁴

In Ukraine, the Ministry of Internal Affairs has established interagency law enforcement structures to combat the illegal activities of neo-Nazi and racist groups. Representatives from the Ministry participated in briefings, roundtables and meetings on the issues of combating racism and xenophobia, which also included various NGOs. On 5 July, the

²⁰⁷ Questionnaire from the German NPC, *op. cit.*, note 151.

²⁰⁸ Questionnaire from the Irish NPC, 14 July 2013.

²⁰⁹ Information from Never Again Association, *op. cit.*, note 174.

²¹⁰ Information from the Romanian NPC, 18 June 2013.

²¹¹ Information from Moscow Protestant Chaplaincy, *op. cit.*, note 179.

²¹² Information from SOVA Centre for Information and Analysis, *op. cit.* note 176.

²¹³ Communication from Permanent Mission of Spain to the OSCE *op. cit.* note **Error! Bookmark not defined.**

²¹⁴ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

Ministry of Internal Affairs signed a Memorandum of Understanding with ODIHR to launch the implementation of TAHCLE in Ukraine.²¹⁵

In the United Kingdom, the Professional Footballers' Association outlined a six-point plan to tackle racism in football, making specific mention of tackling Islamophobia.²¹⁶

At the European level, the NGO CEJI completed the *Facing Facts!* Project, which produced hate crime monitoring guidelines and a training programme that aim to build the capacity of civil society organizations to monitor and report hate crimes, and to advocate for prevention and intervention measures. Initiated by four European NGOs, the project also involved organizations that work to address racist and xenophobic violence.²¹⁷

²¹⁵ Communication from Permanent Mission of Ukraine to the OSCE, *op. cit.* note 190.

²¹⁶ Information from ENGAGE, *op. cit.*, note 198.

²¹⁷ "Facing Facts!", <<http://www.ceji.org/facingfacts>>.

CRIMES AND INCIDENTS MOTIVATED BY BIAS AGAINST ROMA AND SINTI

Background

In 1990, the OSCE participating States recognized the particular problems faced by Roma and Sinti as targets of racial and ethnic hatred.²¹⁸ In 1994, they 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)”.²¹⁹ The 1999 Istanbul Summit Declaration deplored violence and other manifestations of racism and discrimination against minorities, including specifically against Roma and Sinti.²²⁰

In 2003, in Maastricht, the OSCE Ministerial Council adopted the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, including measures to combat violence against Roma and Sinti.²²¹ Subsequent Ministerial Council decisions reiterated the importance of these commitments.²²² In 2009, the Ministerial Council, meeting in Athens, adopted Decision No. 8/09 on “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”.²²³ 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.²²⁴

The Astana Declaration, issued on 30 June 2010 by the Chairperson-in-Office, at the end of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those against Roma and Sinti.²²⁵

In 2012, the OSCE took a number of steps to address hate crimes and intolerance against Roma and Sinti. As part of the Best Practices for Roma Integration (BPRI)

²¹⁸ “Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE”, *op. cit.*, note 12.

²¹⁹ “CSCE Budapest Document 1994: Towards a Genuine Partnership in a New Era”, *op. cit.*, note 135.

²²⁰ “Istanbul Summit Declaration”, Istanbul Document 1999, p. 52, available at <<http://osce.org/mc/39569>>.

²²¹ 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://osce.org/odihr/17554>>. Among other points, the Action Plan calls on participating States to ensure through legislation the imposition of heavier sentences for racially motivated crimes by both private individuals and public officials (paragraph 9) and pledges States to “ensure the vigorous and effective investigation of acts of violence against Roma and Sinti people, especially where there are reasonable grounds to suspect that they were racially motivated, and prosecute those responsible in accordance with domestic law and consistent with relevant standards of human rights” (paragraph 16).

²²² OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 20; “Bucharest Declaration by the Chairman-in-Office”, 8 June 2007, <<http://osce.org/cio/25598>>; OSCE Ministerial Council, Decision No. 6/08, “Enhancing OSCE Efforts to Implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area”, Helsinki, 5 December 2008, <<http://osce.org/mc/35488>>.

²²³ OSCE Ministerial Council, Decision No. 8/09, “Enhancing OSCE Efforts to Ensure Roma and Sinti Sustainable Integration”, Athens, 2 December 2009, <<http://osce.org/cio/40707>>.

²²⁴ *Ibid.* The Ministerial Council tasked ODIHR, in co-operation and co-ordination with the OSCE High Commissioner on National Minorities (HCNM), the OSCE Representative on Freedom of the Media and other relevant OSCE executive structures to continue to assist participating States to combat acts of discrimination and violence against Roma and Sinti, and to counter negative stereotyping of Roma and Sinti in the media taking into account relevant OSCE freedom of the media commitments.”

²²⁵ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 137.

project in the Western Balkans, ODIHR conducted two regional training seminars for 36 Roma representatives in Sarajevo on preventing and responding to hate crimes against Roma. During the HDIM, ODIHR, in co-operation with the European Roma Rights Center, organized a side event at which discussions focused on anti-Roma marches organized by extremist groups and on incidents of violence against Roma and Sinti.

ODIHR continued to promote the improvement of relations between police and Roma and Sinti communities as a means to enhance the protection of Roma against violence and intolerance. In cooperation with the OSCE Strategic Police Matters Unit, ODIHR presented the manual *Police and Roma and Sinti: Building Trust and Understanding*²²⁶, in Bratislava. The event, on 6 December, was hosted by the Interior Ministry or Slovakia. Following the presentation, a seminar took place in Donovaly gathering some 40 participants, most of whom were police officers working with Roma communities, including two Roma officers. The participants discussed current police approaches to Roma communities, data collection and root causes of the rising number of excluded communities in Slovakia.

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

Official monitoring of crimes and incidents motivated by bias against Roma and Sinti is limited among the OSCE participating States. Between 2008 and 2012, 14 participating States reported collecting this data.²²⁷ However, at the time this report was written, only the Czech Republic and Sweden provided information on incidents.

In addition, this section includes information on hate crimes and incidents against Roma and Sinti from eight NGOs and civil society organizations in 12 participating States.²²⁸ Information was also received from the OSCE Mission to Bosnia and Herzegovina and UNHCR.

Bosnia and Herzegovina: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported two anti-Roma incidents, including one physical assault on a Roma man by a group, resulting in serious injuries.²²⁹ No information was provided by NGOs.

Bulgaria: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Centre reported three murders, one of a Roma woman when an explosive device was left outside her office and the others of two men who were stabbed to death; and one physical assault against a Roma man, resulting in serious injury.²³⁰

²²⁶ Available at <<http://osce.org/odihr/67843>>.

²²⁷ Belgium, Bulgaria, Croatia, Czech Republic, Latvia, Moldova, Netherlands, Poland, Portugal, Serbia, Spain, Sweden, Switzerland and the United Kingdom.

²²⁸ Bulgaria, Czech Republic, France, Hungary, Italy, former Yugoslav Republic of Macedonia, Poland, Serbia, Slovakia, Spain, Switzerland and Ukraine.

²²⁹ Communication from OSCE Mission in Bosnia and Herzegovina, *op. cit.*, note 147.

²³⁰ "Attacks against Roma in Hungary, the Czech Republic and the Slovak Republic", European Roma Rights Centre, July 2012, <<http://www.errc.org/article/attacks-against-roma-in-hungary-the-czech-republic-and-the-slovak-republic/3042>>.

Czech Republic: The National Point of Contact reported 11 physical assaults, including one by a group, against a number of Roma people.²³¹ The European Roma Rights Centre reported two murders, of a Roma woman by a group and of a Roma man shot with a cross bow; two physical assaults, one resulting in serious injury and the other involving a group throwing bottles and stones, which also injured a police officer.²³²

France: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. Amnesty International and the European Roma Rights Centre reported an arson attack against the temporary home of a Roma family.²³³

Hungary: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. UNHCR, the Athena Institute and the European Roma Rights Centre reported one case of damage to Roma homes by stone-throwing during an anti-Roma rally.²³⁴ UNHCR and the Athena Institute reported a further case of threats against a Roma family involving a gun; two incidents of graffiti, both on houses inhabited by Roma families; and one physical assault against a Roma man resulting in serious injury.²³⁵ The European Roma Rights Centre reported a further case of threats with knives against a group of Roma teenagers on two occasions on the same day; four physical assaults, including against a pregnant Roma woman and her partner, and against a Roma family with a small child; and one case of arson against the home of a Roma family.²³⁶

Italy: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. Lunaria reported attacks against Roma houses by stones during an anti-Roma rally.²³⁷

The Former Yugoslavian Republic of Macedonia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Centre reported a physical assault against a Roma woman.²³⁸

Poland: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO Never Again Association reported one case of attempted arson against several Roma homes; one case of property damage against a car; two cases of public threats by a group against Roma families; and seven physical assaults, including one resulting in serious injury and four carried out by a group. Three

²³¹ Questionnaire from the Czech Republic NPC, 27 June, 2013.

²³² European Roma Rights Centre, July 2012, *op. cit.*, note 230.

²³³ “ERRC Calls for Strong Response by French Authorities to Marseille Violence”, European Roma Rights Centre, 1 October 2012, <<http://www.errc.org/article/errc-calls-for-strong-response-by-french-authorities-to-marseille-violence/4061>>; “Human Rights Here, Roma Rights Now”, Amnesty International, April 2013, <<http://amnesty.org/en/library/asset/EUR01/002/2013/en/bacd6558-c244-4fcb-a71a-8fcd2ed59143/eur010022013en.pdf>>.

²³⁴ Communication from UNHCR, *op. cit.*, note 148; Information received from Athena Institute, *op. cit.*, note 160; “Attacks against Roma in Hungary, the Czech Republic and the Slovak Republic”, European Roma Rights Centre, July 2012, *op. cit.*, note 230.

²³⁵ Communication from UNHCR, *op. cit.*, note 148; Information received from Athena Institute, *op. cit.*, note 160.

²³⁶ “Attacks against Roma in Hungary, the Czech Republic and the Slovak Republic”, European Roma Rights Centre, July 2012, *op. cit.*, note 230.

²³⁷ Information from Lunaria, *op. cit.*, note 164.

²³⁸ “Romani Woman Injured in Macedonian Protest”, European Roma Rights Centre, 25 January 2013, <<http://www.errc.org/article/romani-woman-injured-in-macedonian-protest/4086>>.

attacks involved the perpetrators breaking into the houses of Roma families, with children present.²³⁹

Serbia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Centre and the NGO Regional Centre for Minorities reported an assault carried out by a group against a group of Roma people, also involving graffiti on the container they were living in.²⁴⁰ The Regional Centre for Minorities reported a further four cases of graffiti on property, including one on a school attended mainly by Roma children, one on a container inhabited by a Roma family, one on a monument to a Roma musician and one on a Roma family's house; and two physical assaults including one against Roma children.²⁴¹

Slovakia: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The European Roma Rights Centre reported one case of physical assault against two Roma women and a man who were collecting food from trash containers; and one arson attack against a Roma home.²⁴²

Spain: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The NGO CIDH Pro Igual reported one physical assault by a group resulting in serious injury in Salamanca.²⁴³

Sweden: Of the police reports recorded in 2012 an estimated 215 were identified by the Swedish National Council for Crime Prevention (Brå) as motivated by bias against Roma and Sinti.²⁴⁴ No reports were received from NGOs.

Switzerland: No official data on crimes or incidents motivated by bias against Roma and Sinti were reported to ODIHR. The Foundation against Racism and Anti-Semitism reported a case of damage to property by firing shots against a caravan and a car owned by a Roma family.²⁴⁵

Ukraine: The European Roma Rights Centre reported an arson attack against the homes of Roma families.²⁴⁶ UNHCR reported an arson attack by Molotov cocktails against Roma homes.²⁴⁷

Key resolutions and statements from international organizations

The CERD Committee recommended that Italy take measures to prevent racist violence against Roma and Sinti people, and to ensure hate crimes against them are promptly

²³⁹ Information from Never Again Association, *op. cit.*, note 174.

²⁴⁰ "Evicted Roma face attacks in new Belgrade settlement", European Roma Rights Centre, 4 May 2013, <<http://www.errc.org/article/evicted-roma-face-attacks-in-new-belgrade-settlement/3984>>.

²⁴¹ Information from Regional Centre for Minorities, *op. cit.*, note 181.

²⁴² "Attacks against Roma in Hungary, the Czech Republic and the Slovak Republic", European Roma Rights Centre, July 2012, *op. cit.*, note 230.

²⁴³ Information received from CIDH *Pro Igual*, *op. cit.*, note 183.

²⁴⁴ Questionnaire from the Swedish NPC, *op. cit.*, note 188.

²⁴⁵ Information from Foundation against Racism and Anti-Semitism, "Chronologie", *op. cit.*, note 187.

²⁴⁶ "Slovakia and Ukraine Must Investigate Attacks against Roma", European Roma Rights Centre, 25 June 2013, <<http://www.errc.org/article/slovakia-and-ukraine-must-investigate-attacks-against-roma/4011>>.

²⁴⁷ Communication from UNHCR, *op. cit.*, note 148.

investigated and prosecuted so that perpetrators do not enjoy *de jure* or *de facto* impunity.²⁴⁸

The Human Rights Council, in its Universal Periodic Review, recommended that Poland strengthen measures to prevent racist violence, especially against Roma people.²⁴⁹

The Report by Githu Muigai, the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, on his mission to Hungary, noted that Roma in Hungary are experiencing increased bias-motivated violence, including arson attacks against their houses, physical assaults and deaths, and recommended the government improve protective measures for the Roma community, to enact a national strategy to combat violence against Roma, to collect disaggregated data on hate crimes and to ensure such crimes are adequately investigated, prosecuted and appropriately sanctioned.²⁵⁰

In 2012, Nils Muižnieks, the Commissioner for Human Rights of the Council of Europe, undertook several country visits, during which he raised issues regarding governments' efforts to combat hate crime, particularly against Roma. In the Czech Republic, the Commissioner noted that bias-motivated violence against Roma continues and that the authorities are making efforts to monitor extreme right-wing group activities and improving relationships with Roma communities, while also encouraging effective investigation and prosecution of hate crimes against Roma.²⁵¹ In Italy, the Commissioner expressed similar concerns about violence against Roma, noting that the bias motivation of these crimes is often downplayed by authorities, and encouraged better monitoring of hate crimes and ensuring bias motivation is part of the investigation and prosecution of such crimes.²⁵²

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

In Sweden, the Victim Support Association supported the Roma Culture Centre to provide information to crime victims, including specific information for hate crime victims.²⁵³

At the European level, the NGO CEJI completed the *Facing Facts!* Project, which produced hate crime monitoring guidelines and a training programme that aim to build the capacity of civil society organizations to monitor and report hate crimes, and advocated for prevention and intervention measures. Initiated by four European NGOs,

²⁴⁸ “Concluding Observations of the Committee on the Elimination of Racial Discrimination: Italy”, CERD/C/ITA/CO/16-18, p. 4-5, *op. cit.* note 102.

²⁴⁹ “Report of the Working Group on the Universal Periodic Review: Poland”, Human Rights Council, A/HRC/21/14, p. 17, *op. cit.*, note 108.

²⁵⁰ “Report of the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Githu Muigai, on his mission to Hungary (23-27 May 2011)”, A/HRC/20/33/Add.1, 23 April 2012, pp. 11-13; 18-19, available at <<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session20/Pages/ListReports.aspx>>.

²⁵¹ “Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Czech Republic on 12-15 November 2012”, Council of Europe, CommDH(2013)1, pp.2, 11, *op. cit.* 119.

²⁵² “Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Italy on 3-6 July 2012”, Council of Europe, CommDH (2012)26, pp. 22-23, *op. cit.*, note 121.

²⁵³ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

the project also involved organizations that work to address crimes and incidents motivated by bias against Roma and Sinti.²⁵⁴

²⁵⁴ “Facing Facts!”, *op. cit.*, note 217.

ANTI-SEMITIC CRIMES AND INCIDENTS

Background

Anti-Semitism was first condemned by the OSCE participating States in the Copenhagen Document, in 1990.²⁵⁵ 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.²⁵⁶ In 2004, the participating States committed themselves to collect reliable information on anti-Semitic hate crimes.²⁵⁷ Since then, OSCE commitments against anti-Semitism have been repeated in a number of Ministerial Council decisions and declarations.²⁵⁸

The Astana Declaration, issued by the Chairperson-in-Office in Astana on 30 June 2010, at the conclusion of the “OSCE High-Level Conference on Tolerance and Non-discrimination”, reiterated commitments and concerns about hate crimes, including those motivated by anti-Semitism.²⁵⁹

On 4 May 2012, in Vienna, ODIHR convened an expert workshop on the occasion of the launch of the Austrian adaptation of the ODIHR/Anne Frank House teaching materials on anti-Semitism. The workshop gathered 12 experts from seven different OSCE participating States for a discussion on how the materials address both contemporary and historical anti-Semitism, and on how they differ from related teaching materials in other countries. On 19 November, in Berlin, ODIHR co-organized, with the International Holocaust Remembrance Alliance, an expert roundtable on “Exploring the relationship between Holocaust education and education to combat anti-Semitism”. The workshop gathered experts from different OSCE participating States to talk about challenges and exchange good practices in the area of Holocaust education and education to combat anti-Semitism.

On 18 December, in Warsaw, ODIHR gathered representatives of Jewish community organizations and other NGOs dealing with anti-Semitism to discuss anti-Semitic hate crimes and present good practices on collecting data on such crimes.

In 2012, Rabbi Andrew Baker, the Personal Representative of the OSCE Chairperson-in-Office on Anti-Semitism, visited Hungary and Spain, and also participated in joint country visits with the other personal representatives to Armenia, Austria, Azerbaijan and Norway. During these visits, he highlighted the issue of anti-Semitic hate crimes, the importance of providing security to Jewish organizations that are at risk of being targets of hate crimes, and the need to tackle anti-Semitic discourse effectively.

²⁵⁵ “Document of the *Copenhagen Meeting* of the Conference on the Human Dimension of the CSCE”, p. 21, *op. cit.*, note 12.

²⁵⁶ Fourth Meeting of the CSCE Council of Ministers, “CSCE and the New Europe - Our Security is Indivisible Decisions of the Rome Council Meeting”, p. 18, *op. cit.*, note 135.

²⁵⁷ OSCE Ministerial Council, Decision No. 12/04, *op. cit.*, note 16.

²⁵⁸ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 17; OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 20; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 222; “Cordoba Declaration by the Chairman-in-Office”, Cordoba, 9 June 2005, <<http://osce.org/cio/15548>>; Astana Declaration by the Chairman-in-Office, *op. cit.*, note 137.

²⁵⁹ Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 137.

At the OSCE's annual Human Dimension Implementation Meeting, Rabbi Baker highlighted the pressing need to address the physical security of Jewish communities, to tackle anti-Semitism on the Internet without interfering with freedom of expression, and to continue to stress the importance of education as a means to combat anti-Semitism.²⁶⁰

Information and data on anti-Semitic crimes and incidents

Between 2008 and 2012, 21 participating States reported that they collect data on anti-Semitic crimes.²⁶¹ At the time this report was written Germany, Ireland, United Kingdom and Sweden had provided statistics or case information for 2012.

In addition, this section includes information on anti-Semitic hate crimes and incidents from 24 NGOs and civil society organizations in 18 participating States.²⁶²

Austria: No official data on anti-Semitic crimes were reported to ODIHR. The Forum Against Anti-Semitism reported 32 cases of graffiti, two cases of damage to property, six physical assaults and 38 cases of threats by email or telephone.²⁶³

Belgium: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Anti-Semitisme.be reported 14 cases of graffiti, including two on Jewish property, four on personal property and eight in public places; six cases of threats; and five physical assaults.²⁶⁴

Canada: No official data on anti-Semitic crimes were reported to ODIHR. The NGO B'nai Brith reported 319 cases of vandalism, including 25 incidents targeting synagogues, two desecrations of Jewish graves, and 12 against people's homes; 13 physical assaults, including one against Jewish students on their way home from school and one against a Jewish couple; and 84 cases of threats.²⁶⁵

Czech Republic: No official data on anti-Semitic crimes were reported to ODIHR. The Jewish Community of Prague reported two cases of vandalism against synagogues, one case of damage to a car, one case of grave desecration and one case of vandalism against a Jewish community building.²⁶⁶

France: No official data on anti-Semitic crimes were reported to ODIHR. The NGO LICRA reported the case of a series of murders on 19 March that included three children and the father of one of the children being shot dead outside a Jewish school in Toulouse. The perpetrator was killed by the police in the process of being apprehended.²⁶⁷ LICRA reported a further case of damage to property against a kosher

²⁶⁰ "Statement of Rabbi Baker Personal Representative of the OSCE Chairperson-in-Office on Combating Anti-Semitism", HDIM, Warsaw, 3 October 2012, <<http://osce.org/odihr/94704>>.

²⁶¹ Austria, Belgium, Canada, Croatia, Czech Republic, Finland, France, Germany, Greece, Ireland, Italy, Liechtenstein, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

²⁶² Austria, Belgium, Canada, Czech Republic, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Netherlands, Poland, Russian Federation, Switzerland, Ukraine, United Kingdom and the United States.

²⁶³ Information from Forum Against Anti-Semitism, 24 April 2013.

²⁶⁴ Information from Antisemitisme.be, 5 August 2013.

²⁶⁵ Information from B'nai Brith, 1 May 2013.

²⁶⁶ Information from Jewish Community of Prague, 10 June 2013.

²⁶⁷ The same perpetrator also shot dead a French paratrooper on 11 March and two French soldiers on 15 March.

supermarket.²⁶⁸ The Jewish Community Protection Service reported 96 incidents of physical violence, including a knife attack against a girl, three attacks involving spraying tear gas in the victims' faces, an attack by a group causing serious injury to a man, one attack by a group at school against one child resulting in serious injury; one case of robbery and physical assault resulting in serious injury against a Jewish man with significant disabilities; one case of blanks being shot out of a car at a rabbi and his congregation outside their synagogue; 172 cases of graffiti; 71 cases of vandalism and two cases of arson.²⁶⁹

Germany: Official law-enforcement figures recorded 1,374 anti-Semitic hate crimes, 41 of which involved violence.²⁷⁰ The Amadeu Antonio Foundation reported eight cases of desecration of memorial plaques; seven cases of desecration of cemeteries; three physical assaults, including against a rabbi involving threats and resulting in serious injury, against two Jewish women, and against a group of teenagers by masked men; four cases of damage to property; four cases of desecration of a synagogue, including one incident of urinating in the entrance to the prayer room.²⁷¹

Greece: No official data on anti-Semitic crimes were reported to ODIHR. The Greek Helsinki Monitor reported one case of graffiti, including swastikas, on a Holocaust Memorial of the Jews of Rhodes.²⁷²

Hungary: No official data on anti-Semitic crimes were reported to ODIHR. UNHCR and the NGOs Monitor & Research Group and Athena Institute reported one incident of graffiti on a Jewish memorial site and one physical assault by a group against the president of the South-Pest Jewish Community.²⁷³ UNHCR and the Athena Institute reported a further two incidents of desecration of religious sites; one case of vandalism against religious property; and one case of burning an Israeli flag outside a synagogue.²⁷⁴ UNHCR reported a further case of vandalism against a synagogue.²⁷⁵ The Monitor and Research Group reported a further physical assault; one case of graffiti being drawn on the same synagogue on three different occasions; three incidents of desecration of cemeteries, involving damage to more than 100 tombs; and three incidents of desecration of Holocaust memorials.²⁷⁶ The Mahatma Gandhi Human Rights Organisation reported one incident of damage to property.²⁷⁷

Ireland: Official law-enforcement figures recorded four anti-Semitic hate crimes.²⁷⁸ No information was received from NGOs.

Italy: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Lunaria reported one case of vandalism against a Holocaust memorial and one case of graffiti on a municipal library where Holocaust Remembrance Day events were

²⁶⁸ Information from LICRA, 4 April 2013.

²⁶⁹ Information received from Jewish Community Protection Service, 25 February 2013.

²⁷⁰ Questionnaire from the German NPC, *op. cit.*, note 151.

²⁷¹ Information from Amadeu Antonio Foundation, *op. cit.*, note 153.

²⁷² Information from Greek Helsinki Monitor, 28 October 2012.

²⁷³ Information from Athena Institute, *op. cit.*, note 160; Information from Monitor & Research Group, 1 May 2013.

²⁷⁴ Communication from UNHCR, *op. cit.*, note 148; Information from Athena Institute, *op. cit.*, note 160.

²⁷⁵ Communication from UNHCR, *op. cit.*, note 148.

²⁷⁶ Information from Monitor & Research Group, *op. cit.*, note 273.

²⁷⁷ Information from Information from the Mahatma Gandhi Human Rights Organization (Hungary), *op. cit.*, note 161.

²⁷⁸ Information from the Irish NPC, *op. cit.*, note 162.

scheduled.²⁷⁹ The Foundation Jewish Contemporary Documentation Centre reported one case of theft of plaques commemorating Jewish Holocaust deportees, one case of graffiti, two cases of vandalism against synagogues and one case of theft of a menorah from a public place.²⁸⁰ The NGO A World Without Nazism reported one physical assault carried out by a group, resulting in serious injury.²⁸¹

Latvia: No official data on anti-Semitic crimes were reported to ODIHR. The NGO A World Without Nazism reported one attempted arson attack against a chapel in a Jewish cemetery in Riga.²⁸²

Lithuania: No official data on anti-Semitic crimes were reported to ODIHR. The NGO A World Without Nazism reported one case of graffiti on a synagogue and once case of grave desecration.²⁸³

Netherlands: No official data on anti-Semitic crimes were reported to ODIHR. The NGO CIDI reported four physical assaults, two threats, one case of damage to property and three cases of desecration to synagogues or cemeteries.²⁸⁴

Poland: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Never Again Association reported two cases of vandalism and/or damage to property, ten cases of desecration of cemeteries, one case of threats against the leader of the Jewish community in Warsaw, eight incidents of graffiti on property and one incident of desecration of a synagogue.²⁸⁵

Russian Federation: No official data on anti-Semitic crimes were reported to ODIHR. The NGO SOVA Centre for Information and Analysis reported one case of arson and seven cases of vandalism against Jewish property.²⁸⁶ The NGO A World Without Nazism reported one case of property damage against a Jewish charity organization.²⁸⁷ The Euro-Asian Jewish Congress reported one physical assault involving tear gas being sprayed in the face of a child, one attempted arson attack on a synagogue, four cases of graffiti on Jewish community centres, one case of damage to a memorial plaque, one case of damage to a menorah in a public place and a case of desecration of a synagogue.²⁸⁸

Sweden: Of the police reports recorded in 2012 an estimated 221 were identified by the Swedish National Council for Crime Prevention (Brå) as anti-Semitic hate crimes.²⁸⁹ No reports were received from NGOs.

Switzerland: No official data on anti-Semitic crimes were reported to ODIHR. The NGO Intercommunity Coordination against Anti-Semitism and Defamation (CICAD)

²⁷⁹ Information from Lunaria, *op. cit.*, note 164.

²⁸⁰ Information from the Foundation Jewish Contemporary Documentation Centre, 10 July 2013.

²⁸¹ Information from A World without Nazism, *op. cit.*, note 170.

²⁸² *Ibid.*

²⁸³ *Ibid.*

²⁸⁴ Information from CIDI, 23 May 2013.

²⁸⁵ Information from Never Again Association, *op. cit.*, note 174.

²⁸⁶ Information from SOVA Centre for Information and Analysis, *op. cit.*, note 177.

²⁸⁷ Information from World without Nazism, *op. cit.*, note 170.

²⁸⁸ "Anti-Semitism in Russia - 2011-2012 EAJC report". Euro-Asian Jewish Congress, 7 May 2013, <<http://ejjc.org/page34/news38186.html>>.

²⁸⁹ Questionnaire from Swedish NPC, *op. cit.*, note 126.

reported one physical assault; five threats, including one also involving property damage to a Jewish woman's house, one against a student, and one involving a knife; and eleven cases of graffiti including on a car, on a synagogue, on a Jewish library, and on CICAD's offices.²⁹⁰ Swiss authorities reported that they had no information about these cases.²⁹¹ The Foundation against Racism and Anti-Semitism reported a case of desecration to a Holocaust memorial and graffiti in close proximity to a Jewish library and shop, as well as an arson attack on a scooter.²⁹²

Ukraine: No official data on anti-Semitic crimes were reported to ODIHR. The Diversity Initiative, The Congress of National Communities, the Euro-Asian Jewish Congress and the NGO A World Without Nazism reported one serious physical assault against a Rabbi by a group using pepper spray.²⁹³ The Diversity Initiative, the Congress of National Communities and the Euro-Asian Jewish Congress reported a further two physical assaults, carried out by a group.²⁹⁴ The Diversity Initiative, the Euro-Asian Jewish Congress and A World Without Nazism reported one case of graffiti on a Jewish memorial sign.²⁹⁵ The Diversity Initiative and the Euro-Asian Jewish Congress reported one attempted arson attack against a synagogue; four desecrations to Holocaust memorials, one case of damage to property; one incident of grave desecration; one incident of graffiti on a synagogue, and four incidents of desecration of Holocaust memorial sites.²⁹⁶ The Diversity Initiative and A World Without Nazism reported an arson attack on a Jewish cemetery.²⁹⁷ The Diversity Initiative reported a further arson attack against a house occupied by Orthodox Jews and the vandalism of a Holocaust memorial.²⁹⁸ A World Without Nazism reported a further serious assault against a Jewish man, requiring hospital treatment.²⁹⁹ A World Without Nazism and the Euro-Asian Jewish Congress reported a desecration of a Holocaust memorial site.³⁰⁰ A World

²⁹⁰ Information from CICAD, 3 July 2013.

²⁹¹ Additional information from Swiss NPC received on 25 October 2013.

²⁹² Information from Foundation against Racism and Anti-Semitism, "Chronologie", *op. cit.*, note 187.

²⁹³ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, note 192; Information from Congress of National Communities, 18 April 2013; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, 10 January 2013, <<http://eajc.org/page34/news35602.html>>; Information from World Without Nazism, *op. cit.*, note 170.

²⁹⁴ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, note 192; Information from Congress of National Communities, *op. cit.*, note 293; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293; information from World Without Nazism, *op. cit.*, note 170.; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293.

²⁹⁵ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, 192; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293; Information from World Without Nazism, *op. cit.*, note 170.

²⁹⁶ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, note 192; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293.

²⁹⁷ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, note 192; information from World Without Nazism, *op. cit.*, note 170.

²⁹⁸ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and communication through IOM, *op. cit.*, note 192.

²⁹⁹ Information from A World Without Nazism, *op. cit.*, note 170.

³⁰⁰ Information from A World Without Nazism, *op. cit.*, note 170; "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293.

Without Nazism and the Euro-Asian Jewish Congress and the Congress of National Minorities reported a further case of desecration to a Holocaust memorial site.³⁰¹ The Euro-Asian Jewish Congress reported a further case of desecration to a Holocaust memorial.³⁰²

United Kingdom: Official law enforcement figures in England, Wales and Northern Ireland record 307 anti-Semitic hate crimes.³⁰³ The Community Security Trust (CST) reported 69 physical assaults, including four resulting in serious injury, one of which was against a boy, one involving a knife and one carried out by a group. Many of the victims were, due to their religious clothing, visibly identifiable as Jewish; the majority were men, while children were the victims in 15 cases. CST reported a further 39 cases of threats and 53 incidents of damage to or desecration of Jewish property, including 43 targeting synagogues.³⁰⁴

United States: No official data on anti-Semitic crimes were reported to ODIHR. The Anti-Defamation League reported seventeen physical assaults including against a boy, a holocaust survivor, an Orthodox Jew and a man returning from a synagogue; 440 incidents of vandalism and graffiti, including against people's homes, synagogues, Jewish schools cemeteries and cars; an arson attack on a rabbi's home; 469 cases of threats, including one bomb threat and a case where a pig's head was placed above the door of a Jewish women's college group (sorority).³⁰⁵

Key resolutions and statements from international organizations

The UN Human Rights Council, in its Universal Periodic Review, encouraged Poland to enact public-awareness campaigns and government training on discrimination and hate crimes in order to decrease anti-Semitism,³⁰⁶ and Switzerland to continue to prevent and combat racist and anti-Semitic actions.³⁰⁷

³⁰¹ Information from Congress of National Communities, 18 April 2013; Information from A World Without Nazism, *op. cit.*, note 170, "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293.

³⁰² "Preliminary Results of 2012 Monitoring of Manifestations of Anti-Semitism in Ukraine", Euro-Asian Jewish Congress, *op. cit.*, note 293.

³⁰³ Questionnaire from the UK NPC, *op. cit.*, note 196.

³⁰⁴ Information received from Community Security Trust, 25 February 2013.

³⁰⁵ "ADL Audit: U.S. Anti-Semitic Incidents", Anti-Defamation League, 22 July 2013, <www.adl.org/press-center/press-releases/anti-semitism-usa/adl-audit-us-anti-semitic-incidents-declined-14-percent.html#_Ue_Qqm3YG1E>.

³⁰⁶ "Report of the Working Group on the Universal Periodic Review: Poland", Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/21/14, p.16, *op. cit.*, note 108.

³⁰⁷ "Report of the Working Group on the Universal Periodic Review: Switzerland", Human Rights Council, A/HRC/WG.6/14/L.9, p.15, 7 December 2012, available at <<http://www.ohchr.org/EN/HRBodies/UPR/Pages/CHSession14.aspx>>.

Government and NGO responses to anti-Semitic crimes and incidents

In Sweden, the Swedish Committee against anti-Semitism (SKMA) continued to provide training on anti-Semitism and Islamophobia, primarily for teachers and school staff, but also for politicians and other influential leaders.³⁰⁸

At the European level, the NGO CEJI completed the *Facing Facts!* Project, which produced hate crime monitoring guidelines and a training programme that aim to build the capacity of civil society organizations to monitor and report hate crime, and to advocate for prevention and intervention measures. Initiated by four European NGOs, the project also involved organizations that work to address anti-Semitic crimes and incidents.³⁰⁹

³⁰⁸ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

³⁰⁹ "Facing Facts!", *op. cit.*, note 217.

ANTI-MUSLIM CRIMES AND INCIDENTS

Background

Specific OSCE commitments to combat intolerance and discrimination against Muslims date to the 2002 Porto Ministerial Council Meeting, which explicitly condemned acts of discrimination and violence against Muslims and firmly rejected the identification of terrorism and extremism with a particular religion or culture.³¹⁰ At the 2007 “OSCE Chairmanship Conference on Intolerance and Discrimination against Muslims”, the OSCE Chairmanship issued a declaration encouraging the participating States to follow anti-Muslim hate crimes closely, by maintaining and improving methods to gather reliable information and statistics on such crimes.³¹¹ The Astana Declaration on Combating Intolerance and Discrimination, issued by the Chairperson-in-Office on 30 June 2010, also stressed that international developments and political issues cannot justify any forms of intolerance and discrimination against Muslims and encouraged the participating States to challenge anti-Muslim prejudice and stereotypes.³¹²

ODIHR carried out a number of activities in 2012 in relation to hate crimes and other forms of intolerance against Muslims. Among these, it conducted several training courses related to hate crimes against Muslims, including a two-day workshop in Madrid, on 7 and 8 May, for NGOs on dealing with intolerance against Muslims in Spain; a one-day workshop for imams from across Bulgaria, held in Sofia, on 12 September; and a two-day workshop for NGOs dealing with intolerance against Muslims in Austria, Germany and Switzerland, convened in Berlin, on 24 and 25 November.

In addition, as described in Part 1D, ODIHR sponsored jointly with UNESCO and the Council of Europe two roundtable meetings to promote the *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims*, the first in Vienna in September and the second in Paris in November. ODIHR presented the *Guidelines* to PACE at its summer session in Strasbourg in June and presented them also at a training session on combating contemporary forms of racism organized by the NGO Show Racism the Red Card in Nottingham in September.

Adil Akhmetov, the Personal Representative of the OSCE Chairperson-in-Office on Combating Intolerance and Discrimination against Muslims, visited Armenia, Austria, Azerbaijan and Norway together with the other personal representatives as part of his activities for 2012. During these visits, he underlined the importance of the fight against Islamophobia and the need to improve the collection of data on hate crimes against Muslims.

³¹⁰ “Tenth Meeting of the Ministerial Council”, Porto, 6-7 December 2002, *op. cit.*, note 135.

³¹¹ Press release, “Countering intolerance and discrimination against Muslims”, OSCE meeting in Cordoba, 9 October 2007, <<http://www.osce.org/cio/48998>>.

³¹² Astana Declaration by the Chairperson-in-Office, *op. cit.*, note 137.

Information and data on anti-Muslim hate crimes and incidents

Between 2008 and 2012, twenty participating States³¹³ reported that they collect data on anti-Muslim hate crimes. However, at the time this report was completed, only Sweden and Austria had submitted figures on anti-Muslim hate crimes, and only Austria had submitted case information.

In addition, this section includes information on anti-Muslim hate crimes and incidents from 20 NGOs and civil society organizations in thirteen participating States.³¹⁴ Information was also received from the OSCE Mission to Bosnia and Herzegovina and the OSCE Mission in Kosovo.

Austria: The NPC reported one arson attack against a mosque.³¹⁵ The NGO ZARA reported one case where six pigs' heads were left outside a mosque and the prayer area was sprayed with pig's blood.³¹⁶

Bosnia and Herzegovina: No official data on anti-Muslim crimes were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported 18 incidents directly targeting Islamic symbols or sites, such as mosques and Muslim graveyards, including one incident where thirteen wooden tombstones in a Muslim cemetery were uprooted and repositioned into the shape of a cross.³¹⁷ No information was provided by NGOs.

Bulgaria: No official data on anti-Muslim crimes were reported to ODIHR. The Office of the Grand Mufti reported seven cases of desecration of or damage to mosques, two incidents of damage to the offices of the Grand Mufti and one case of the desecration of a grave.³¹⁸

Canada: No official data on anti-Muslim crimes were reported to ODIHR. The NGO CAIR-Canada reported one physical assault involving a woman's headscarf being pulled off; three incidents of damage to property, two of which involved attempted arson against Islamic centres; one case of graffiti on an Islamic centre; and one case of threats of arson against a Mosque.³¹⁹ The Organization for Islamic Cooperation (OIC) Observatory reported two cases of graffiti on a mosque and one case of threats to blow up a mosque.³²⁰

France: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported eight cases of desecration of and vandalism to mosques, including two where a pig's head was left outside a mosque and one case where a mosque was smeared with excrement; one arson attack against a mosque; and three cases of

³¹³ Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Greece, Iceland, Liechtenstein, Moldova, Netherlands, Poland, Russian Federation, Serbia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom and the United States.

³¹⁴ Austria, Bulgaria, Canada, France, Germany, Greece, Italy, Netherlands, Russian Federation, Spain, Ukraine, the United Kingdom and the United States.

³¹⁵ Questionnaire from the Austrian NPC, *op. cit.*, note 143.

³¹⁶ Information from ZARA, *op. cit.*, note 144.

³¹⁷ Communication from OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 147.

³¹⁸ Communication from Office of Grand Mufti, 1 April 2013.

³¹⁹ Information from CAIR-Canada, 3 April 2013.

³²⁰ Information from OIC Observatory, 1 January 2013.

deseccration of graves, including one incident where 30 tombstones were vandalized.³²¹ The Association against Islamophobia in France (CCIF) reported two physical assaults, including one against two men, and a serious assault against a girl resulting in her hospitalization; one case of graffiti on the home of a Muslim family; two case of threats with a gun; a case where a Muslim family found a pig's head in the stroller of their baby; and a case involving a woman's burka being pulled and ripped.³²²

Germany: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Inssan reported one physical assault by a group against a girl wearing a headscarf, one case of damage to a mosque, one case of deseccration that involved a pig's head being left in front of a mosque and one case of graffiti on a mosque.³²³ The Amadeu Antonio Foundation reported four cases of deseccration of mosques, including graffiti, and an incident where two pigs' heads were left at the entrance of a mosque.³²⁴ The NGO Victim Perspective reported one physical assault against a girl wearing a headscarf.³²⁵

Greece: No official data on anti-Muslim crimes were reported to ODIHR. The Federation of Western Thrace Turks in Europe and the Western Minority University Graduates Association reported two cases of deseccration of graves.³²⁶ The Federation of Western Thrace Turks reported a further two cases of physical assault, one of which resulted in serious injury, and three cases of property damage.³²⁷

Italy: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Lunaria reported one case of graffiti near a mosque, one case of damage to a mosque by throwing stones, and two physical assaults including one against two women involving an attempt to pull off their headscarves and against two Bangladeshi men by a group.³²⁸

Netherlands: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Turks Forum Netherlands reported one case of deseccration of a mosque and one case of arson against a mosque.³²⁹

Russian Federation: No official data on anti-Muslim crimes were reported to ODIHR. The NGO SOVA Centre for Information and Analysis reported six cases of damage to property.³³⁰ The NGO A World Without Nazism reported four murders, including of an imam and his brother; two shootings, in one of which there were two victims; one case of graffiti on a mosque; three physical assaults, including an attack on a mosque injuring six people; one attempted physical assault; and one deseccration of a graveyard.³³¹ The Euro Asian Jewish Congress reported one case of graffiti on a mosque in Irkutsk.³³²

³²¹ Information from OIC Observatory, *op. cit.*, note 320.

³²² Information from CCIF, 10 July 2013.

³²³ Information from Inssan, 6 March 2013.

³²⁴ Information from Amadeu Antonio Foundation, *op. cit.*, note 153.

³²⁵ Information from Opferperspektive, *op. cit.*, note 154.

³²⁶ Information received from Federation of Western Thrace Turks in Europe, *op. cit.*, note 158; Information received from Western Minority University Graduates Association *op. cit.*, note. 158.

³²⁷ Information from Federation of Western Thrace Turks, *op. cit.*, note 158.

³²⁸ Information from Lunaria, *op. cit.*, note 164.

³²⁹ Information from Turks Forum Netherlands, *op. cit.*, note 171.

³³⁰ Information from SOVA Centre for Information and Analysis, *op. cit.* note 177.

³³¹ Information from A World Without Nazism, *op. cit.*, note 170.

³³² "Anti-Semitism in Russia: 2011-2012", Euro-Asian Jewish Congress, 7 May 2013, <<http://eajc.org/page34/news38186.html>>.

Spain: No official data on anti-Muslim crimes were reported to ODIHR. The Union of Islamic Communities Spain reported one case of damage to a number of cars owned by a Muslim NGO.³³³

Sweden: Of the police reports recorded in 2012 an estimated 306 were identified by the Swedish National Council for Crime Prevention (Brå) as anti-Muslim hate crimes.³³⁴ No reports were received from NGOs.

Ukraine: No official data on anti-Muslim crimes were reported to ODIHR. The Diversity Initiative reported one case of grave desecration and an arson attack against a mosque.³³⁵

United Kingdom: No official data on anti-Muslim crimes were reported to ODIHR. The NGO Faith Matters reported one robbery; one case of harassment and threats; three physical assaults, including one involving pulling a woman's headscarf and one involving threats to kill; one case of vandalism and graffiti on an Islamic centre, on four separate occasions over a period of three weeks; and one incident where a pig's head was left outside of a mosque.³³⁶ The NGO ENGAGE reported six physical assaults, including one resulting in serious injury and two involving pulling the victim's headscarf; two cases of threats, including one threat to kill and one threat to burn down a café; two arson attacks against mosques; two cases of damage to property, including throwing bricks at an Islamic centre and breaking the windows of a mosque; four cases of graffiti on a mosque; one case of leaving a pig's head outside a mosque; and one case of leaving a cross wrapped in ham outside a Muslim family's house.³³⁷ The OIC Observatory reported one incident involving a threat to worshippers and an attempt to set fire to a mosque; three cases of graffiti on and vandalism against Islamic cultural centres, including one involving alcohol and eggs being thrown at the centre; and two cases of desecration of graves.³³⁸

United States: No official data on anti-Muslim crimes were reported to ODIHR. The OIC Observatory reported two cases of vandalism against and graffiti on mosques, both involving windows being smashed; one case of threats to the director of an Islamic centre; one arson attack against a mosque; and one case of desecration of graves.³³⁹ The Council on American-Islamic Relations (CAIR) reported three arson attacks, including two against a building owned by the local Islamic society and one against a Muslim family's home; an incident where pigs' legs were left at a planned site for a mosque; three incidents of property damage, including two against mosques, one of which also involved an assault, one involving paintballs being shot at the walls of the mosque and one involving a bottle of acid being thrown at a Muslim school; one incident where shots were fired at a local Muslim education centre; and two cases of desecration to the same cemetery.³⁴⁰

³³³ Information from Union of Islamic Communities in Spain, *op. cit.*, note 184.

³³⁴ Questionnaire from the Swedish NPC, *op. cit.*, note 188.

³³⁵ Information from Diversity Initiative received through communication from UNHCR, *op. cit.*, note 148; and Communication from IOM, *op. cit.*, note 192.

³³⁶ Information from Faith Matters, *op. cit.*, note 199.

³³⁷ Information from ENGAGE, *op. cit.*, note 198.

³³⁸ Information from OIC Observatory, *op. cit.*, note 320.

³³⁹ *Ibid.*

³⁴⁰ Information from Council for American-Islamic Relations, "Thirteen Days in Ramadan, 2012", <www.cair.com/islamophobia/14-islamophobia/11732-thirteen-days-in-ramadan-2012.html>.

The Kosovo Police reported 18 cases affecting Muslim heritage sites. The OSCE Mission in Kosovo also reported 18 cases affecting Muslim heritage sites.³⁴¹

Key resolutions and statements from international organizations

The Human Rights Council, in its Universal Periodic Review, recommended that Poland strengthen measures to prevent racist violence, especially against Muslims.³⁴²

On 26 June 2012, the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution on “Multiple discrimination against Muslim women in Europe: for equal opportunities” in which it encouraged Member States to use the Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education.³⁴³

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

In Sweden, the Swedish Committee against Anti-Semitism (SKMA) continued its training programme on anti-Semitism and Islamophobia, primarily for teachers and school staff, but also for politicians and other influential leaders. It also conducted similar training seminars for youth in upper-secondary schools.³⁴⁴

In the United Kingdom, the Professional Footballers’ Association outlined a six-point plan to tackle racism in football, making specific mention of tackling Islamophobia.³⁴⁵

At the European level, the NGO CEJI completed the *Facing Facts!* Project, which produced hate crime monitoring guidelines and a training programme that aim to build the capacity of civil society organizations to monitor and report hate crime, and to advocate for prevention and intervention measures. Initiated by four European NGOs, the project also involved organizations that work to address violence against Muslims, and racist and xenophobic violence.³⁴⁶

³⁴¹ Communication from OSCE Mission in Kosovo, *op. cit.*, note 201.

³⁴² “Report of the Working Group on the Universal Periodic Review: Poland”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/21/14, p. 17, *op. cit.*, note 108.

³⁴³ “Resolution 1887 (2012), Multiple discrimination against Muslim women in Europe: for equal opportunities”, Parliamentary Assembly of the Council of Europe, <<http://assembly.coe.int/ASP/XRef/X2H-DW-XSL.asp?fileid=18921&lang=EN>>.

³⁴⁴ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

³⁴⁵ Information from ENGAGE, *op. cit.*, note 198.

³⁴⁶ “Facing Facts!”, *op. cit.*, note 217.

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

Background

In December 2004, the Bulgarian OSCE Chairmanship appointed a Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on intolerance and discrimination against Christians and members of other religions. This was followed by a number of OSCE tolerance-related decisions and declarations that included specific commitments and references to the fight against prejudice, intolerance and discrimination against Christians and members of other religions.³⁴⁷

On 26 and 27 June 2012, ODIHR organized a seminar on the Role of Civil Society in Combating Hate Crimes against Christians. The seminar was held in Rome, hosted by the Italian Ministry of Foreign Affairs. The seminar aimed at building skills on addressing hate crimes and on raising awareness of both hate crimes and international standards on freedom of religion or belief.

In 2012, Judge Catherine McGuinness, the OSCE Chairmanship's Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination Against Christians and Members of Other Religions, made a number of country visits, together with the other personal representatives, to Armenia, Austria, Azerbaijan and Norway. During these visits she emphasized the importance of improving the collection and accuracy of data on hate crimes.

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

Thirty-five participating States have reported to ODIHR that they collect data on hate crimes based on religious bias.³⁴⁸ Fifteen states reported that they record data on crimes motivated by bias against Christians and members of other religions.³⁴⁹ Some states further disaggregate this data into categories such as “non-denominational”, “Catholic”, “Protestant” or “other religions”.³⁵⁰ However, at the time this report was written, only Canada, Norway, Sweden, United Kingdom, Finland and Germany had provided data on crimes committed against Christians or members of other religions, or even general figures on anti-religious crimes without disaggregating them by faith. Serbia provided a case example.

In addition, this section includes information on crimes motivated by bias against Christians and members of other religions from eight NGOs and civil society

³⁴⁷ OSCE Ministerial Council, Decision No. 10/05, *op. cit.*, note 17, OSCE Ministerial Council, Decision No. 13/06, *op. cit.*, note 4; OSCE Ministerial Council, Decision No. 10/07, *op. cit.*, note 20; “Cordoba Declaration by the Chairman-in-Office”, *op. cit.*, note 258; “Bucharest Declaration by the Chairman-in-Office”, *op. cit.*, note 222.

³⁴⁸ Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Denmark, Finland, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Moldova, Netherlands, Norway, Poland, Russian Federation, Serbia, Slovakia, Spain, Sweden, Switzerland, Tajikistan, United Kingdom, United States and Uzbekistan.

³⁴⁹ Belgium, Bulgaria, Canada, Croatia, Czech Republic, Finland, Moldova, Netherlands, Poland, Serbia, Spain, Sweden, Switzerland, United Kingdom and the United States.

³⁵⁰ Bulgaria, Canada, Czech Republic and the United States.

organizations in nine participating States.³⁵¹ Information on 12 participating States was received from the Holy See, and further reports from the OSCE Mission to Bosnia and Herzegovina and the OSCE Mission in Kosovo. Austria, Germany, Hungary, Lithuania, Switzerland, Turkey and United States further reacted to the Holy See submissions.

Albania: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported a case of damage to a church by throwing stones.³⁵²

Austria: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported three arson attacks against churches that took place on the same night; 74 cases of church desecration including 55 that also involved theft of church property and collection money.³⁵³ Austrian authorities reported back that religious bias motivation has not been registered in those cases.³⁵⁴

Bosnia and Herzegovina: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported a physical assault against a nun, one case of graffiti on a church, two cases of damage to property against a school and a car, eight cases of church desecration, five of which also included thefts, and one case of threats.³⁵⁵ The OSCE Mission to Bosnia and Herzegovina reported 24 hate incidents targeting Christian symbols and sites, such as churches and Christian graveyards, including damage to 20 tombstones in an Orthodox graveyard and graffiti on the door of an Orthodox church.³⁵⁶ No information was provided by NGOs.

Canada: The Toronto Police Service recorded 59 cases based on bias against religion. No information was received from NGOs.³⁵⁷

Croatia: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported one case of threats, one theft of church property, two cases of graveyard desecrations and one desecration of a church.³⁵⁸

Finland: Official law-enforcement figures record 52 cases of crimes based on bias towards religion including one homicide, 15 physical assaults, six cases of disturbance of the peace, and one case of damage to property and 8 cases of threats.³⁵⁹

France: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported four cases of grave desecration involving over 130 graves; and a case of church desecration.³⁶⁰ The Observatory on Intolerance Against Christians reported one incident in which Christian

³⁵¹ France, Georgia, Germany, Poland, Russian Federation, Slovakia, Turkey, United Kingdom and the United States.

³⁵² Information from the Holy See NPC, 16 July 2013.

³⁵³ *Ibid.*

³⁵⁴ Additional information from the Austrian NPC received on 2 October 2013.

³⁵⁵ Information from the Holy See NPC, *op. cit.*, note 352.

³⁵⁶ Communication from OSCE Mission in Bosnia and Herzegovina, *op. cit.*, note 147.

³⁵⁷ Information from the Canadian NPC, *op. cit.*, note 149.

³⁵⁸ Information from the Holy See NPC, *op. cit.*, note 352.

³⁵⁹ Information from the Finnish NPC, *op. cit.*, note 150.

³⁶⁰ Information from the Holy See NPC, *op. cit.*, note 352.

icons in public places were vandalized; three arson attacks against church property, including one against a nativity scene and two against a church; 12 incidents of damage and/or vandalism to church property, including one incident against a bookstore owned by a church; three incidents of theft of church property; and four incidents of cemetery desecration.³⁶¹

Georgia: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Georgian Young Lawyers Association and Human Rights Education and Monitoring Centre reported the theft of a cross from outside a church in Tsinstkaro.³⁶²

Germany: Official law-enforcement figures recorded 414 crimes based on bias against religion, 18 of which involved violence.³⁶³ The Holy See reported four cases of desecrations to graveyards, 19 cases of church desecrations including against one Orthodox church, three Protestant and ten Catholic churches; a further 16 church desecrations also involving theft of church property, including against one Protestant and six Catholic churches; and one case of graffiti on a church.³⁶⁴ German authorities have verified these alleged hate-motivated incidents and confirmed that none of them had been recorded by police with a hate motive.³⁶⁵ The Observatory on Intolerance Against Christians reported one incident in which a Christian icon in a public place was vandalized and two cases of vandalism against a church.³⁶⁶

Hungary: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported ten cases of damage to church property; 89 cases of church desecrations, including seven involving thefts of church property.³⁶⁷ Hungarian authorities have verified these cases and informed ODIHR of the status of the investigations. While in the majority of the cases the investigation was suspended due to a lack of an identified perpetrator, in four cases the investigation is ongoing or the case has moved to the prosecution stage. Based on information from the police, the NPC confirmed that no bias motive was found in the cases.³⁶⁸

Former Yugoslavian Republic of Macedonia: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. IOM reported one case of damage to property by throwing stones at an Orthodox church.³⁶⁹

Italy: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported seven cases of cemetery desecration; fifteen cases of church desecration, including eight

³⁶¹ Information from Observatory on Intolerance Against Christians, *op. cit.*, note 197.

³⁶² Information from The Georgian Young Lawyers Association and Human Rights Education and Monitoring Centre, through the Heinrich Boell Foundation, 6 August 2013.

³⁶³ Information from the German NPC, 20 August 2013.

³⁶⁴ Information from the Holy See NPC, *op. cit.*, note 352.

³⁶⁵ Additional information from the German NPC received on 7 October 2013.

³⁶⁶ Information from Observatory on Intolerance Against Christians, *op. cit.*, note 197.

³⁶⁷ Information from the Holy See NPC, *op. cit.*, note 352.

³⁶⁸ Additional information from the Hungarian NPC received on 30 October 2013.

³⁶⁹ Communication from IOM, *op. cit.* note 192.

involving the theft of church property, and one case of desecration of a nativity scene display in a public square.³⁷⁰

Latvia: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported a case of arson and a case of damage to a church.³⁷¹

Lithuania: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported four cases of arson; one case of graffiti on a church; and one case of vandalism against a church, involving damage to a sculpture.³⁷² While bias motivation was not recorded by the Police in those cases, Lithuanian authorities have initiated proceedings against the perpetrators.³⁷³

Norway: Official law-enforcement figures record 39 crimes motivated by anti-religious bias.³⁷⁴ No information was provided by NGOs.

Poland: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The NGO Never Again Association reported one incident of damage to the property of an Orthodox cemetery and one incident of graffiti on the walls of an Evangelical cemetery.³⁷⁵

Russian Federation: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The NGO SOVA Centre for Information and Analysis reported 12 physical assaults on Jehovah's Witnesses, and two Pentecostals; five arson attacks against sites belonging to the Russian Orthodox Church; 33 cases of vandalism and/or damage to property on sites belonging to the Russian Orthodox Church; one case of arson against a site belonging to Jehovah's Witnesses; 12 incidents of vandalism against sites belonging to Jehovah's Witnesses and five incidents of vandalism against Protestant sites.³⁷⁶ The NGO A World without Nazism reported four incidents of desecration of or damage to property belonging to Jehovah's Witnesses, one incident of vandalism against a Protestant site, one incident in which Christian icons in a public place were damaged, one incident of damage to an evangelical church and one incident of damage to an Orthodox church.³⁷⁷

Serbia: The NPC reported a case in which the Kingdom Hall of the Jehovah's Witnesses was damaged and the perpetrators were apprehended and convicted, with a suspended sentence, and ordered to pay for the damages.³⁷⁸ No information was provided by NGOs.

³⁷⁰ Information from the Holy See NPC, *op. cit.*, note 352.

³⁷¹ *Ibid.*

³⁷² *Ibid.*

³⁷³ Additional information from the Lithuanian NPC received on 1 October 2013.

³⁷⁴ Questionnaire from the Norwegian NPC, *op. cit.* note 172.

³⁷⁵ Information received from Never Again Association, *op. cit.* note 174.

³⁷⁶ Information from SOVA Centre for Information and Analysis, *op. cit.* note 177.

³⁷⁷ Information received from A World Without Nazism, *op. cit.*, note 170.

³⁷⁸ Information from the Serbian NPC, *op. cit.* note 90.

Slovakia: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Observatory on Intolerance Against Christians reported one case of cemetery desecration.³⁷⁹

Sweden: Of the police reports recorded in 2012 an estimated 258 were identified by the Swedish National Council for Crime Prevention (Brå) as anti-religious hate crimes, of which 200 were anti-Christian.³⁸⁰ No reports were received from NGOs.

Switzerland: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported an arson attack against a church.³⁸¹ The Swiss authorities informed ODIHR that this case was currently pending at the youth prosecutor's office. Qualification of the case under article 261 of the Swiss Criminal Code (Attack on the freedom of faith and the freedom to worship), in addition to its qualification as a criminal damage case, was being considered.³⁸²

Turkey: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The Holy See reported one case of physical assault also involving threats; a further case of assault involving eggs being thrown and a threat with a gun; a further six cases of threats, including against a priest and his family, and against presenters of a Christian radio programme; two cases of damage to a church, one involving the perpetrators wielding knives and breaking three statues.³⁸³ The NPC has provided ODIHR with detailed information about the status of all the above mentioned cases. In some instances, the perpetrators were found guilty and imprisoned, in other cases the investigation or prosecution is ongoing, while yet in others, perpetrators could not be identified or the reported act did not constitute a crime. The Turkish response does not contain information about recorded bias motive in any of the cases reported by the Holy See.³⁸⁴ The Observatory on Intolerance Against Christians reported one incident of damage to a church and its property.³⁸⁵

United Kingdom:

Official law-enforcement figures in England, Wales and Northern Ireland record 1,543 anti-religious hate crimes. In Scotland, 687 cases were prosecuted.³⁸⁶ The Observatory on Intolerance Against Christians reported one case of damage to church property.³⁸⁷

United States: No official data on crimes and incidents motivated by a bias against Christians or members of other religions were reported to ODIHR. The OIC Observatory reported one case of multiple murders of worshippers in a shooting at a Sikh temple in Oak Creek, Wisconsin, killing six people – five men and one woman – and wounding several others.³⁸⁸

³⁷⁹ Information from Observatory on Intolerance Against Christians, *op. cit.*, note 197.

³⁸⁰ Questionnaire from the Swedish NPC, *op. cit.*, note 188.

³⁸¹ Information from the Holy See NPC, *op. cit.*, note 352.

³⁸² Additional information received from the Swiss NPC, *op. cit.*, note 291.

³⁸³ Information from the Holy See NPC, *op. cit.*, note 352.

³⁸⁴ Additional information received from the Turkish NPC on 25 October 2013.

³⁸⁵ Information from Observatory on Intolerance Against Christians, *op. cit.*, note 197.

³⁸⁶ Questionnaire from the UK NPC, *op. cit.*, note 196.

³⁸⁷ Information from Observatory on Intolerance Against Christians, *op. cit.*, note 197.

³⁸⁸ Information received from OIC Observatory, *op. cit.*, note 320.

The Kosovo Police reported 36 cases affecting Serbian Orthodox sites. These included thefts, property damage, graffiti and desecration of graveyards.³⁸⁹ The OSCE Mission in Kosovo reported 46 cases affecting religious sites.³⁹⁰ These incidents also included thefts, property damage, graffiti and desecration of graveyards. Specifically, the Mission reported two cases of graffiti on the walls of two Orthodox Churches, one case of desecration of graves that was part of a pattern of repeated vandalism of an Orthodox graveyard, and damage to the window of an Orthodox Church.³⁹¹

Key resolutions and statements from international organizations

The Report of Heiner Bielefeldt, the UN Special Rapporteur on Freedom of Religion or Belief, noted the symbolic significance of acts of vandalism and desecration against places of worship, cemeteries and religious monuments towards entire religious communities, which can, in turn, trigger violence, such as expulsions or other extreme hostility. The report also encouraged states to develop policies that promote the protection of persons belonging to religious minorities from violence, threats of violence and damage to religious property, and to ensure there is no impunity for such conduct.³⁹²

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

In the United States, senior officials from the US Department of Justice, including the Attorney General attended public memorial events after the fatal shootings at a Sikh temple in Oak Creek, Wisconsin. In addition, the Civil Rights Division at the Department of Justice's Community Relations Service conducted follow up meetings with senior officials and representatives of the local Sikh and Muslim communities, and conducted cultural awareness training for local law enforcement and communities.³⁹³

³⁸⁹ Communication from OSCE Mission in Kosovo, *op. cit.*, note 201.

³⁹⁰ *Ibid.*

³⁹¹ *Ibid.*

³⁹² "Report of the UN Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt", A/HRC/22/51, pp. 14-15; 20, 24 December 2012, available at <<http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session22/Pages/ListReports.aspx>>.

³⁹³ Questionnaire from United States NPC, *op. cit.*, note 127.

CRIMES AND INCIDENTS BASED ON OTHER BIAS MOTIVATIONS

Background

OSCE participating States have committed themselves to ensure that “the law will prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground”.³⁹⁴ Moreover, OSCE participating States have committed themselves to ensure 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”.³⁹⁵

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

In 2012 ODIHR organized two workshops, in Dublin on 25 May and Oslo on 26 November, on hate crimes targeting people with disabilities. The workshops gathered more than 50 activists, who gained a deeper understanding of the concept of hate crimes and greater knowledge of monitoring and reporting mechanisms, as well as potential areas of engagement to support government efforts to respond to hate crimes against persons with disabilities.

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

Twenty participating States collect data on crimes motivated by bias against lesbian, gay, bisexual and transgender (LGBT) people.³⁹⁶ Of those, 10 include crimes against transgender people as a separate category.³⁹⁷ At the time this report was written, Belgium, Finland, Germany, Ireland, Norway, United Kingdom and Sweden had provided figures to ODIHR, while Belgium provided a case example.

In addition, this section includes information on crimes and incidents motivated by bias against LGBT people from 52 NGOs and civil society organizations in 35 participating

³⁹⁴ “Document of the *Copenhagen Meeting* of the Conference on the Human Dimension of the CSCE”, paragraph 5.9, *op. cit.*, note 12.

³⁹⁵ “Concluding Document of the Vienna Meeting 1986 of Representatives of the Participating States of the Conference on Security and Co-operation in Europe, held on the Basis of the Provisions of the Final Act relating to the Follow-up to the Conference” Vienna 1989, p. 7, <<http://www.osce.org/mc/40881>>.

³⁹⁶ Andorra, Belgium, Canada, Croatia, Cyprus, Denmark, Finland, France, Germany, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Netherlands, Norway, Serbia, Sweden, United Kingdom and the United States.

³⁹⁷ Belgium, Canada, Finland, Germany, Latvia, Norway, Portugal, Serbia, Sweden and the United Kingdom.

States.³⁹⁸ Information from the OSCE Mission to Bosnia and Herzegovina, the OSCE Mission in Kosovo, OSCE Mission to Skopje, IOM and UNHCR is also included.

Albania: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGOs Pink Embassy and Aleança reported one case of threats towards an LGBT activist during a public debate and one group attack against participants in a Pride event in Tirana.³⁹⁹ The NGO Pink Embassy reported three cases of physical assault, including one by a group, and two separate instances against young people after they revealed their sexual orientation; and three cases of threats, including one involving LGBT demonstrators being spat at.⁴⁰⁰

Armenia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The Open Society Foundation, Armenia and the NGO Pink Armenia reported two physical assaults, one by a group and one against several transgender people; and one arson attack against a gay-friendly bar.⁴⁰¹ The NGO Pink Armenia reported a further attack by a group against a group of participants taking part in a LGBT demonstration.⁴⁰²

Belarus: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Gay Belarus reported three physical assaults, all committed by a group and one resulting in serious injury after the victim disclosed his sexual orientation.⁴⁰³

Belgium: The NPC reported a homophobic murder in which a man leaving a gay nightclub was attacked, kidnapped and tortured to death.⁴⁰⁴ The NGOs Cavaria and Arc-en-Ciel Wallonie also reported two murders of gay men, including one by a group and the murder of a gay man in a park; three additional physical assaults, all resulting in serious injury; and one robbery and rape of a man by a group.⁴⁰⁵ The NGO TGEU reported the gang rape of a transvestite man.⁴⁰⁶

Bosnia and Herzegovina: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The OSCE Mission to Bosnia and Herzegovina reported one physical assault against a gay man by masked perpetrators resulting in serious injury.⁴⁰⁷ The Sarajevo Open Centre reported two physical assaults, involving threats against three students after one disclosed her sexual orientation; and one case of physical assault resulting in serious injuries.⁴⁰⁸

³⁹⁸ Albania, Armenia, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kyrgyzstan, Latvia, former Yugoslav Republic of Macedonia, Malta, Moldova, Montenegro, Netherlands, Portugal, Russian Federation, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom and the United States.

³⁹⁹ Information from Pink Embassy and Aleança, through ILGA-Europe, 4 April 2013.

⁴⁰⁰ Information from Pink Embassy, 2 February 2013.

⁴⁰¹ Information from Open Society Foundation, Armenia, *op. cit.*, note 142; Information from Pink Armenia, through ILGA-Europe, *op. cit.*, note 399.

⁴⁰² Information from Pink Armenia, through ILGA-Europe, *op. cit.*, note 399.

⁴⁰³ Information from Gay Belarus, through ILGA Europe, *op. cit.*, note 399.

⁴⁰⁴ Questionnaire from the Belgian NPC, *op. cit.* note 145.

⁴⁰⁵ Information from Cavaria and Arc-en-Ciel Wallonie, through ILGA-Europe, *op. cit.*, note 399.

⁴⁰⁶ Information from TGEU, 4 September 2013.

⁴⁰⁷ Communication from OSCE Mission to Bosnia and Herzegovina, *op. cit.*, note 147.

⁴⁰⁸ Information from Sarajevo Open Centre through ILGA-Europe *op. cit.*, note 399.

Bulgaria: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Bilitis Resource Centre reported one physical assault resulting in serious injury against a gay man after he participated in Sofia Pride.⁴⁰⁹

Canada: The Toronto Police Service recorded 19 crimes motivated by bias against sexual orientation.⁴¹⁰ No information was received from NGOs.

Estonia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The Estonian LGBT Association reported four physical assaults, including two by groups, and one against a gay couple.⁴¹¹

Finland: Official law-enforcement figures recorded 67 hate crimes, including 54 physical assaults based on bias against LGB, three cases of disturbance of the peace and one case of threats. A further two cases of damage to property based on hostility towards transgender people were also reported.⁴¹² The NGO SETA reported two physical assaults, one against participants in a Pride event in Helsinki and one against a speaker affiliated with the event who was attacked with pepper spray.⁴¹³

France: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO SOS Homophobie reported 138 physical assaults, 12 sexual assaults and 255 incidents involving threat and/or blackmail.⁴¹⁴

Georgia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Identoba and the Women's Initiative Supporting Group reported several serious physical assaults and threats against participants in a Pride event.⁴¹⁵ The NGO Identoba reported a further three physical assaults, including one against a boy after he revealed his sexuality; a series of assaults against a lesbian woman; and two cases of death threats against a man who is a well-known member of the gay community and the editor of Identoba's online magazine.⁴¹⁶ The Women's Initiative Supporting Group reported a further serious physical assault against a girl.⁴¹⁷

Germany: Official law-enforcement figures recorded 186 crimes based on bias against LGBT, 42 of which involved violence.⁴¹⁸ The NGO TGEU reported three physical assaults against transgender people, including one involving an attack using a car.⁴¹⁹ TGEU reported a further physical assault by a group resulting in serious injuries.⁴²⁰ The NGO Lesbian and Gay Federation Cologne reported two cases of serious physical assault, both against gay couples.⁴²¹ The Swedish NGO RFSL reported a case of

⁴⁰⁹ Information from Bilitis Resource Centre, through ILGA-Europe, *op. cit.*, note 399.

⁴¹⁰ Questionnaire from the Canadian NPC, *op. cit.*, note 149.

⁴¹¹ Information from Estonian LGBT Association, through ILGA-Europe, *op. cit.*, note 399.

⁴¹² Information received from the Finnish NPC, *op. cit.*, note 150.

⁴¹³ Information from SETA, through ILGA-Europe, *op. cit.*, note 399.

⁴¹⁴ Information from SOS-Homophobie through ILGA, 9 September 2013.

⁴¹⁵ Information from Women's Initiative Supporting Group, through Heinrich Boell Foundation, *op. cit.*, note 362; Information from Identoba, 11 March 2013.

⁴¹⁶ Information from Identoba, *op. cit.*, note 415.

⁴¹⁷ Information from Women's Initiative Supporting Group, through Heinrich Boell Foundation, *op. cit.*, note 362.

⁴¹⁸ Information from the German NPC, *op. cit.*, note 363.

⁴¹⁹ Information from TGEU *op. cit.*, note 406.

⁴²⁰ *Ibid.*

⁴²¹ Information from Lesbian and Gay Federation Cologne, 8 July 2013.

physical assault against two gay Swedish women outside a gay club in Berlin.⁴²² MANEO and the Amadeu Antonio Foundation reported physical assaults against two gay men in a park; and one threat with a knife against two gay men on public transport.⁴²³ In addition, the Berlin-based NGO MANEO reported a further murder, one attempted murder, 36 robberies, ten burglaries, 48 assaults, 49 sexual assaults involving threats, one rape and two cases of damage to property.⁴²⁴

Greece: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO OLKE reported one attack by a group against several volunteers distributing anti-homophobic flyers.⁴²⁵ The Racist Violence Recording Network reported one physical assault against a gay man.⁴²⁶ The NGO TGEU reported a physical assault against a transgender woman.⁴²⁷

Hungary: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Háttér Support Society reported three cases of threats and physical assaults, including one death threat and assault against man who was followed after getting off a bus, and one threat and assault against a man by his neighbours; four further cases of threats; one case of incitement to violence against 31 participants in a gay pride event involving the publication of the organizers' and participants' personal details, including their names and location of their hotels; and one case of physical assault against several gay men.⁴²⁸ The Háttér Support Society also reported the murder of a gay man in his apartment, by stabbing.⁴²⁹

Iceland: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. ILGA- Europe reported one physical assault against a transgender person after he used the men's restroom at a nightclub.⁴³⁰

Ireland: Official law-enforcement figures record 17 crimes based on bias against LGBT.⁴³¹ The NGO TENI reported a case of physical assault against three participants on their way to a conference about transgender issues.⁴³² The NGO TGEU reported two physical assaults against transgender people.⁴³³

Italy: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The Observatory on Homophobia reported the murder of a transgender person in Catania; 13 physical assaults, including five resulting in serious injury, five carried out by a group and one where an older man was seriously beaten after intervening to stop an attack against a gay couple; one sexual assault during which a gay man was threatened and forced to perform oral sex; two cases of damage to property,

⁴²² Information from RFSL, through ILGA-Europe, *op. cit.*, note 399.

⁴²³ Information from Amadeu Antonio Foundation, *op. cit.*, note 153; Information from MANEO, 8 August 2013.

⁴²⁴ Information from MANEO, *op. cit.*, note 423.

⁴²⁵ Information from OLKE, through ILGA-Europe, *op. cit.*, note 399.

⁴²⁶ Information from the Racist Violence Recording Network, through Communication from UNHCR *op. cit.*, note 148.

⁴²⁷ Information from TGEU, *op. cit.*, note 406.

⁴²⁸ Information from Háttér Support Society, 4 April 2013.

⁴²⁹ Information from Háttér Support Society, 23 October 2013.

⁴³⁰ Information from ILGA-Europe, *op. cit.*, note 399.

⁴³¹ Information from the Irish NPC, *op. cit.*, note 162 .

⁴³² Information from TENI, through ILGA-Europe, *op. cit.*, note 399.

⁴³³ Information from TGEU, *op. cit.*, note 406.

including a series of attacks against the headquarters of an LGBT NGO involving attempted arson; one case of robbery and threats; and one further case of threats.⁴³⁴

Kyrgyzstan: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Labrys reported 15 physical assaults, including nine resulting in serious injury, all of which were carried out by a group, one of which involved throwing stones, and one of which involved a serious assault, rape and threat to kill a transgender woman; and a further five threats against men and women who were identified as gay.⁴³⁵

Latvia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The Association Mozaika reported two cases of threats, against a gay man and against an activist who announced that Riga would be hosting Europride 2015.⁴³⁶

The Former Yugoslav Republic of Macedonia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The OSCE Mission to Skopje, the Macedonian Helsinki Committee/LBGTI support Centre and NGO LGBT United reported two incidents of property damage against a newly opened LGBT information centre in Skopje, involving attempted arson, breaking windows and offensive graffiti, and three physical assaults, including one involving a series of attacks against a gay man and his apartment, and two against LGBT activists.⁴³⁷ The Macedonian Helsinki Committee/LBGTI support Centre and NGO LGBT United reported a further physical assault by a group against a gay couple and an assault against a gay man.⁴³⁸ IOM reported one case of damage to a billboard advertising an anti-discrimination campaign.⁴³⁹

Malta: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Malta Gay Rights Movement reported four cases of physical assaults –two attacks against lesbian couples, one against a transgender woman and one against a gay 16-year-old boy.⁴⁴⁰

Moldova: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO GenderDoc-M Information Center reported two physical assaults, one of which involved a gay man being robbed and beaten almost to death, and one case of physical assault and death threats against a gay man.⁴⁴¹

Montenegro: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The LGBT forum Progress reported two physical assaults resulting in serious injury, including one carried out by a group; eight cases of threats, including

⁴³⁴ Information from Observatory on Homophobia, through ILGA-Europe, *op. cit.*, note 399.

⁴³⁵ Information from Labrys, 6 April 2013.

⁴³⁶ Information from Association Mozaika, through ILGA-Europe, *op. cit.*, note 399.

⁴³⁷ Communication from OSCE Mission to Skopje, 10 April 2013; Information from Macedonian Helsinki Committee, LBGTI support Centre and NGO LGBT United, through ILGA-Europe, *op. cit.*, note 399.

⁴³⁸ Information from The Macedonian Helsinki Committee/LBGTI support Centre and NGO LGBT United, through ILGA-Europe, *op. cit.*, note 399.

⁴³⁹ Communication from IOM, *op. cit.*, note 192.

⁴⁴⁰ Information from Malta Gay Rights Movement, through ILGA-Europe, *op. cit.*, note 399.

⁴⁴¹ Information from GenderDoc-M Information Center, through ILGA-Europe, *op. cit.*, note 399.

death threats against the organizers of a pride event in Podgorica; and one case of damage to property.⁴⁴²

Netherlands: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Netherlands Transgender Network reported a case of threats and vandalism against a transgender couple. Swastikas were painted on their mailbox.⁴⁴³

Norway: Official law-enforcement figures record 34 crimes motivated by bias against sexual orientation.⁴⁴⁴ No information was provided by NGOs.

Poland: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Campaign Against Homophobia reported three cases of damage to property, including one involving excrement being smeared on a car that displayed a rainbow sticker, an incident that also involved threats to a gay couple and against an art installation in Warsaw city centre; as well as three physical assaults, including one against a gay couple by two perpetrators, one against a group of people traveling to Warsaw Pride events and a serious attack by a group against two men.⁴⁴⁵

Portugal: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO ILGA Portugal reported three serious physical assaults, including two by a group, and one case of threats against a gay couple.⁴⁴⁶

Romania: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO ACCEPT reported two cases of physical assault, both resulting in serious injury, including one carried out by a group against seven young women, two of whom were hospitalized.⁴⁴⁷ The NGO TGEU reported two physical assaults against transgender people.⁴⁴⁸

Russian Federation: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO A World without Nazism reported one murder of a gay man and five physical assaults, including one attack by a group, in which there were 12 victims.⁴⁴⁹ The Russian LGBT Network reported two murders, including one of a gay man who was stabbed 25 times and one of a gay man who was robbed and then murdered; ten physical assaults, including two resulting in serious injury and four attacks involving a group, including several taking place during or around pride events; seven cases of threats, including several death threats; and one case of damage to property at an LGBT arts exhibition.⁴⁵⁰ The SOVA Centre for Information and Analysis reported twelve physical assaults against LGBT people.⁴⁵¹ The NGO TGEU reported a physical assault against a transgender woman and her partner.⁴⁵²

⁴⁴² Information from Progress, through ILGA-Europe, *op. cit.*, note 399.

⁴⁴³ Information from Netherlands Transgender Network, through ILGA-Europe, *op. cit.*, note 399.

⁴⁴⁴ Questionnaire from the Norwegian NPC, *op. cit.* note 172.

⁴⁴⁵ Information from Campaign against Homophobia, 25 September 2013.

⁴⁴⁶ Information from IGA-Portugal, through ILGA Europe, *op. cit.*, note 399.

⁴⁴⁷ Information from ACCEPT, through ILGA-Europe, *op. cit.*, note 399.

⁴⁴⁸ Information from TGEU *op. cit.*, note 406.

⁴⁴⁹ Information from A World Without Nazism, *op. cit.*, note 170.

⁴⁵⁰ Information from Russian LGBT Network, 5 April 2013.

⁴⁵¹ Information from the SOVA Centre for Information and Analysis, *op. cit.*, note 177.

⁴⁵² Information from TGEU, *op. cit.*, note 406.

Serbia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGOs LABRIS and the Gay Straight Alliance reported four cases of physical assault, three of which were carried out by a group and two of which resulted in serious injury. The victims were gay men and one lesbian woman.⁴⁵³

Slovakia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. ILGA-Europe reported one case of a smoke bomb being thrown at participants of Bratislava Pride.⁴⁵⁴

Slovenia: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Information Center LEGEBITRA reported one case of vandalism against a gay-friendly bar the day after a pride event.⁴⁵⁵

Spain: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Movimiento Contra la Intolerancia reported one physical assault against a transgender person outside a nightclub in Zaragoza.⁴⁵⁶ The NGO Algarabia reported a further physical assault against a transgender person in Tenerife. The NGO CIDH *Pro Igual* reported one physical assault by a group resulting in serious injury.⁴⁵⁷ The NGO the State Federation of LGBT reported six physical assaults, three of which were carried out by a group, three involving injuries and one involving a stab wound. The victims included a group of LGBT people, two transgender women, a transgender boy, a lesbian girl and two lesbian.⁴⁵⁸

Sweden: Of the police reports recorded in 2012 an estimated 713 were identified by the Swedish National Council for Crime Prevention (Brå) as motivated by bias against sexual orientation, and 41 hate crimes against transgender persons.⁴⁵⁹ The NGO RFSL (The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights) reported one rape of a transgender woman and one case of threats against a gay man at work.⁴⁶⁰

Switzerland: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Pink Cross reported a physical assault against a lesbian woman by a group resulting in serious injury.⁴⁶¹

Turkey: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGOs Kaos GL and the London Legal Group reported four murders, including the murder of a transgender woman, who was shot dead, and the murder of a seventeen-year-old boy by his family after he revealed he was gay; one physical assault; and one case of rape and robbery of two transgender sex workers in Ankara.⁴⁶² The London Legal Group reported a further six murders, including the murder of a transgender woman by stabbing, two physical assaults by a group, and one attempted attack by a group. Kaos GL reported a further murder of a transgender

⁴⁵³ Information from LABRIS and Gay Straight Alliance, through ILGA-Europe, *op. cit.*, note 399.

⁴⁵⁴ Information from ILGA-Europe, *op. cit.*, note 399.

⁴⁵⁵ Information from LEGEBITRA, through ILGA-Europe, *op. cit.*, note 399.

⁴⁵⁶ Information received from Movement Against Intolerance, *op. cit.*, note 185; Information from Algarabia, through Movement Against Intolerance, *op. cit.*, note 185.

⁴⁵⁷ Information from CIDH *Pro Igual*, *op. cit.*, note 183.

⁴⁵⁸ Information from FELGBT, through ILGA-Europe, *op. cit.*, note 399.

⁴⁵⁹ Questionnaire from the Swedish NPC, *op. cit.*, note 188.

⁴⁶⁰ Information from RFSL, through ILGA-Europe, *op. cit.*, note 399.

⁴⁶¹ Information from Pink Cross through ILGA-Europe, *op. cit.*, note 405.

⁴⁶² Information from London Legal Group, *op. cit.*, note 189; Information from Kaos GL, 2 January 2013.

woman, and the murder of a gay man; two physical assaults – one against a gay man resulting in serious injury and one against a group. The NGO TGEU reported four physical assaults, including one resulting in serious injury, against transgender people.⁴⁶³

Ukraine: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO Our World Gay and Lesbian Centre reported 11 physical assaults, including nine involving serious injury and three by a group; and one case of threats involving a gun against a gay man. The victims were mainly gay men and also included two bisexual men and three gay women.⁴⁶⁴ The NGO TGEU reported one case of damage to materials displayed during a LGBT photo exhibition.⁴⁶⁵

United Kingdom: Official law enforcement figures in England, Wales and Northern Ireland record 3,964 crimes motivated by bias against sexual orientation and 410 hate crimes against transgender persons.⁴⁶⁶ ILGA-Europe reported one case of threats and two cases of physical assault – an attack against a gay man by a group in Worcester and a serious assault against a transgender woman who was knocked unconscious.⁴⁶⁷

United States: No official data on crimes motivated by bias against LGBT people were reported to ODIHR. The NGO TGEU reported the murder of a transgender woman and the shooting of two transgender women resulting in serious injury.⁴⁶⁸

In Kosovo, the Centre for Social Emancipation (QESh) and the NGO Libertas reported assaults against two LGBT community members by a group resulting in serious injury, and a connected attack against the community centre by throwing gas containers through the windows.⁴⁶⁹

Key Resolutions and statements from international organizations

The UN Human Rights Council, in its Universal Periodic Review, encouraged Poland to recognize sexual orientation and gender identity as protected grounds for discrimination and hate crimes and for law enforcement to do outreach with LGBT communities in order to increase reporting of hate crimes.⁴⁷⁰ The Universal Periodic Review also expressed concern about violence against LGBT persons in Ukraine and encouraged the government to adopt anti-discrimination laws that include sexual orientation as a protected characteristic.⁴⁷¹

During the country visit by Nils Muižnieks, the Commissioner for Human Rights of the Council of Europe, to Greece, the Commissioner encouraged authorities to ensure that the mandate of the new police antiracist units was sufficiently broad to address

⁴⁶³ Information from TGEU *op. cit.*, note 406.

⁴⁶⁴ Information from Our World Gay and Lesbian Center, 25 March 2013.

⁴⁶⁵ Information from TGEU, *op. cit.*, note 406.

⁴⁶⁶ Questionnaire from the UK NPC, *op. cit.*, note 196.

⁴⁶⁷ Information from ILGA-Europe, *op. cit.*, note 399.

⁴⁶⁸ Information from TGEU *op. cit.*, note 406.

⁴⁶⁹ Information from Centre for Social Emancipation (QESh) and the NGO Libertas through ILGA-Europe, *op. cit.*, note 405.

⁴⁷⁰ “Report of the Working Group on the Universal Periodic Review: Poland”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/21/14, pp.17, 19, *op. cit.*, note 108.

⁴⁷¹ “Report of the Working Group on the Universal Periodic Review: Ukraine”, Human Rights Council on the Working Group on the Universal Periodic Review, A/HRC/22/7, pp. 12, 16, 20 December 2012.

homophobic hate crime as well.⁴⁷² During the Commissioner's country visit to Finland, he welcomed the specific prohibition on hate crimes based on a bias against sexual orientation and encouraged the inclusion of grounds based on bias against gender identity.⁴⁷³

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

In Germany the Berlin Prosecution Service established a specialist prosecutor unit for victims of gay, lesbian and transsexual violence.⁴⁷⁴

In Georgia, the NGO Identoba launched an online hate crime reporting form that victims can use to report hate crime incidents anonymously.⁴⁷⁵

In Romania, leaflets entitled "Stop Hate Crimes Against LGBT Person- Guidelines for Policemen", produced by the Danish Institute of Human Rights and the Accept Association, were distributed in police stations throughout Bucharest.⁴⁷⁶

In Sweden, the Police District in Greater Gothenburg participated in a hate crime seminar at the LGBT festival. The Swedish Federation for LGBT Rights received government funding on projects to support LGBT victims of violence, including bias-motivated violence, by providing training for staff and conducting public-awareness outreach in the media.⁴⁷⁷

In Ukraine, the NGO Nash Mir developed capacity building activities and training for its regional monitoring network. The organization developed and distributed practical information materials about legal assistance for victims of human rights abuses and crimes.⁴⁷⁸ With the booklet "Why and How to Report Violations of Rights"⁴⁷⁹ and a small booklet entitled "Me and the police".

ILGA-Europe launched a programme that aims to collect data on hate crime in a comparable way in 12 pilot European countries, using a standardized reporting methodology for homophobic and transphobic crimes.⁴⁸⁰

The NGO CEJI completed the *Facing Facts!* Project, which produced hate crime monitoring guidelines and a training programme that aim to build the capacity of civil society organizations to monitor and report hate crime, and to advocate for prevention

⁴⁷² "Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Greece from 28 January to 1 February 2013", Council of Europe, CommDH(2013)6, p.28, *op. cit.*, note 120.

⁴⁷³ "Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Finland from 11-13 June 2012", Council of Europe, CommDH(2012)27, p.22, 25 September 2012.

⁴⁷⁴ Information from the German NPC, 4 September 2013.

⁴⁷⁵ Information received from Identoba, 23 August 2013.

⁴⁷⁶ Information received from the Romanian NPC, *op. cit.*, note 210.

⁴⁷⁷ Questionnaire from the Swedish NPC, *op. cit.*, note 126.

⁴⁷⁸ "I and the police", <<http://www.gay.org.ua/publications/i-police.pdf>>; "Why and How to Report Violations of Rights", <http://www.gay.org.ua/publications/faq_monitoring.pdf>, Information from Our World Gay and Lesbian Center, *op. cit.*, note 464.

⁴⁷⁹ "Why and How to Report Violations of Rights", Information from Our World Gay and Lesbian Center, *op. cit.*, note 464.

⁴⁸⁰ Information received from ILGA-Europe, *op. cit.*, note 399.

and intervention measures. Initiated by four European NGOs, the project also involved organizations that work to address crimes and incidents motivated by bias against LGBT people.⁴⁸¹

⁴⁸¹ "Facing Facts!", *op. cit.*, note 217.

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

Official monitoring of crimes and incidents motivated by bias against people with disabilities and other groups is limited. Fourteen participating States reported collecting this data.⁴⁸² However, at the time this report was written, only Finland, Germany, Hungary and the United Kingdom had provided figures and Hungary submitted a case example based on homelessness.

In addition this section includes information on crimes and incidents motivated by bias against people with disabilities and other groups from six NGOs and civil society organizations in four participating States.⁴⁸³

Finland: Official law-enforcement figures recorded 19 cases of crimes based on bias towards people with disabilities including eight physical assaults, four cases of disturbance of the peace, and one case of damage to property.⁴⁸⁴

Germany: Official law-enforcement figures recorded 29 crimes based on bias against people with disabilities, two of which involved violence.⁴⁸⁵ The NGO RAA Saxony reported the murder of an older man perceived to have mental health problems.⁴⁸⁶ The NGO Amadeu Antonio Foundation reported two physical assaults against homeless men.⁴⁸⁷

Hungary: The NPC reported a case in which a homeless person was attacked by a group of three people that was investigated as an attempted murder.⁴⁸⁸ No information was provided by NGOs.

Russian Federation: No official data on hate crimes against people with disabilities or against people from other groups were reported to ODIHR. The NGO SOVA Centre for Information and Analysis reported six murders of homeless people and two cases of physical assaults against homeless people.⁴⁸⁹ The NGO A World Without Nazism reported four murders of homeless men, including one case where a man was burned alive at the entrance of an apartment building; and one case of serious physical assault, involving gasoline being poured on a homeless man's feet and set on fire.⁴⁹⁰

Spain: No official data on hate crimes against people with disabilities or against people from other groups were reported to ODIHR. The NGO Movement Against Intolerance reported one murder of a homeless man and a further physical assault against a homeless man.⁴⁹¹

⁴⁸² Belgium, Canada, Croatia, Cyprus, Finland, France, Georgia, Germany, Latvia, Moldova, Netherlands, Serbia, United Kingdom and the United States.

⁴⁸³ Germany, Russian Federation, Spain and Switzerland.

⁴⁸⁴ Information from the Finnish NPC, *op. cit.*, note 150.

⁴⁸⁵ Information from the German NPC, *op. cit.*, note 363.

⁴⁸⁶ Information received from RAA Saxony, 14 March 2013.

⁴⁸⁷ Information from Amadeu Antonio Foundation, *op. cit.*, note 153.

⁴⁸⁸ Questionnaire from the Hungarian NPC, *op. cit.*, note 122.

⁴⁸⁹ Information from SOVA Centre for Information and Analysis, *op. cit.*, note 177.

⁴⁹⁰ Information from A World Without Nazism, *op. cit.*, note 170.

⁴⁹¹ Information received from Movement Against Intolerance, *op. cit.*, note 185.

Switzerland: No official data on hate crime against people with disabilities or against people from other groups were reported to ODIHR. The Foundation against Racism and Anti-Semitism reported a physical assault against a male wheelchair user causing him to fall out of his chair and causing serious injury.⁴⁹²

United Kingdom: Official law-enforcement figures in England, Wales and Northern Ireland record 1,853 crimes motivated by bias against people with disabilities.⁴⁹³ No information was provided by NGOs.

⁴⁹² Information from Foundation against Racism and Anti-Semitism, “Chronologie”, *op. cit.*, note 187.

⁴⁹³ Questionnaire from the UK NPC, *op. cit.*, note 196.

Key Resolutions and statements from international organizations

During the country visit by Nils Muižnieks, the Commissioner for Human Rights of the Council of Europe, to the Czech Republic, the Commissioner encouraged authorities to extend the protection of hate crime provisions to ensure that bias motivation based on disability is included as an aggravating circumstance for sentencing.⁴⁹⁴

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

ODIHR and the European Network of Independent Living co-organized a training seminar for people with disabilities in Dublin in May, which was attended by 25 participants from Armenia, Belarus, Bulgaria, France, Greece, Ireland, Italy, Latvia, Norway, Poland, Spain, Sweden and the United Kingdom. A second seminar was held in Oslo for participants from the Nordic region in 2012, and 20 participants attended. The seminars raised awareness about disability hate crime and focused on strategies for recognizing and monitoring disability hate incidents.

⁴⁹⁴ “Report by Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, following his visit to Czech Republic on 12-15 November 2012”, Council of Europe, CommDH(2013)1, p. 19, *op. cit.*, note 119.

PART III - RECOMMENDATIONS

The purpose of this report is to present information, data and good practices regarding hate crimes. As the content of this report demonstrates, there is still much to be accomplished. Participating States may, therefore, benefit from a number of standing recommendations that could help guide them in improving their national legal systems and in providing tools to help them fulfil their commitments.

The following recommendations closely follow those set out in previous reports, which remain valid. Overall, the recommendations reflect key contributions made by participants at OSCE human dimension events in recent years. They also draw on the experience gathered by ODIHR over the past six years of activity in the field, working with governmental and non-governmental actors. In some instances, the recommendations present good practices that have been implemented with success in one or more participating States and that might also produce positive results if replicated elsewhere. Fuller details and examples of such practices are available on the TANDIS website.⁴⁹⁵

Data collection

The lack of accurate, comprehensive data on hate crimes undermines the ability of states to understand fully and to deal effectively with the problem of hate crime.

OSCE participating States should:

- Collect, maintain and make public reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, in line with Decision 9/09 of the OSCE Ministerial Council.⁴⁹⁶ Such data and statistics should include the number of cases reported to law-enforcement authorities, the number of cases prosecuted and the sentences imposed. Where data-protection laws restrict collection of data on victims, states should consider methods for collecting data that are in compliance with such laws;
- Consider creating systems for data collection that separate hate crimes from other crimes and that disaggregate bias motivations; and
- Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents states from devising efficient policies.

⁴⁹⁵ See the TANDIS website, *op. cit.*, note 129.

⁴⁹⁶ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

Legislation

Adoption of adequate legislation to define and punish hate crimes is a key first step in addressing the problem. Participating States should:

- Enact, where appropriate, specific, tailored legislation to combat hate crime, in line with Decision 9/09 of the OSCE Ministerial Council,⁴⁹⁷ providing for effective penalties that take into account the gravity of such crimes; and
- Review existing legislation as appropriate to ensure, in particular, that there is specific provision for hate crimes to be subject to enhanced sentencing. The ODIHR publication *Hate Crime Laws – A Practical Guide* could serve as a reference tool for such reviews.⁴⁹⁸

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;⁴⁹⁹
- 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;⁵⁰⁰
- Providing adequate security to vulnerable communities and investing in necessary resources to protect vulnerable community institutions and places of worship, cemeteries, faith-based schools and religious heritage sites;
- Ensuring that individuals and groups can exercise their rights to freedom of expression, association and peaceful assembly in safety and without discrimination;
- Conducting awareness-raising and education efforts, particularly with law-enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰¹
- Encouraging systems of reporting by third parties for victims who are unable or unwilling to report hate crimes directly to police and criminal-justice agencies;

⁴⁹⁷ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

⁴⁹⁸ *Hate Crime Laws: A Practical Guide*, *op. cit.*, note 29.

⁴⁹⁹ OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

⁵⁰⁰ *Ibid.*

⁵⁰¹ *Ibid.*

- 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 present evidence of bias motivation;
- Making use of ODIHR's programme on Training against Hate Crimes for Law Enforcement;
- Building better relationships between criminal-justice agencies and victim groups, with a view to encouraging victims to report hate crimes and witnesses to contribute to solving and prosecuting hate crimes;
- Diversifying membership of law-enforcement and prosecution agencies, so as to increase representation minority groups;
- Developing and implementing targeted prevention programmes and initiatives to combat hate crimes; and
- Drawing on resources developed by ODIHR in the area of education, training and awareness-raising to ensure a comprehensive approach to the tackling of hate crime.

Co-operation with civil society

Civil society organizations are particularly well placed to supplement participating States' activities to address hate crime, especially through monitoring incidents and assisting victims. ODIHR will, therefore, continue to strengthen its co-operation with NGOs active in hate crime monitoring, recording and reporting as one important source of information about hate crime developments in participating States. States can also benefit from increasing co-operation with civil society in a number of ways.

OSCE participating States should consider:

- Exploring methods for facilitating the contribution of civil society to combating hate crime;
- Conducting outreach and education with communities and civil society groups in order to increase confidence in law-enforcement agencies and to encourage better reporting of hate crimes;
- Encouraging and supporting civil society organizations in providing assistance to victims;
- Supporting efforts, in co-operation with civil society, to counter incitement to imminent violence and hate crimes, including through the Internet, while respecting freedom of expression; and
- Creating local partnerships between civil society and law-enforcement agencies to report regularly on issues of concern and follow-up on incidents. This can also serve as an early warning of rising tensions and enable proper resource allocation.

Programmatic activities

Participating States, NGOs, the OSCE and other IGOs all have important roles to play – individually and collaboratively – in developing activities and projects aimed at countering hate crimes. Many initiatives that could serve as models or inspiration for other participating States or organizations are already underway around the OSCE region. Types of activities that could be considered for implementation include:

- Exploring ways to provide victims of hate crimes with access to counselling, legal and consular assistance, as well as effective access to justice, in line with Decision 9/09 of the OSCE Ministerial Council;⁵⁰²
- Public-awareness raising, including ensuring that the public understands the nature and scope of hate crimes, and encouraging the public to report offences and assist law-enforcement bodies in apprehending and prosecuting offenders;
- Fostering the establishment of national institutions or specialized bodies, the development and implementation of national strategies and action plans in this field, and the promotion of inter-ethnic and inter-cultural dialogue, including in its religious dimension;
- Implementing comprehensive education programmes that promote tolerance, anti-discrimination and human rights, and that confront prejudice and stereotypes in pre-school, primary, secondary and post-secondary schools;
- Making use of educational materials such as ODIHR's *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education* and ODIHR's *Addressing Anti-Semitism: Why and How, a Guide for Educators*;
- Supporting the use of telephone hotlines for victims of hate crimes to report the crimes and seek resources for assistance and support; and
- Encouraging public discourse aimed at preventing and responding to hate crimes.

⁵⁰² OSCE Ministerial Council, Decision No. 9/09, *op. cit.*, note 3.

Enhancing OSCE activities

The OSCE was one of the first international organizations to recognize explicitly the impact of hate crimes and take steps to improve responses to this problem. In order to continue improving the support OSCE institutions provide to participating States in this field, further specific steps could be considered, including:

- Inviting ODIHR to organize workshops on hate crimes with government officials to help them better co-operate with National Contact Points on Hate Crimes and to improve reporting of these crimes in line with OSCE commitments;
- Supporting the development by ODIHR of a standardized model for the improved reporting and recording of hate crimes, in co-operation with relevant officials and civil society organizations;
- Supporting ODIHR's continuing efforts to work closely with NGOs to create an improved network for gathering data throughout the OSCE region;
- Tasking ODIHR with the compilation of a collection of good practices in projects to combat hate crimes in order to assist participating States and NGOs in selecting and developing appropriate activities and programmes;
- Encouraging OSCE field operations, as part of their human dimension mandate, to contribute more actively to the collection of information and data on hate crimes within their areas of operation; and
- Seeking opportunities to address the problem of the increasing use of the Internet to advocate views constituting incitement to bias-motivated violence, including hate crimes and, in so doing, to reduce the harm caused by the dissemination of such material, while ensuring that any relevant measures taken are in line with OSCE commitments, in particular with regard to freedom of expression.

PART IV – COUNTRY-BY-COUNTRY OVERVIEW

Participating State	ALBANIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (State Police, Department of Crime Investigation, Department of Public Security)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	-
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	Law-enforcement agency/police Ministry of Justice
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	No
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ANDORRA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Ministry of Justice
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	“Race”/colour Ethnicity/national origin/national minority Sexual orientation
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-

- Attacks on places of worship	-
- Vandalism	Interior Ministry
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The data are used by the government once the case is delivered for judicial disposition.
Availability of data	
- Public	Yes. The data are available to the public in two ways: information on judicial sentences (http://www.justicia.ad) and press releases on the police website (http://www.policia.ad).
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ARMENIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Ombudsman's Office
Bias motivation determined by	Other: As provided by law
Bias motivations recorded based on	NA (There were no hate crimes registered.)
Multiple bias	No
Classification by type of crime	Yes
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	Yes The data are summarized annually.
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	AUSTRIA
Number of cases in 2012	
- Recorded by police	90
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (The Provincial Agencies for State Protection and Counter Terrorism and the Federal Agency for State Protection and Counter Terrorism (BVT) within the Interior Ministry) Ministry of Justice
Bias motivation determined by	Victim Offender
Bias motivations recorded based on	“Xenophobic/racist” includes: - Race/colour - Ethnicity/national origin/minority - Citizenship Other: Offences based on right-wing extremism <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Interior Ministry Law-enforcement agency
Use of data	Data are used for detailed statistics, analyses and information supporting measures taken by the authorities to implement legislation and outline preventative strategies. The information is gathered by the Federal Agency for State Protection and Counter Terrorism.
Availability of data	
- Public	Yes Data are published in the <i>Annual Security Report</i> (http://www.parlament.gv.at/ENGL) and the <i>Annual State Protection Report</i> (http://www.bmi.gv.at/cms/bmi_verfassungsschutz/).
- 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	
Practical initiatives	-
Participating State	AZERBAIJAN
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-

Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Religion
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	No
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	BELARUS
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Victim Law-enforcement officer Offender
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Interior Ministry Prosecutor's Office
- Attacks on places of worship	Interior Ministry
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	BELGIUM
Number of cases in 2012	
- Recorded by police	614 (first semester)
- Prosecuted	893
- Sentenced	66
Information last updated?	2012

Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Intelligence agency Statistical Office Centre for Equal Opportunities and Opposition to Racism (CEOOR)
Bias motivation determined by	Victim Law-enforcement agencies
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Sex/gender Wealth, political conviction, social origin, state of health <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Prosecutor's Office CEOOR
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	CEOOR
- Vandalism	Prosecutor's Office CEOOR
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The police, local authorities, local discrimination agencies and the CEOOR use the information to better understand hate crimes and improve institutional responses.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	Prosecution of a homophobic murder of a man coming out of a gay nightclub; Arson of a mosque.
Practical initiatives	-

Participating State	BOSNIA AND HERZEGOVINA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agencies/police

	Intelligence Agency Prosecutor's Office Ministry of Justice Statistical Office
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	Ethnicity/national origin/minority Religion
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Interior Ministry Prosecutor's Office Statistical Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used to help shape future activities and institutional responses for preventing and combating hate crime.
Availability of data	-
- Public	Yes
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	BULGARIA
Number of cases in 2012	
- Recorded by police	Not yet available
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Central Police Statistics) Prosecutor's Office Judicial Bodies National Agency for State Security
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Race/ colour Ethnicity/ national origin/ minority Religion <u>Specific categories:</u> Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-

- Vandalism	-
- Threats/threatening behaviour	-
Use of data	Data are used in preparatory work to amend legislation and collect data on hate crimes.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CANADA
Number of cases in 2012	
- Recorded by police	Not yet available
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Statistical offices (Police-reported hate crime data are collected by Statistics Canada, Canadian Centre for Justice Statistics Self-reported victimization data on hate crimes are collected by Statistics Canada, Social and Aboriginal Statistics Division.)
Bias motivation determined by	Victim (for victimization data) Law-enforcement officer Offender
Bias motivations recorded based on	Race/colour (includes broad categories of national or ethnic origin, Aboriginal, Arab/West Asian, Black, East and Southeast Asian, South Asian, white, multiple races/ethnicities) Language Religion Sexual orientation Transgender Mental or physical disability Sex/gender Age <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes (Anti-Catholic crimes)
Multiple bias	No
Classification by type of crime	Police-reported hate crime data are collected on close to 200 crime classifications. Victimization data on hate crimes are recorded for eight types of crime: sexual assault, robbery, assault, breaking and entering, theft of personal property, theft of household property, theft of motor vehicle or parts, and vandalism.
- Homicide	Statistical office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Analytical reports and data tables are produced by Statistics Canada and available on its website

	(www.statcan.gc.ca).
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CROATIA
Number of cases in 2012	
- Recorded by police	Not yet available
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (General Police Directorate, Criminal Police Directorate, Sector for General Crimes Terrorism and War, Anti-Terrorism Department) Prosecutor's Office Ministry of Justice Government of the Republic of Croatia, Office for Human Rights and the Rights of National Minorities
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion Sexual orientation Disability Sex/gender <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Ministry of Justice
- Physical assault	-
- Damage to property	Interior Ministry Prosecutor's Office Ministry of Justice
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	Interior Ministry Prosecutor's Office Ministry of Justice
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data on hate crimes are used by police for plans of action and prevention. Data are shared with NGOs and international organizations, upon request.

Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CYPRUS
Number of cases in 2012	
- Recorded by police	12
- Prosecuted	7
- Sentenced	0
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (Office for Combating Discrimination of the Police Headquarters)
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Disability Sex/gender Other: Age, political beliefs
Multiple bias	Yes
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
- Other	Three categories: against person; against property; and hate speech
Use of data	Data are reported to NGOs, governmental agencies and other national or international bodies.
Availability of data	
- Public	Yes
- Only upon request	Yes Data are available after the completion of the year in question. Exceptions are made for specific cases.
- Restricted to authorities	Yes Personal data
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	CZECH REPUBLIC
Number of cases in 2012	
- Recorded by police	173 (including 16 crimes involving violence against people or property)
- Prosecuted	289
- Sentenced	158
Information last updated?	2012
Are data collected?	Yes

Authorities responsible for data collection	Law-enforcement agency/police (Informatics and Analytical Centre of the Criminal Police and Investigation Service of the Police Presidium) Prosecutor's Office (Analytical and Legislative Department of the Supreme Public Prosecutor's Office) Ministry of Justice (Informatics Department of the Ministry of Justice)
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Religion Sex/gender Other: Social and tactical point of view <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency/police Prosecutor's Office Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Ministry of Justice
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	-
Use of data	Crime prevention programmes organized by Ministry of Interior, Office of Government
Availability of data	
- Public	Yes Annual report <i>Information on the Issue of Extremism in the Czech Republic</i> (http://www.mvcr.cz) Also available through crime statistics: <i>A Statistical Survey of Criminality in the Czech Republic</i> is published monthly by the Czech Republic Police Presidium Informatics and Analytical Centre (http://www.policie.cz/clanek/policie-cr-web-informacni-servis-statistiky-statisticke-prehledy.aspx)
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	DENMARK
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Intelligence Agency (Security and Intelligence Service) Prosecutors Office
Bias motivation determined by	Prosecution

Bias motivations recorded based on	Race/Colour Religion Sexual orientation Other: Political ideology
Multiple bias	No
Classification by type of crime	
- Homicide	Intelligence Agency
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The Security and Intelligence Service monitors data to assess organized criminal activity rooted in racism, xenophobia, etc.
Availability of data	
- Public	Yes The Security and Intelligence Service publishes annual reports (https://www.pet.dk/Publikationer/RACI-indberetning.aspx).
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ESTONIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice
Bias motivation determined by	Law-enforcement
Bias motivations recorded based on	Race/colour
Multiple bias	No
Classification by type of crime	No
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	The data are used for policy proposals and legislative purposes.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	FINLAND
Number of cases in 2012	
- Recorded by police	1099 in 732 reports

- Prosecuted	38
- Sentenced	12
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Police College of Finland, National Research Institute of Legal Policy Interior Ministry Prosecutor's Office Ministry of Justice Statistical Office (Statistics Finland)
Bias motivation determined by	Victim Law-enforcement Offenders Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Language Citizenship Religion Sexual orientation Transgender Disability <u>Specific categories:</u> Anti-Semitic Anti-Muslim Anti-Christian
Multiple bias	Yes
Classification by type of crime	Yes
- Homicide	Interior Ministry Police College of Finland, National Research Institute of Legal Policy
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Reports are used for training purposes and in anti-discrimination work.
Availability of data	
- Public	Yes The Police College of Finland publishes annual research on hate crimes, based on police reports.
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	FRANCE
Number of cases in 2012	
- Recorded by police	Not yet available
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice Human Rights Defender
Bias motivation determined by	Victim

	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Disability Sex/gender Other: Political conviction, state of health <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	Ministry of Justice
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used for the development of reports submitted to international organizations.
Availability of data	-
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GEORGIA
Number of cases in 2012	
- Recorded by police	13
- Prosecuted	5
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information and Analytical Department) Prosecutor's Office (Chief Prosecutor's Officer) Statistical Office Supreme Court (Statistical Department of the Supreme Court)
Bias motivation determined by	Victim Law-enforcement officer Offender
Bias motivations recorded based on	Race/colour Religion Disability
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Supreme Court
- Physical assault	<i>Ibid.</i>
- Damage to property	-
- Desecration of graves	Interior Ministry Supreme Court

- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Interior Ministry Supreme Court
Use of data	
Availability of data	
- Public	Yes Interior Ministry website (http://www.police.ge) Main Prosecutor's Office website (http://www.psg.gov.ge) Supreme Court website (http://www.supremecourt.ge)
- Only upon request	Yes
- Restricted to authorities	Personal data
Legislative developments	Hate crime amendments adding a general aggravating circumstance for bias motivation that can increase the penalty for any crime in the Penal Code.
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GERMANY
Number of cases in 2012	
- Recorded by police	4,514 (including 524 violent crimes)
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (State security agencies of the local police, Land Criminal Police Offices, Federal Criminal Police Office)
Bias motivation determined by	Law-enforcement officer Court Prosecution
Bias motivations recorded based on	Race/colour Xenophobia Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Other: Appearance, social status <u>Specific categories:</u> Anti-Semitic crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The data are analyzed to determine police approaches to combating hate crimes. This analysis is also used to assess the security

	situation.
Availability of data	
- Public	Yes
- Only upon request	Yes Information can be made public within the framework of responses by the government to parliamentary questions.
- Restricted to authorities	Yes Personal data regarding the victim, accused and/or offender are withheld from the public.
Legislative developments	No
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	GREECE
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	1
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office Ministry of Justice
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Religion <u>Specific categories:</u> Anti-Semitism Anti-Muslim
Multiple bias	Yes
Classification by type of crime	Yes
- Homicide	Prosecutor's Office Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	No
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	HOLY SEE
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	HUNGARY
Number of cases in 2012	
- Recorded by police	36
- Prosecuted	16
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office
Bias motivation determined by	Victim Offender Prosecution
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	Yes
- Homicide	Law-enforcement agency/police Prosecutor's Office
- Physical assault	Prosecutor's Office
- Damage to property	Law-enforcement agency/police Prosecutor's Office
- Desecration of graves	Prosecutor's Office
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	2 racist attacks and an attack on a homeless man
Practical initiatives	Law-enforcement training of specialized hate crime

	units in co-operation with ODIHR
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Participating State	ICELAND
Number of cases in 2012	
- Recorded by police	6
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement/police Other: The National Police Commissioner of Iceland
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Anti-Muslim
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	Law-enforcement/police The National Police Commissioner of Iceland
- Vandalism	-
- Threats/threatening behaviour	Law-enforcement/police The National Police Commissioner of Iceland
Use of data	Data available as part of published general crime statistics
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	IRELAND
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Ministry of Justice Statistical Office
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Any other person
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Disability
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency/police

- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with various governmental departments and agencies.
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	Yes. Personal data regarding the victim, accused and/or offender are withheld from the public.
Legislative developments	-
Examples of hate crimes	-
Practical initiatives	-

Participating State	ITALY
Number of cases in 2012	
- Recorded by police	71
- Prosecuted	Not available
- Sentenced	10
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police Interior Ministry Ministry of Justice
Bias motivation determined by	Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Religion Citizenship <u>Specific categories:</u> Anti-Semitism
Multiple bias	No
Classification by type of crime	
- Homicide	Law enforcement/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	Law enforcement/ Police
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	No
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	A number of training and capacity development activities with law enforcement.

Participating State	KAZAKHSTAN
Number of cases in 2012	
- Recorded by police	58
- Prosecuted	-
- Sentenced	12
Information last updated?	2012

Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office National Security Committee (KNB)
Bias motivation determined by	Victim Law-enforcement officer Offender Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	Interior Ministry
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Information about hate crimes is presented to executive and legislative bodies and to others upon request.
Availability of data	
- Public	Yes (through the General Prosecutor's Office website)
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	KYRGYZSTAN
Number of cases in 2012	
- Recorded by police	46
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Religion
Multiple bias	-
Classification by type of crime	
- Homicide	Interior Ministry
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	The government uses statistical data for policy purposes.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No

Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	LATVIA
Number of cases in 2012	
- Recorded by police	18
- Prosecuted	2
- Sentenced	2
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police Ministry of Justice (Courts Administration) General Prosecutor's Office (Department of Management and Analysis) Other: The Security Police of the Republic of Latvia
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Language Citizenship Sex-gender Sexual orientation Transgender Disability <u>Specific categories:</u> Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Ministry of Justice Law-enforcement agency/police
- Physical assault	Ministry of Justice
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	Ministry of Justice Law-enforcement agency/police
Use of data	The Prosecutor's Office uses data to analyze internal performance. Data are also used to combat hate crimes and discrimination.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	Yes Operational data for intelligence gathering and security assessment.
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	LIECHTENSTEIN
Number of cases in 2012	
- Recorded by police	-

- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency (Criminal Investigation Division)
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Sexual orientation Sex/gender Other: Political position <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Law-enforcement agency
Use of data	Data are submitted to the Interior Ministry and used for intelligence gathering and assessment of the security situation.
Availability of data	
- Public	Yes An annual report on hate crime data, prevention activities and right-wing extremism (http://www.respect-bitte.li ; http://www.landespolizei.li/)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	LITHUANIA
Number of cases in 2012	
- Recorded by police	7
- Prosecuted	2
- Sentenced	2
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police (Police Department under the Ministry of the Interior) Prosecutor's Office (General Prosecutor's Office) Court
Bias motivation determined by	Law-enforcement officer Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion

	Sexual orientation
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency Prosecutor's Office
- Physical assault	Law-enforcement agency Prosecutor's Office Court
- Damage to property	Law-enforcement agency Prosecutor's Office
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are used to inform make decisions about amendments to legislation and to improve law-enforcement activities.
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	Physical assault of a Filipino man and his Lithuanian wife on racist grounds
Practical initiatives	The 2012-2014 inter-governmental non-discrimination action plan began implementation, which includes the Interior Ministry collecting, preparing and regularly publishing data on hate crimes.

Participating State	LUXEMBOURG
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement agency/ Police, Prosecutors Office, Ministry of Justice
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	No
Authorities responsible for data collection	-
Bias motivation determined by	-
Victim groups recorded	-
Multiple bias	-
Classification by types of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks against places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MALTA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes /incidents	-
Practical initiatives	-

Participating State	MOLDOVA
Number of cases in 2012	
- Recorded by police	3
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information Centre) Law enforcement/police Prosecutor's Office (Department of Organization and Inspection) Ministry of Justice Statistical Office (The National Bureau of Statistics)
Bias motivation determined by	Victim Law-enforcement officer Offender
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Disability Sex/gender <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Statistical Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are analysed and used for strategic planning in combating crime. Data are also communicated to NGOs during public meetings.
Availability of data	
- Public	Yes, as part of general crime statistics published monthly on the websites of the Interior Ministry (http://www.mai.gov.md) and the General Prosecutor (http://www.procuratura.md)
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MONACO
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	
Authorities responsible for data collection	-
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	MONGOLIA
Number of cases in 2012	
- Recorded by police	
- Prosecuted	
- Sentenced	
Information last updated?	-
Are data collected?	
Authorities responsible for data collection	
Bias motivation determined by	
Bias motivations recorded based on	
Multiple bias	
Classification by type of crime	
- Homicide	
- Physical assault	
- Damage to property	
- Desecration of graves	
- Attacks on places of worship	
- Vandalism	
- Threats/threatening behaviour	
Use of data	
Availability of data	
- Public	
- Only upon request	
- Restricted to authorities	
Legislative developments	
Examples of hate crimes/incidents	
Practical initiatives	

Participating State	MONTENEGRO
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office Statistical Office Supreme Court
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Supreme Court
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	NETHERLANDS
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2010
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office (National Expertise Centre on Discrimination of the Office of the Public Prosecutor – LECD-OM) Law enforcement/police (Police Academy National Expertise Centre on Diversity – LECD Police) NGO Hotline Discrimination on the Internet (MDI)
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Disability Sex/gender <u>Specific categories:</u> Anti-Semitic crimes Anti-Roma crimes Anti-Muslim crimes

	Anti-Christian crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Prosecutor's Office Law enforcement/police
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Prosecutor's Office Law enforcement/police
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The report is intended to provide an overview to the Public Prosecutor's Office, Ministry of Justice and police. It is shared with some NGOs.
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	NORWAY
Number of cases in 2012	
- Recorded by police	216
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Ministry of Justice and Public Security
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Transgender identity
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	To understand targeted communities; to design programmes to prevent and combat hate crimes; to raise public awareness.
Availability of data	
- Public	Yes
- Only upon request	-
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	POLAND
Number of cases in 2012	
- Recorded by police	266
- Prosecuted	43
- Sentenced	24
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Human Rights Protection Team of the Department of Control, Complaints and Petitions) ; Law-enforcement agency/police (General Police Headquarters and the Internal Security Agency) Prosecutor's Office (Preparatory Proceedings Office of General Prosecutor's Office) Ministry of Justice (Statistics Division) Other: Ombudsman's Office (Constitutional and International Law Department, Penal Law Department)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court Other: Private person or institution reporting the crime
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion Other: Non-belief and political affiliation <u>Specific categories:</u> Anti-Semitic crimes Anti-Roma crimes Anti-Muslim crimes Anti-Christian crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency Prosecutor's Office Ministry of Justice Ombudsman's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	For prosecution case-handling efficiency; for preventative police measures; for identifying training needs for police and prosecutors; for assessment of human rights' issues related to discrimination.
Availability of data	
- Public	Yes, as part of general crime statistics prepared by National Prosecutor's Office (http://www.pg.gov.pl/) and as part of Ombudsman's report on countering violence based on races, ethnicity and national origin. (www.rpo.gov.pl)
- Only upon request	Yes (Data collected by the Interior Ministry and

	Administration, the Police and the Attorney General's Office)
- Restricted to authorities	Yes Personal data regarding the victim, accused and/or offender and data about the incident, case details and course of proceedings are withheld from the public.
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	PORTUGAL
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	No
Authorities responsible for data collection	Prosecutor's Office Ministry of Justice
Bias motivation determined by	Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Transgender <u>Specific categories:</u> Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	Yes
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	ROMANIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (subordinated to the Ministry of Administration and Interior) Prosecutor's Office Other: The Superior Council of the Magistracy
Bias motivation determined by	Law-enforcement officer Prosecutor Court
Bias motivations recorded based on	-
Multiple bias	No

Classification by type of crime	
- Homicide	Prosecutor's Office The Superior Council of the Magistracy
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Prosecutor's Office The Superior Council of the Magistracy
Use of data	Data from the Prosecutor's Office are available to the public.
Availability of data	
- Public	Yes
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	RUSSIAN FEDERATION
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Statistical Office
Bias motivation determined by	Prosecution Court
Bias motivations recorded based on	Citizenship Religion
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	
Availability of data	
- Public	Yes
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SAN MARINO
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	-
Are data collected?	-
Authorities responsible for data collection	-

Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	-
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SERBIA
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	39
- Sentenced	37
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Prosecutor's Office
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecutor Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Language Religion Sexual orientation Transgender Disability Sex/gender Other: Political, based on profession <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The Prosecutor's Office, uses hate crime data for the analysis of prosecutions.

Availability of data	
- Public	Yes Through annual report of Prosecutor's Office on general crime statistics
- Only upon request	No
- Restricted to authorities	Confidential data
Legislative developments	-
Examples of hate crimes/incidents	Property damage to Kingdom Hall of Jehovah's Witnesses
Practical initiatives	-

Participating State	SLOVAK REPUBLIC
Number of cases in 2012	
- Recorded by police	102
- Prosecuted	
- Sentenced	16
Information last updated?	2009
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Ministry of Justice NGOs
Bias motivation determined by	Offender
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Language Religion
Multiple bias	Yes
Classification by type of crime	
- Homicide	Interior Ministry Prosecutor's Office Ministry of Justice
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes Annual statistical yearbook of the Ministry of Justice
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SLOVENIA
Number of cases in 2012	
- Recorded by police	
- Prosecuted	
- Sentenced	
Information last updated?	2011
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Ministry of Justice
Bias motivation determined by	Law-enforcement officer Offender
Bias motivations recorded based on	Ethnicity/national origin/national minority

	Citizenship Sex/gender
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law-enforcement agency
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	
- Public	Yes Police annual and semi-annual reports (http://www.policija.si/index.php/statistika)
- Only upon request	Yes
- Restricted to authorities	Yes Personal data regarding the victim, accused and/or offender and data about the incident are withheld from the public.
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	SPAIN
Number of cases in 2012	
- Recorded by police	261
- Prosecuted	
- Sentenced	
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police
Bias motivation determined by	Victim Law-enforcement officer
Bias motivations recorded based on	Ethnicity/national origin/national minority <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	-
- Physical assault	Law-enforcement agency
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	Law-enforcement agency
Use of data	Data are used for intelligence-gathering and statistical purposes.
Availability of data	
- Public	Yes published annually on the website of the <i>Council for the Promotion of Equal Treatment and non Discrimination</i>
- Only upon request	
- Restricted to authorities	
Legislative developments	-

Examples of hate crimes/incidents	-
Practical initiatives	Training for police officers at the regional and local levels; publication of a hate crime training manual.

Participating State	SWEDEN
Number of cases in 2012	
- Recorded by police	5,518
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law-enforcement agency/police Prosecutor's Office Specialized body (National Council for Crime Prevention)
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sexual orientation Transgender <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian Anti-Roma crimes Crimes against Afro-Swedes
Multiple bias	No
Classification by type of crime	
- Homicide	Law-enforcement agency National Council for Crime Prevention
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	Law-enforcement agency National Council for Crime Prevention
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	-
Availability of data	-
- Public	Yes: Website of the Swedish Council for Crime Prevention. A summary of the 2011 hate crime statistics is available in English at: < http://www.bra.se/download/18.1ff479c3135e8540b29800020067/2012_Hate_crime_2011_summary.pdf >
- Only upon request	Yes
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	A number of programmes aimed at improving victim support, training police and public outreach activities.

Participating State	SWITZERLAND
Number of cases in 2012	
- Recorded by police	181
- Prosecuted	20
- Sentenced	15
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Swiss Federal Statistical Office Federal Commission against Racism
Bias motivation determined by	Victim Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Citizenship Religion <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Christian crimes Anti-Roma crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Swiss Federal Statistical Office Federal Commission against Racism
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are available to the public.
Availability of data	
- Public	Yes Website of the Commission Against Racism (http://www.ekr.admin.ch) Website of the Service for Combating Racism: (http://www.edi.admin.ch/)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	TAJIKISTAN
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Prosecutor's Office Ministry of Justice Council of Justice Drugs Control Agency Supreme Court of the Republic of Tajikistan Agency for State Finance Control and the Fight against Corruption National Safety Committee
Bias motivation determined by	Offender

Bias motivations recorded based on	Race/colour Ethnicity/national origin/national minority Religion Sex/gender <u>Specific categories:</u> Anti-Muslim crimes
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Number of cases in 2009	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Use of data	Data are presented to the Statistics Office.
Availability of data	
- Public	No
- Only upon request	No
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	TURKEY
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	497
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Ministry of Justice (IT Department)
Bias motivation determined by	Offender
Bias motivations recorded based on	-
Multiple bias	No
Classification by type of crime	
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	Ministry of Justice
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	No
- Only upon request	Yes
- Restricted to authorities	Yes
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	TURKMENISTAN
Number of cases in 2012	
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2008
Are data collected?	Yes
Authorities responsible for data collection	Courts
Bias motivation determined by	-
Bias motivations recorded based on	-
Multiple bias	
Classification by type of crime	-
- Homicide	-
- Physical assault	-
- Damage to property	-
- Desecration of graves	-
- Attacks on places of worship	-
- Vandalism	-
- Threats/threatening behaviour	-
Use of data	-
Availability of data	
- Public	-
- Only upon request	-
- Restricted to authorities	-
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	UKRAINE
Number of cases in 2012	
- Recorded by police	3
- Prosecuted	2
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry Law-enforcement agency/police (State Department on Sentence Execution) Statistical office (State Statistics Committee)
Bias motivation determined by	Law-enforcement officer Prosecution Court
Bias motivations recorded based on	Citizenship Sex/gender Age Other
Multiple bias	No
Classification by type of crime	
- Homicide	Interior Ministry Law-enforcement agency Statistical office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with NGOs and presented to executive and legislative bodies.

Availability of data	
- Public	Yes Website of the Interior Ministry (http://www.mvs.gov.ua)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	UNITED KINGDOM
Number of cases in 2012	
- Recorded by police	47,676
- Prosecuted	
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Law enforcement/police Prosecutor's Office (Crown Prosecution Service) Home Office
Bias motivation determined by	Victim Law-enforcement officer Offender Prosecution Court Other: witnesses, civil society, police specialists, family members
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Citizenship Language Religion Sexual orientation Transgender Disability <u>Specific categories:</u> Anti-Semitic crimes Anti-Roma crimes Anti-Muslim crimes Anti-Christian crimes
Multiple bias	Yes
Classification by type of crime	
- Homicide	Law enforcement/police Prosecutor's Office
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are published to provide transparency. They are also shared with public scrutiny groups, both locally and nationally. This allows for the examination of performance and to identify areas of under-reporting.
Availability of data	
- Public	Yes Police data are published on the True Vision website: (http://www.report-it.org.uk/hate_crime_data1) Crown Prosecution Service data covering the period from April-March are available at:

	(http://www.cps.gov.uk/publications/equality/index.html) Scotland data covering the period from April-March are available at: (http://www.crownoffice.gov.uk/images/Documents/Equality_Diversity/Hate%20Crime%20in%20Scotland%202012-13.pdf)
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

Participating State	UNITED STATES
Number of cases in 2012	Not yet available
- Recorded by police	-
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Department of Justice Federal Bureau of Investigation (FBI) Criminal Justice Information Services Division Policy, Administrative and Liaison Branch Liaison, Advisory, Training and Statistics Section Crimes Statistics Management Unit Uniform Crime Reporting Program Hate Crime Data Collection
Bias motivation determined by	Offender
Bias motivations recorded based on	Race Ethnicity/national origin Religion Sexual orientation Disability <u>Specific categories:</u> Anti-Semitic crimes Anti-Muslim crimes Anti-Protestant crimes Anti-Catholic crimes
Multiple bias	No
Classification by type of crime	
- Homicide	Department of Justice FBI Criminal Justice Information Services Division Policy, Administrative and Liaison Branch Liaison, Advisory, Training and Statistics Section Crimes Statistics Management Unit Uniform Crime Reporting Programme Hate Crime Data Collection
- Physical assault	<i>Ibid.</i>
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	<i>Ibid.</i>
- Vandalism	<i>Ibid.</i>
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	Data are shared with the public.
Availability of data	
- Public	Yes Hate crime data are published annually. (http://www.fbi.gov/ucr/ucr.htm)
- Only upon request	Yes

- Restricted to authorities	Yes Personal data regarding the victim and data about the incident are withheld from the public.
Legislative developments	-
Examples of hate crimes	One example of serious racist assault
Practical initiatives	Revision of FBI hate crime monitoring and reporting guide

Participating State	UZBEKISTAN
Number of cases in 2012	
- Recorded by police	4
- Prosecuted	-
- Sentenced	-
Information last updated?	2012
Are data collected?	Yes
Authorities responsible for data collection	Interior Ministry (Information Centre, regional Directorates of Internal Affairs) Law-enforcement agency/police Prosecutor's Office (General Prosecutor's Office) Other: National Security Service
Bias motivation determined by	Victim Prosecution Court
Bias motivations recorded based on	Race/colour Ethnicity/national origin/minority Language Religion Sex/gender
Multiple bias	No
Classification by type of crime	
- Homicide	Prosecutor's Office
- Physical assault	Interior Ministry
- Damage to property	<i>Ibid.</i>
- Desecration of graves	<i>Ibid.</i>
- Attacks on places of worship	
- Vandalism	Interior Ministry
- Threats/threatening behaviour	<i>Ibid.</i>
Use of data	The government uses data for policy-making purposes.
Availability of data	
- Public	No
- Only upon request	No
- Restricted to authorities	No
Legislative developments	-
Examples of hate crimes/incidents	-
Practical initiatives	-

ANNEX A: OSCE commitments pertaining to hate-motivated incidents and crimes

Under Ministerial Council Decision No. 12/04, ODIHR was tasked to: “follow closely anti-Semitic incidents” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims”, and “report its findings to the Permanent Council and the Human Dimension Implementation Meeting and make these findings public”.

Ministerial Council Decisions on participating States’ commitments relating to hate crime:

- “collect, maintain and make public, reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, including the numbers of cases reported to law enforcement, the numbers prosecuted and the sentences imposed. Where data-protection laws restrict collection of data on victims, States should consider methods for collecting data in compliance with such laws” (MC Decision No. 9/09);
- “enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes” (MC Decision No. 9/09);
- “take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents States from devising efficient policies. In this regard, explore, as complementary measures, methods for facilitating the contribution of civil society to combat hate crimes” (MC Decision No. 9/09);
- “introduce or further develop professional training and capacity-building activities for law-enforcement, prosecution and judicial officials dealing with hate crimes” (MC Decision No. 9/09);
- “in co-operation with relevant actors, explore ways to provide victims of hate crimes with access to counselling, legal and consular assistance as well as effective access to justice” (MC Decision No. 9/09);
- “promptly investigate hate crimes and ensure that the motives of those convicted of hate crimes are acknowledged and publicly condemned by the relevant authorities and by the political leadership” (MC Decision No. 9/09);
- “ensure co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent organized hate crime” (MC Decision No. 9/09);
- “conduct awareness raising and education efforts, particularly with law enforcement authorities, directed towards communities and civil society groups that assist victims of hate crimes” (MC Decision No. 9/09);
- “nominate, if they have not yet done so, a national point of contact on hate crimes to periodically report to the ODIHR reliable information and statistics on hate crimes” (MC Decision No. 9/09);

- “consider drawing on resources developed by the ODIHR in the area of education, training and awareness raising to ensure a comprehensive approach to the tackling of hate crimes” (MC Decision No. 9/09);

- “calls on participating States to increase their efforts, in co-operation with civil society to counter the incitement to imminent violence and hate crimes, including through the Internet, within the framework of their national legislation, while respecting freedom of expression, and underlines at the same time that the opportunities offered by the Internet for the promotion of democracy, human rights and tolerance education should be fully exploited” (MC Decision No. 10/07);

- “collect and maintain reliable data and statistics on hate crimes and incidents, to train relevant law enforcement officers and to strengthen co-operation with civil society” (MC Decision No. 10/07);

- “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);

- “[s]trengthen efforts to collect and maintain reliable information and statistics on hate crimes and legislation, to report such information periodically to the ODIHR, and to make this information available to the public and to consider drawing on ODIHR assistance in this field, and in this regard, to consider nominating national points of contact on hate crimes to the ODIHR” (MC Decision No. 10/05);

- “[s]trengthen efforts to provide public officials, and in particular law enforcement officers, with appropriate training on responding to and preventing hate crimes, and in this regard, to consider setting up programmes that provide such training, and to consider drawing on ODIHR expertise in this field and to share best practices” (MC Decision No. 10/05);

- “consistently and unequivocally [speak] out against acts and manifestations of hate, particularly in political discourse” (MC Decision No. 10/05);

- “[c]ombat hate crimes which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the Internet, and appropriately denounce such crimes publicly when they occur” (MC Decision No. 12/04);

- “condemn publicly, at the appropriate level and in the appropriate manner, violent acts motivated by discrimination and intolerance” (MC Decision No. 4/03).

Ministerial Council Decisions relating to hate crime tasked ODIHR to:

- “explore, in consultations with the participating States and in co-operation with relevant international organizations and civil society partners, the potential link between the use of the Internet and bias-motivated violence and the harm it causes as well as eventual practical steps to be taken” (MC Decision No. 9/09);

- “continue its close co-operation with other relevant inter-governmental agencies and civil society working in the field of promoting mutual respect and understanding and combating intolerance and discrimination, including through hate crime data collection” (MC Decision No. 13/06);

- “continue to serve as a collection point for information and statistics on hate crimes and relevant legislation provided by participating States and to make this information publicly available through its Tolerance and Non-Discrimination Information System and its report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region” (MC Decision No. 13/06);

- “strengthen, within existing resources, its early warning function to identify, report and raise awareness on hate-motivated incidents and trends and to provide recommendations and assistance to participating States, upon their request, in areas where more adequate responses are needed” (MC Decision No. 13/06).

Ministerial Council Decisions on participating States’ commitments related to tolerance and non-discrimination:

- “calls on the participating States to seek opportunities to co-operate and thereby address the increasing use of the Internet to advocate views constituting an incitement to bias-motivated violence including hate crimes and, in so doing, to reduce the harm caused by the dissemination of such material, while ensuring that any relevant measures taken are in line with OSCE commitments, in particular with regard to freedom of expression” (MC Decision No. 9/09);

- “urges the participating States to step up their efforts [...] to address the rise of violent manifestations of intolerance against Roma and Sinti as well as to unequivocally and publicly condemn any violence targeting Roma and Sinti, and to take all necessary measures to ensure access to effective remedies, in accordance with national judicial, administrative, mediation and conciliation procedures, as well as to secure co-ordination between responsible authorities at all levels in this regard” (MC Decision No. 8/09);

- “encourages the promotion of educational programmes in the participating States in order to raise awareness among youth of the value of mutual respect and understanding” (MC Decision No. 10/07);

- “calls for a strengthened commitment to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 10/07);

- “encourages participating States to share best practices in their legislation, policies and programmes that help to foster inclusive societies based on respect for cultural and religious diversity, human rights and democratic principles” (MC Decision No. 10/07);
- “encourages the establishment of national institutions or specialized bodies by the participating States which have not yet done so, to combat intolerance and discrimination as well as the development and implementation of national strategies and action plans in this field, drawing on the expertise and assistance of the relevant OSCE institutions, based on existing commitments, and the relevant international agencies, as appropriate” (MC Decision No. 10/07);
- “reject and condemn manifestations of racism, xenophobia, anti-Semitism, discrimination and intolerance, including against Christians, Jews, Muslims and members of other religions, as well as violent manifestations of extremism associated with aggressive nationalism and neo-Nazism, while continuing to respect freedom of expression” (MC Decision No. 10/07);
- “engage more actively in encouraging civil society’s activities through effective partnerships and strengthened dialogue and co-operation between civil society and State authorities in the sphere of promoting mutual respect and understanding, equal opportunities and inclusion of all within society and combating intolerance, including by establishing local, regional or national consultation mechanisms where appropriate” (MC Decision No. 13/06);
- “[reject] the identification of terrorism and violent extremism with any religion or belief, culture, ethnic group, nationality or race” (MC Decision No. 10/05);
- “encourage public and private educational programmes that promote tolerance and non-discrimination, and raise public awareness of the existence and the unacceptability of intolerance and discrimination, and in this regard, to consider drawing on ODIHR expertise and assistance in order to develop methods and curricula for tolerance education” (MC Decision No. 10/05);
- “promote, as appropriate, educational programmes for combating anti-Semitism” and to “[p]romote remembrance of and, as appropriate, education about the tragedy of the Holocaust, and the importance of respect for all ethnic and religious groups” (MC Decision No. 12/04);
- “examine the possibility of establishing within countries appropriate bodies to promote and to combat racism, xenophobia, discrimination or related intolerance, including against Muslims, and anti-Semitism” (MC Decision No. 12/04);
- “ensure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies” and “seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief” (MC Decision No. 4/03);
- “promote implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 4/03);

- “recogniz[e] the importance of legislation regarding crimes fuelled by intolerance and discrimination, and, where appropriate, seek the ODIHR’s assistance in the drafting and review of such legislation” (MC Decision No. 4/03);

- “condemn[s] the recent increase in acts of discrimination and violence against Muslims in the OSCE area and rejects firmly the identification of terrorism and extremism with a particular religion or culture” (MC Decision No. 6/02);

- “condemn[s] in strongest terms all manifestations of aggressive nationalism, racism, chauvinism, xenophobia, anti-Semitism and violent extremism, as well as hate speech and occurrences of discrimination based on religion or belief” (MC Decision No. 6/02);

- “deplore violence and other manifestations of racism and discrimination against minorities, including the Roma and Sinti” (Istanbul Summit Declaration, 1999);

- “reconfirm their condemnation of all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, continue to take effective measures to this end” (CSCE Budapest Document, 1994);

- “condemn all acts of discrimination on the ground of race, colour and ethnic origin, intolerance and xenophobia against migrant workers. They will, in conformity with domestic law and international obligations, take effective measures to promote tolerance, understanding, equality of opportunity and respect for the fundamental human rights of migrant workers and adopt, if they have not already done so, measures that would prohibit acts that constitute incitement to violence based on national, racial, ethnic or religious discrimination, hostility or hatred” (Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, 1991);

- “express [their] determination to combat all forms of racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds” (Charter of Paris for a New Europe, 1990);

- “clearly and unequivocally condemn totalitarianism, racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds. In this context, they also recognize the particular problems of Roma (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “take effective measures, including the adoption, in conformity with their constitutional systems and their international obligations, of such laws as may be necessary, to provide protection against any acts that constitute incitement to violence against persons or groups based on national, racial, ethnic or religious discrimination, hostility or hatred, including anti-Semitism” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “take appropriate and proportionate measures to protect persons or groups who may be subject to threats or acts of discrimination, hostility or violence as a result of their racial, ethnic, cultural, linguistic or religious identity, and to protect their property” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990);

- “recognize the right of the individual to effective remedies and endeavour to recognize, in conformity with national legislation, the right of interested persons and groups to initiate and support complaints against acts of discrimination, including racist and xenophobic acts” (Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 1990).

Ministerial Council Decisions related to tolerance and non-discrimination tasked ODIHR to:

- “in co-operation and co-ordination with the [High Commissioner on National Minorities] HCNM and the Representative of Freedom of the Media and other relevant OSCE executive structures, within their mandates and within existing resources, to continue to assist participating States to combat acts of discrimination and violence against Roma and Sinti, to counter negative stereotypes of Roma and Sinti in the media taking into account relevant OSCE freedom of the media commitments, and to implement fully OSCE commitments pertaining in particular to the implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 8/09);

- “further strengthen the work of its Tolerance and Non-Discrimination Programme, in particular its assistance programmes, in order to assist participating States upon their request in implementing their commitments” (MC Decision No. 13/06);

- “further strengthen the work of the ODIHR’s Advisory Panel of Experts on Freedom of Religion or Belief in providing support and expert assistance to participating States” (MC Decision No. 13/06).

ANNEX B: List of National Points of Contact in Combating Hate Crime NPCs

Country	Organization
Albania	Interior Ministry, General Department of State Police
Andorra	Ministry of Foreign Affairs, Culture and Co-operation
Armenia	Ministry of Foreign Affairs
Austria	Federal Chancellery
	Federal Ministry for European and International Affairs
	Federal Interior Ministry, Federal Agency for State Protection and Counter Terrorism
Azerbaijan	General Prosecutor's Office
Belarus	Ministry of Foreign Affairs
Belgium	Centre for Equal Opportunities and Opposition to Racism
Bosnia and Herzegovina	Ministry of Security
Bulgaria	Commission for Protection against Discrimination
Canada	Canadian Centre for Justice Statistics, Statistics Canada
	Department of Justice, Strategic Initiatives Unit
Croatia	Ministry of Foreign Affairs and European Integration
Cyprus	Police, Office for Combating Discrimination
	Ministry of Justice and Public Order
Czech Republic	Inter-ministerial Commission for Combating Extremism, Racism and Xenophobia
	Interior Ministry, Security Policy Department
Denmark	Ministry of Justice, Law Department, Criminal Law Division
Estonia	Ministry of Justice, Criminal Policies Department
Finland	Interior Ministry National Police Board
France	Ministry of Justice
Georgia	Ministry of Justice

Germany	Federal Interior Ministry
Greece	Ministry of Justice
Holy See	Council of European Bishops' Conferences
Hungary	Ministry of Foreign Affairs
Iceland	National Commissioner of Police
Ireland	National Consultative Committee on Racism and Interculturalism
Italy	Interior Ministry, Office for Co-ordination and Planning of Police Forces
Kazakhstan	General Prosecutor's Office, Committee on Law, Statistics and Special Registrations
Kyrgyzstan	Interior Ministry
Latvia	Ministry of Culture, Division of Society Integration and Development of Civil Society
	Ombudsman Office
Liechtenstein	National Police
Lithuania	Ministry of Foreign Affairs
	Interior Ministry, Public Safety Policy Department
Luxembourg	Permanent Representation of the Grand-Duchy of Luxembourg
	Ministry of Family and Integration, Luxembourg Reception and Integration Agency
Malta	General Police Headquarters Prosecutions Unit
Moldova	General Prosecutor's Department
Monaco	Department of Legal Services
	Department of the Interior
Mongolia	
Montenegro	Ministry of Justice
Netherlands	Ministry of Security and Justice
Norway	Ministry of Justice and the Police
Poland	Ministry of Interior, Department of Control, Complaints and Petitions

Portugal	Documentation and Comparative Law Office
	High Commission for Immigration and Ethnic Minorities
Romania	Ministry of Justice
Russian Federation	General Prosecutor's Office
San Marino	
Serbia	Ministry for Human and Minority Rights
Slovakia	Ministry of Foreign Affairs
Slovenia	Ministry of Foreign Affairs
Spain	Interior Ministry
Sweden	National Council for Crime Prevention
Switzerland	Federal Department of Foreign Affairs
Tajikistan	Executive Office of the President, Constitutional Rights Department
The former Yugoslav Republic of Macedonia	Ministry of Foreign Affairs
Turkey	Ministry of Justice
Turkmenistan	National Institute of Democracy and Human Rights
Ukraine	Interior Ministry, National Academy of Internal Affairs
United Kingdom	Ministry of Justice
United States of America	United States Mission to the Organization for Security and Co-operation in Europe
Uzbekistan	National Center for Human Rights

ANNEX C: Guidelines for NGOs on reporting hate crimes
Information for Civil Society
Contributions to ODIHR'S Annual Hate Crime Report

FREQUENTLY ASKED QUESTIONS

➤ **What is ODIHR's working definition of hate crime for the report?**

Hate crime = criminal act + bias motivation

The term “hate crime” or “bias crime” describes a type of crime, rather than a specific offence within a penal code. The term describes a sociological concept, rather than a legal definition.

Hate crimes always comprise of two elements: **a *criminal offence committed with a bias motive***.

The first element of a hate crime is that an act is committed that constitutes an offence under ordinary criminal law (such as assault, property damage or murder). Hate crimes always require a base offence to have occurred. If there is no base offence, there is no hate crime.

The second element of a hate crime is that the criminal act is committed with a particular motive, referred to as “bias”. It is this element of bias motive that differentiates hate crimes from ordinary crimes. This means that the perpetrator intentionally chose the *target* of the crime because of some *protected characteristic*.

- The *target* may be one or more people, or it may be property associated with a group that shares a particular characteristic. The perpetrator might target the victim because of actual or even perceived affiliation with the group.
- A *protected characteristic* is a common feature shared by a group, such as “race”, language, religion, ethnicity, nationality, gender sexual orientation or any other similar common factor that is fundamental for the identity.

➤ **How does ODIHR report on NGO data?**

In addition to official government statistics, ODIHR also collects information from NGOs on cases known to them that fit ODIHR's working definition of hate crime. These are generally cases brought to the attention of staff concerning some type of criminal act and some type of evidence or perception of bias motivation. Therefore, it contains both elements of a hate crime. However, in most instances the case has not been decided by a court. The cases might or might not have been reported to police due to a lack of victim confidence, or the case may still be under investigation. Therefore, ODIHR reports on such cases as “incidents.” It is important for NGOs to record all such potential hate crimes in order for the annual report to better reflect the extent of hate crimes in the OSCE region.

➤ **Does ODIHR collect information on other forms and expressions of intolerance, like hate speech and discrimination?**

ODIHR does not include statistics or detailed information about incidents of hate speech or discrimination. Some OSCE participating States criminalize “hate speech.” However, hate speech laws do not fall within the ODIHR working definition because "speech" is not a criminal act. The concept of discrimination refers to less favourable treatment of a person on the basis of a protected characteristic. Even if a state has civil or criminal penalties for discrimination, those laws don't fall under ODIHR's working definition of hate crime because it does not involve a common crime, like assault or vandalism.

➤ **But, how can I tell if an incident is motivated by bias?**

In order to assess whether an incident was motivated by bias, it is useful to use bias indicators. They provide criteria by which to evaluate the probable motive, but do not necessarily prove that an offender's actions were motivated by bias. Below is a non-exhaustive list of bias indicators:

Victim/Witness Perception - Does the victim or witnesses perceive that the incident was motivated by bias?

Comments, Written Statements, Gestures, and Graffiti - Did the suspect make comments, written statements or gestures regarding the victim's background? Were drawings, markings, symbols or graffiti left at the scene of the incident? If the target was property, was it religiously or culturally significant, such as a historical monument or a cemetery?

Racial, Ethnic, Gender, and Cultural Differences - Do the suspect and victim differ in terms of their racial, religious, ethnic/national origin or sexual orientation? Is there a history of animosity between the victim's group and the suspect's group? Is the victim a member of a group that is overwhelmingly outnumbered by members of another group in the area where the incident occurred? Was the victim engaged in activities promoting his/her group at the time of the incident? Did the incident occur on a date of particular significance (e.g. a religious holiday or a national day?)

Organized Hate Groups - Were objects or items left at the scene that suggests the crime was the work of paramilitary or extreme nationalist organization? Is there evidence of such a group being active in the neighbourhood (e.g., paraphernalia, posters, graffiti or leaflets)? *It is important to underline that, in many cases, hate crimes are committed by individuals not connected to any organized group or with no previous history of criminal behaviour.*

Previous Bias Crimes/Incidents - Have there previously been similar incidents in the same area? Who were the victims? Has the victim previously received harassing mail or phone calls or been the victim of verbal abuse based on his/her affiliation or membership of a targeted group? Was the victim in or near an area or place commonly associated with or frequented by a particular group (e.g., a community centre, or a mosque, church or other place of worship).

In case of attacks against property the significance of a particular structure or location to communities that face discrimination can be an indicator. An additional example might be that the property targeted has religious or other symbolic importance for a

particular community or is a centre of community life –such as a school, social club or shop – for a particular group.

➤ **Is it still a hate crime if there are other motives involved in the criminal incident?**

In many cases individuals who have been targeted because of prejudice or bias have also had items of value like money or mobile phones stolen from them in the course of these attacks. In these cases an important consideration is whether the particular individual was chosen because he or she was identified as a member of a particular group sharing core and protected characteristics.

➤ **How do I send data about hate crimes to ODIHR for the 2012 report?**

You can send information about hate crimes and hate incidents that took place in 2012 as well as information about your organization's activities in the area of combating hate crime to **tninfo@odihhr.pl** indicating in the subject line "**HCR 2012 [NAME OF YOUR ORGANIZATION]**".

Information for Civil Society
Contributions to ODIHR'S Annual Hate Crime Report

SAMPLE FORMAT FOR COLLECTING INFORMATION ON HATE CRIMES

Below is a basic overview of areas that ODIHR considers when analyzing information submitted for the annual report. For those NGOs who already have existing reporting methods, the sample format can be referred to as an example of what ODIHR is looking for, and therefore what type of information will be included in the hate crime report. For those NGOs who need further guidance when collecting information, the sample format can be helpful in reporting to ODIHR, as well as in their own advocacy or monitoring work.

Sample Format for Collecting Information on Hate Crime

- Date, time and location of the incident
- Source of information
- Victim(s) involved
- Type of the crime(s)
- Perpetrator(s) (if known)
- Brief description of incident with bias indicators
- Status of the case
- Response of local authorities
- Impact on the victim(s) and the community

➤ **Date, time and location of the incident**

Understanding when and where an incident took place is essential in analyzing the frequency and patterns of incidents and can be bias indicators when determining if an incident is a hate crime.

In addition, when reporting to ODIHR, please be aware that only those hate crimes that occurred in the calendar year 2012 will be included in the hate crime report, regardless of when they were actually recorded by monitors.

➤ **Source of information**

The main sources are often interviews with victims and witnesses and media monitoring. When information is taken from media reports, it is important to assess the reliability of the source and cross-check the information as much as possible.

➤ **Victim(s)**

Anyone can be a victim of a hate crime. Hate crimes can also target property associated with a group that shares a protected characteristic. For the purposes of the hate crime report, ODIHR reports on the following bias motivations:

- racist and xenophobic crimes;
- crimes against Roma and Sinti;

- anti-Semitic crimes;
- crimes against Muslims;
- crimes against Christians and members of other religions;
- crimes against other groups, including LGBT and people with disabilities.

When collecting information it is important to report on all possible characteristics that may have formed the basis for the bias-motivated criminal conduct and to be aware of the possibility of *multiple biases*.

*** Please refer to the frequently asked questions above for more information on protected characteristics.

➤ **Type of crime**

It is important to report on the type of crime committed. This information can be used to analyze patterns of crime and will be necessary in any follow-up with authorities.

ODIHR reports on the following crime types:

- | | |
|----------------------|---|
| - homicide | - desecration of graves |
| - physical violence | - attacks against places of worship |
| - damage to property | - threats/threatening behaviour |
| - vandalism | - other crimes can also be included and described |

➤ **Perpetrator(s)**

Information on suspected perpetrators (their age, ethnicity and relationship to the victim[s]) can be important indicators in determining whether the incident was a hate crime. This information can be used in any follow-up with the community and/or authorities. It can help indicate, for example, where prevention efforts are needed to combat hate crimes and provide important facts for further investigation.

➤ **Brief description of the incident with bias indicators**

Bias indicators can be used to help identify hate crimes. Briefly describing the incident in connection with objective criteria of bias indicators can provide the factual basis for appropriate advocacy and/or recording of information.

*** Please refer to the frequently asked questions for a description of potential bias indicators.

➤ **Status of the case**

Data recorded on whether a crime has been reported to the police or not can offer a good indication on the prevalence of under-reporting. In cases where acts have been reported to the police, it is important to record the response of law enforcement as this may give a good indication of how police tackle the issue and the victim's perception of the police. This includes whether the case is being actively investigated, prosecuted and sentenced. If known, it is also important to note the legal code provisions under which the incident was recorded and investigated.

➤ **Response of local authorities**

Noting the responses of authorities can provide an understanding of how hate crimes are addressed and any good practices in responding to them. These may include statements by public officials, press releases and/or meeting with representatives of the targeted community.

➤ **Impact on the victim(s) and the community**

This information should include the perception of the victim concerning the response and treatment by government and non-governmental bodies. It should also contain any reactions by the local community (e.g., issuance of a press release), perception of the targeted community (e.g., fear for safety) or impact on the security situation (if any).

You can send information about hate crimes and hate incidents that took place in 2012, as well as information about your organization's activities in the area of combating hate crime, to **tninfo@odihhr.pl** indicating in the subject line "**HCR 2012 [NAME OF YOUR ORGANIZATION]**".

For more information, please contact us at: tninfo@odihhr.pl

Annex D: NGOs and civil society organizations

Albania, *Pink Embassy*, website: <<http://www.pinkembassy.al>>;

Albania, *Aleança*;

Armenia, *Pink Armenia*, website: <<http://www.pinkarmenia.org>>;

Armenia, *Open Society Foundations*, website: <<http://www.osi.am>>;

Austria, *Forum gegen Antisemitismus* (Forum Against Anti-Semitism), website: <<http://fga-wien.at>>;

Austria, *ZARA - Verein für Zivilcourage und Anti-rassismuarbeit* (ZARA – Civil Courage and Anti-racism Work), website: <<http://www.zara.or.at>>;

Belarus, “*Геј Беларусь*” *Беларускі праваабарончы праект* (LGBT Human Rights Project “Gay Belarus”), website: <<http://gaybelarus.by>>;

Belgium, *antisemitisme.be*, website: <<http://antisemitisme.be>>;

Belgium, *Arc-en-Ciel Wallonie*, website: <<http://arcenciel-wallonie.be>>;

Belgium, *Cavaria*, website: <<http://www.cavaria.be>>;

Belgium, *Muslim Rights Belgium*, <<http://www.mrb-online.be>>;

Bosnia and Herzegovina, *Sarajevski Otvoreni Centar* (Sarajevo Open Center), website: <<http://www.soc.ba>>;

Bulgaria, *Glavno Muftinstvo Republika Bulgaria* (Office of Grand Mufti in Bulgaria), website: <<http://www.genmufti.net>>;

Bulgaria, *Фондация "Ресурсен център - Билитис"* (Bilitis Resource Centre), website: <<http://www.bilitis.org>>;

Canada, *League for Human Rights of B'nai B'rith Canada*, website: <<http://bnaibrith.ca>>;

Canada, *Canadian Council on American-Islamic Relations* (CAIR-CAN), website: <<http://www.caircan.ca>>;

Czech Republic, *Židovská obec v Praze (ŽOP)* (Jewish Community of Prague), website: <<http://www.kehilaprag.cz>>;

Estonia, *Eesti LGBT Uhing* (Estonian LGBT Association), website: <<http://www.lgbt.ee>>;

Finland, *SETA*, website: <<http://www.seta.fi>>;

France, *Collectif contre l'islamophobie en France (CCIF)* (Association Against Islamophobia in France), 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: <www.spcj.org>;

France, *SOS homophobie*, website: <<http://www.sos-homophobie.org>>;

Georgia, *Identoba*, website: <<http://identoba.org>>;

Georgia, *Human Rights Education and Monitoring Centre*, website: <<http://www.hremc.org>>;

Georgia, *Georgian Young Lawyers Association*, website: <<http://gyla.ge>>;

Georgia, *Women's Initiatives Supporting Groups*, website: <<http://women.ge>>;

Germany, *Amadeu Antonio Foundation*, website: <<http://www.amadeu-antonio-stifung.de>>;

Germany, *Lesbian & Gay Federation Cologne*, website: <<http://www.koeln19228.de>>;

Germany, *RAA Sachsen (RAA Saxony)*, website: <<http://www.raa-sachsen.de>>;

Germany, *Inssan*, website: <<http://inssan.de>>;

Germany, *MANEO*, website: <<http://www.maneo.de/en.html>>;

Germany, *Opferperspektive*, website: <<http://www.opferperspektive.de>>;

Greece, *Avrupa Batı Trakya Türk Federasyonu (ABTTF)* (Federation of Western Thrace Turks in Europe), website: <www.abtff.org>;

Greece, *Batı Trakya Azınlığı Yüksek Tahsilliler Derneği (BTAYTD)* (Western Thrace Minority University Graduates Association), website: <<http://www.btaytd.com/tr>>;

Greece, *Greek Helsinki Monitor*, website: <<http://cm.greekhelsinki.gr>>;

Greece, *Racist Violence Incidents Recording Network*, website: <<http://www.unhcr.gr/1againstracism>>;

Greece, *Lesbian and Gay Community of Greece (OLKE)*, website: <<http://www.olke.org>>;

Hungary, *Athéna Intézet* (Athena Institute), website: <<http://www.athenainstitute.eu>>;

Hungary, *Monitor & Research Group*; <<http://www.monitor-research.org>>;

Hungary, *Háttér Társaság a Melegekért* (Háttér Support Society), website: <<http://www.hatter.hu>>;

Hungary, *Mahatma Gandhi Emberi Jogi Egysulet* (Mahatma Gandhi Human Rights Organization), website: <<http://www.gandhi.hu>>;

Ireland, *Transgender Equality Network Ireland (TENI)*, website: <<http://www.teni.ie>>;

Italy, *Osservatoria omofobia – Rete Agatergon* (Observatory for Homophobia), website: <<http://www.osservatorioomofobia.it>>;

Italy, *Fondazione Centro di Documentazione Ebraica Contemporanea* (Foundation Jewish Contemporary Documentation Centre), website: <<http://www.cdec.it>>;

Italy, *Lunaria*, website: <<http://www.lunaria.org>>;

Kyrgyzstan, *LABRYS*, website: <<http://www.labrys.kg>>;

Latvia, *Association Mozaika*, website: <<http://www.mozaika.lv>>;

Lithuania, *Europos žmogaus teisių fondas* (European Foundation for Human Rights), website: <<http://en.efhr.eu>>;

Macedonia, *LGBTI Support Center*, website: <<http://www.lgbti.mk>>;

Macedonia, *LGBT United Macedonia*, website: <<http://www.lgbtmacedonia.org>>;

Malta, *Malta Gay Rights Movement (MGRM)*, website: <<http://www.maltgayrights.org>>;

Moldova, *Centrul de informații “GenderDoc-M”* (GenderDoc-M Information Center), website: <<http://www.lgbt.md>>;

Montenegro, *LGBT Forum Progres*, website: <<http://lgbtprogres.me>>;

Netherlands, *Turks Forum Netherlands (TFN)*, website: <<http://turksnl.net>>;

Netherlands, *Transgender Netwerk Nederland TNN* (Transgender Network Netherlands), website: <<http://transgendernetwerk.nl>>;

Netherlands, *Centrum Informatie en Documentatie Israel (CIDI)*, website: <<http://www.cidi.org>>;

Poland, *Kampania Przeciw Homofobii (KPH)* (Campaign Against Homophobia), website: <<http://kph.org.pl>>;

Poland, *Stowarzyszenie “Nigdy Więcej”* (Never Again Association), website: <<http://www.nigdywiecej.org>>;

Portugal, *Associação ILGA Portugal* (ILGA Portugal), website: <<http://www.ilga-portugal.pt>>;

Romania, *ACCEPT*, website: <<http://www.accept-romania.ro>>;

Russian Federation, *Информационно-аналитический центр «Сова»* (SOVA Center for Information and Analysis), website: <<http://sova-center.ru>>;

Russian Federation, *Российская ЛГБТ-сеть (Russian LGBT Network)*, website: <<http://www.lgbtnet.ru>>;

Russian Federation, *Civic Assistance Committee*, website: <<http://refugee.memo.ru>>;

Russian Federation, *Moscow Protestant Chaplaincy*, website: <<http://www.mpcrussia.org>>;

Serbia, *Gay-Straight Alliance (GSA)*, website: <<http://www.gsa.org.rs>>;

Serbia, *Regionalni centar za manjine (RCM) (Regional Centre for Minorities)*, website: <<http://www.minoritycentre.org>>;

Serbia, *Organizacija za lezbejska ljudska prava (LABRIS) (Lesbian Human Rights Organization)*, website: <<http://www.labris.org.rs>>;

Slovenia, *Društvo informacijski center LEGEBITRA* (“Information Center LEGEBITRA” Association), website: <<http://www.drustvo-legebitra.si>>;

Spain, *Algarabia*, website: <<http://www.algarabiatfe.org>>;

Spain, *Federacion Estatalde Lesbianas, Gais, Transexuales y Bisexuales – FELGBT* (State Federation of LGBT), website: <<http://www.felgtb.org>>;

Spain, *Centro de Investigaciones en Derechos Humanos Pro Igual (CIDH)*, website: <<http://www.cidh.es>>;

Spain, *Union de Comunidades Islamicas de Espana (CIDE)* (Union of Islamic Communities in Spain), website: <<http://ucide.org>>;

Spain, *Movimiento Contra la Intolerancia* (Movement Against Intolerance), website: <<http://www.movimientocontralaintolerancia.com>>;

Sweden, *Riksförbundet för sexuellt likaberättigande RFSL* (Swedish Federation for LGBT rights), website: <<http://www.rfsl.se>>;

Switzerland, *Coordination Intercommunautaire contre l’Antisémitisme et la Diffamation (CICAD)* (Intercommunity Coordination against Antisemitism and Defamation), website: <<http://www.cicad.org>>;

Switzerland, *Foundation against Racism and Antisemitism (GRA)*, <<http://chronologie.gra.ch>>.

Turkey, *Kaos Gl*, website: <<http://www.kaosgl.org>>;

Turkey, *London Legal Group*;

Ukraine, *Конгрес національних громад* (Congress of National Communities), website: <<http://www.kngu.org>>;

Ukraine, *African Centre*, website: <<http://www.african-center.net>>;

Ukraine, *Информационно-правозащитный Центр для геев и лесбиянок “Наш мир”* (“Our World” Gay and Lesbian Center), website: <<http://gay.org.ua>>;

Ukraine, *Diversity Initiative*, website: <<http://diversipedia.org.ua>>;

United Kingdom, *Community Security Trust*, website: <<http://www.thecst.org.uk>>;

United Kingdom, *Faith Matters*, website: <<http://faith-matters.org>>;

United Kingdom, *ENGAGE*, website: <<http://www.iengage.org.uk>>;

United States, *Anti-Defamation League (ADL)*, website: <<http://www.adl.org>>;

United States, *Council on American-Islamic Relations (CAIR)*, website, <www.cair.com>;

Centre for Social Emancipation (QESh), website: <<http://www.qeshkosova.org>>;

Libertas, website: <<http://libertas-kos.org>>.

Regional NGOs:

Amnesty International, website: <<http://amnesty.org>>;

Dokumentationsarchiv der Intoleranz gegen Christen (Observatory on Intolerance and Discrimination against Christians), website:
<<http://www.intoleranceagainstchristians.eu>>;

Euro-Asian Jewish Congress (EAJC), website: <<http://eajc.org/en>>;

European Roma Rights Center (ERRC), website: <<http://www.errc.org>>;

Heinrich Boell Foundation, website: <<http://www.boell.org/>>;

Human Rights Watch, website: <<http://www.hrw.org>>;

ILGA-Europe, website: <<http://www.ilga-europe.org>>;

Мир без нацизма - Международное правозащитное движение (International Human Rights Movement World Without Nazism), website:
<<http://worldwithoutnazism.org>>;

Organization of Islamic Cooperation, website: <<http://www.oic-oci.org>>;

Transgender Europe - TGEU, website: <<http://tgeu.org/>>;

ANNEX E: Questionnaire for NPCs

Please note this document reflects the content of the online questionnaire; the online display is significantly different.

Questionnaire I. Hate Crime Data Collection

A. Authorities responsible for collecting data

A1. Does your government collect data on hate crimes, or do crimes statistics allow you to provide ODIHR with information about bias motivated crimes?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

A2. Is there any legislation or are there any policies that require data collection on hate crimes?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

A2.1 Please provide the text of that legislation/policy and full citation.

Please attach any further information to your submission by email or upload to the online questionnaire.

A3. Are there any data protection laws or policies that effect how hate crime data is recorded and collected?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

A3.1 Please provide the text of that legislation/policy and full citation.

A3.2 Please elaborate on the methods used to comply with data protection laws when collecting hate crime statistics.

Please attach any further information to your submission by email or upload to the online questionnaire.

A4. Who collects data on hate crimes? (Check all boxes that apply)

<input type="checkbox"/>	Ministry of Interior
<input type="checkbox"/>	Law enforcement/police

	Intelligence agency
	Prosecutors Office
	Ministry of Justice
	Statistical office
	Other:

A4.1 Please indicate the full name(s) of all institution(s) and specific department(s) dealing with collection of data on hate crimes.

--

B. How hate crime data is used and disseminated

Methods used to record hate crime data

B1. How is hate crime data used by the government?

--

B2. Does your government regularly publish any information specifically on hate crimes (e.g., reports, websites, statistical analysis)?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

B2.1 How often is this data produced (annual, biannual, etc.)?

--

Please attach any further information to your submission by email or upload to the online questionnaire.

B3. Is government data on hate crimes available to the public by other means?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Please specify.

<input type="checkbox"/>	As part of published data on general crime statistics (incl. information made available on websites)
<input type="checkbox"/>	Upon request
<input type="checkbox"/>	Other

B4. Is there any data on hate crimes restricted to authorities only?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

B4.1 What type of data is restricted to authorities only?

--

B4.2 Which authorities collect this data?

--

B4.3 What is this data used for (for example, intelligence gathering, assessment of security situation, policy formulation)?

--

C. Type of hate crime data collected: Bias motivations and crime types

Bias motivation and crime types

C1. Please indicate the bias motivation recorded in hate crimes statistics. (Please check all boxes that apply).

General categories:

<input type="checkbox"/>	Race/colour
<input type="checkbox"/>	Ethnicity/national origin/minority
<input type="checkbox"/>	Citizenship
<input type="checkbox"/>	Language
<input type="checkbox"/>	Religion
<input type="checkbox"/>	Sexual orientation
<input type="checkbox"/>	Transgender identity
<input type="checkbox"/>	Disability
<input type="checkbox"/>	Sex/gender
<input type="checkbox"/>	Other:

Specific categories:

<input type="checkbox"/>	Anti-Semitic
<input type="checkbox"/>	Anti-Muslim
<input type="checkbox"/>	Anti-Christian
<input type="checkbox"/>	Anti-Roma and anti-Sinti
<input type="checkbox"/>	None

C1.1 Any additional information, include below.

--

Please attach any further information to your submission by email or upload to the online questionnaire.

C2. Are hate crime statistics broken down according to the categories selected above?

<input type="checkbox"/>	Yes
--------------------------	-----

<input type="checkbox"/>	No
--------------------------	----

C3. Does your government record multiple biases in hate crimes (for example, attacks on persons based on their religion and ethnicity)?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

C3.1 Please describe how statistics account for the recording or lack of recording of multiple biases and/or describe any relevant policies or guidelines.

--

Types of crimes

C4. Is hate crime data collected and recorded according to specific types of crimes found in the criminal code?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

C4.1 Please select which types of crimes are recorded. If applicable, please provide the criminal code provisions and/or explain how the criminal code or related policies encompasses hate crime. (Check all boxes that apply)

	Type of crime	Criminal code(s)
<input type="checkbox"/>	Homicide	
<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"/>	Threats/threatening behaviour	
<input type="checkbox"/>	Other (specify below)	

C4.2 Please describe any other categories used to classify types of crimes or any other information.

--

C4.3 Please indicate which institutions record which types of crimes (Check all boxes that apply).

	Min. of Int.	Law enf. agency	Intell. agency	Prosec. Office	Min. of Just.	Stat. office	Other (as specified in A4.)
Homicide	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Physical assault							
Damage to property							
Desecration of graves							
Attack against places of worship							
Vandalism							
Threats/threatening behaviour							
Other (specify below)							

C5. Are hate crime statistics broken down according to the types of crimes selected above?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

D. Hate crime statistics

D1. Please indicate the number of hate crimes recorded by police, prosecution and court authorities as well as what the numbers reflect.

D1.1 Cases recorded by police

	2012	2011	2010
Number of cases			

Do the numbers above reflect (Please check *ONLY ONE*)

<input type="checkbox"/>	Individual criminal acts (i.e., each incident of a criminal act)
<input type="checkbox"/>	Criminal episodes (i.e., incidents, which could include multiple criminal acts, victims and perpetrators)
<input type="checkbox"/>	Perpetrators
<input type="checkbox"/>	Other

If "Other" is selected, please describe the calculation method used.

--

D1.2 Cases prosecuted

	2012	2011	2010
Number of cases			

Do the numbers above reflect (Please check ONLY ONE)

	Individual criminal acts (i.e., each incident of a criminal act)
	Criminal episodes (i.e., incidents, which could include multiple criminal acts, victims and perpetrators)
	Perpetrators
	Other

If "Other" is selected, please describe the calculation method used.

--

D1.3 Cases in which perpetrators were sentenced

	2012	2011	2010
Number of cases			

Do the numbers above reflect (Please check ONLY ONE)

	Individual criminal acts (i.e., each incident of a criminal act)
	Criminal episodes (i.e., incidents, which could include multiple criminal acts, victims and perpetrators)
	Perpetrators
	Other

If "Other" is selected, please describe the calculation method used.

--

D2. Can you provide statistics by: (PLEASE SELECT ONE)

Bias motivation (IF Selected GO TO Table D 3)	
Crime type (IF Selected GO TO Table D 4)	
Both bias motivation and crime type (IF Selected GO TO Table D 5)	
None of the above (IF Selected GO TO Question D6)	

D3. [TABLE: TYPES OF CRIME](#) (attached at the end)

D4. [TABLE: BIAS MOTIVATION](#) (attached at the end)

D5. [TABLE: TYPES OF CRIME AND BIAS MOTIVATION](#) (attached at the end)

D6. Do you have comparative tables on the number of hate crimes for any time-period from 2000 to 2012?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Please attach any further information to your submission by email or upload to the online questionnaire.

D7. Do you conduct crime victimization surveys with questions on hate crimes?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Please describe and provide links to relevant forms and/or websites of any relevant publications.

Please attach any further information to your submission by email or upload to the online questionnaire.

D3. TYPES OF CRIME- Number of cases

Number of cases recorded by the police

Type of crime	2012	2011	2010
Homicide			
Physical assault			
Damage to property			
Desecration of graves			
Attack on places of worship			
Vandalism			
Threats/threatening behaviour			
Other (please specify):			
Unspecified			

Number of cases prosecuted

Type of crime	2012	2011	2010
Homicide			
Physical assault			
Damage to property			
Desecration of graves			
Attack on places of worship			
Vandalism			
Threats/threatening behaviour			
Other (please specify):			
Unspecified			

Number of cases sentenced

Type of crime	2012	2011	2010
Homicide			
Physical assault			
Damage to property			
Desecration of graves			
Attack on places of worship			
Vandalism			
Threats/threatening behaviour			
Other (please specify):			
Unspecified			

D4. BIAS MOTIVATION**Number of cases recorded by the police**

Bias motivation	2012	2011	2010
Race/ colour			
Ethnicity/ national origin/ minority			
Citizenship			
Language			
Religion			
Sexual orientation			
Trans-gender identity			
Disability			
Sex/ gender			
Other (please specify):			
Unspecified			

Number of cases prosecuted

Bias motivation	2012	2011	2010
Race/ colour			
Ethnicity/ national origin/ minority			
Citizenship			
Language			
Religion			
Sexual orientation			
Trans-gender identity			
Disability			
Sex/ gender			
Other (please specify):			
Unspecified			

Number of cases sentenced

Bias motivation	2012	2011	2010
Race/ colour			
Ethnicity/ national origin/ minority			
Citizenship			
Language			
Religion			
Sexual orientation			
Trans-gender identity			
Disability			
Sex/ gender			
Other (please specify):			
Unspecified			

D5 BIAS MOTIVATION AND TYPES OF CRIME

D5.1.1

Cases recorded by the police		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
BIAS MOTIVATION	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.1.2

Cases recorded by the police 2011		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.1.3

Cases recorded by the police		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.2.1

Cases prosecuted		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.2.2

Cases prosecuted		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	2011									
	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual Orientation									
	Transgender									
	Disability									
	Sex/gender									
Other (please specify):										
Unspecified										

D5.2.3

Cases prosecuted		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
2010										
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.3.1

Cases in which perpetrators were sentenced 2012		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.3.2

Cases in which perpetrators were sentenced 2011		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

D5.3.3

Cases in which perpetrators were sentenced 2010		TYPES OF CRIME								
		Homicide	Physical assault	Damage to property	Desecration of graves	Attack on places of worship	Vandalism	Threats/threatening behaviour	Other (please specify):	Unspecified
B I A S M O T I V A T I O N	Race/colour									
	Ethnicity/national origin/minority									
	Citizenship									
	Language									
	Religion									
	Sexual orientation									
	Transgender									
	Disability									
	Sex/gender									
	Other (please specify):									
Unspecified										

Questionnaire II. Legislation

A1. Legislation addressing hate crimes

Please insert below the most accurate and current text and legal citation of all applicable hate crime laws.

A1.1 Are you in the process of amending, revising, or proposing (new) legislation?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

Please describe:

B1 Criminal laws prohibiting hate speech

Does your country have criminal laws prohibiting hate speech?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

If you have not previously submitted this information, please provide the text and the full legal citation.

Questionnaire III. Notable hate crimes

Example 1

Date(s):

Location:

Brief description, including reported bias motivation and number and characteristics of victims:

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial:

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime:

Example 2

Date(s):

Location:

Brief description, including reported bias motivation and number and characteristics of victims:

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial:

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime:

Example 3

Date(s):

Location:

Brief description, including reported bias motivation and number and characteristics of victims:

Information on the government response, e.g. police and prosecution response, investigation, outcome of trial:

Information on the public response, e.g. national debate or demonstration which occurred as a public reaction to the crime:

Questionnaire IV. Initiatives and Policies Addressing Hate Crime

Please provide information about initiatives and policies undertaken to combat hate crime in the categories below.

Initiative

Title(s) of the initiative/policy:

Category/ies:

	Strengthening data collection
	Increasing reporting of hate crimes/community confidence
	Strengthening the response of law enforcement and prosecutors
	Training for criminal justice system
	Victim support
	Other

Implementation level:

	Local
	Regional
	National
	Specify further:

Brief summary including origin and impact of initiatives/policies

Links to website(s) describing the initiative/policies and/or links to reports.

Please attach copies of any reports about the initiative/policy and other relevant documents to your submission by email or upload to the online questionnaire.

If these 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 written above.