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# Hate Crime Response in the OSCE Region: Commitments Unfulfilled

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## Introduction

Twenty years ago, on June 29, 1990, the States of the Conference on Security and Cooperation in Europe adopted the Copenhagen Document— a landmark set of commitments to protect human rights and combat discrimination and prejudice. The governments assembled condemned “racial and ethnic hatred, antisemitism, xenophobia and discrimination against anyone as well as persecution on religious and ideological grounds.” They also declared “their firm intention to intensify their efforts to combat these phenomena in all their forms.”

Thirteen years later, in 2004, a high-level OSCE conference dedicated to addressing the spike in antisemitism revisited these and subsequent commitments with greater urgency. This conference generated momentum to build on the Copenhagen Document and to devise a new set of robust commitments to combat hate crime in all its forms. Through a series of Ministerial Council decisions since 2004, bolstered by a succession of high-level tolerance conferences, the OSCE participating States have agreed to a meaningful set of commitments to combat hate crime and other forms of intolerance. They have also supported the development of programs and institutions within the OSCE to assist States in implementing these commitments.

The OSCE today is a leader among intergovernmental organizations in recognizing and addressing the problem of hate crime. It has served as a unique focal point for the coming together of groups advocating for stronger government responses to hate crime. The reporting, the know-how, the tools, and the training resources available to help States take their commitments from words to action have never been better.

While we commend and embrace these achievements, they are overshadowed by the fact that—amid this arsenal of commitments, training programs, and tools—the problem of hate crime is growing and many States are failing to adequately respond.

The 2009 *Hate Crimes in the OSCE Region* Report by the Office for Democratic Institutions and Human Rights (ODIHR) is among the recent studies to provide a snapshot of the failure of many of the organization’s fifty-six participating States to fulfill commitments to collect data on hate crime: eight governments did not submit data to the ODIHR, while five, of those that did, reported that they do not collect any data on hate crime. Nine countries reported fewer than ten hate crimes nationally, even though in some cases nongovernmental sources have reported far more. Even countries that have made efforts to establish more robust monitoring systems generally do not disaggregate the data—limiting its usefulness to serve as a tool to develop sound policies to protect those vulnerable to hate crime.

Although States have taken on commitments to adopt hate crime laws, twenty-two countries still have not done so. In participating States that have such laws, they often fall short of protecting frequently targeted groups. For example, only thirteen States have hate crime laws that include sexual orientation in the list of protected categories.

In light of these continued shortcomings, this paper advances specific recommendations that are tailored to States’ varying levels of adherence to commitments to combat hate crime.

## OSCE Commitments

Since 2003, the fifty-six participating States of the Organization for Security and Cooperation in Europe (OSCE) have adopted Ministerial and other decisions that have highlighted their commitments to combat hate crimes, including by improving their efforts to collect data and adopt adequate hate crime legislation. As part of those decisions, States have agreed to the following:

### Government Data Collection

- “Collect, maintain and make public, reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance, including the number of cases

reported to law enforcement, the number prosecuted and sentences imposed” (Ministerial Council Decision No. 9/09);

- “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);
- “Strengthen efforts to collect and maintain reliable information and statistics on hate crimes and legislation, to report such information periodically to the ODIHR, and to make this information available to the public and to consider drawing on ODIHR assistance in this field, and in this regard, to consider nominating national points of contact on hate crimes to the ODIHR” (MC Decision No. 10/05).

## Hate Crime Laws

- “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);
- “Recognize 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).

## ODIHR Data Collection

- “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);
- “Encourage the ODIHR, based on existing commitments, including through cooperation with the relevant OSCE executive structures 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” (MC Decision No. 13/06).

In line with these commitments, the Office for Democratic Institutions and Human Rights (ODIHR) has reported on hate crimes in the OSCE region and government responses to them in annual reports on the subject. In this connection, the ODIHR sought to identify National Points of Contact on Combating Hate

Crimes representing each participating State—individuals and bodies responsible for channeling hate crime statistics to ODIHR. As part of this data collection effort, the ODIHR also developed a questionnaire for States to submit data to the ODIHR in line with their commitments. A total of 48 of the 56 participating States responded to ODIHR questionnaires for the 2008 annual report, which provides a record of the latest data on hate crimes available in and provided by the OSCE participating States.

## Group I: No Hate Crime Data Collected No Data to ODIHR

Eight governments—**Bosnia and Herzegovina, Estonia, Holy See, Malta, Monaco, Montenegro, San Marino, and Turkmenistan** did not fulfill their commitment to provide data to the ODIHR.

## No Hate Crime Data Available

Five governments—**Azerbaijan, Bulgaria, Luxembourg, the Former Yugoslav Republic of Macedonia, and Portugal** submitted the questionnaire, indicating that they do not compile any data on hate crime incidents.

## No Public Data Available

Ten governments—**Albania, Croatia, Italy, Kyrgyzstan, the Netherlands, Moldova, Spain, Turkey, Tajikistan, and Uzbekistan** collect data, but either do not publicize it or make it available to the public only upon request. Such a policy essentially eliminates the public from discussions about the nature and scale of hate crimes as well as measures to combat them.

## No National Points of Contact appointed

Three governments—**Kyrgyzstan, San Marino, and Uzbekistan** still have not appointed a National Point of Contact on Combating Hate Crime (NPC)—one of the first steps in providing accurate and timely information to the ODIHR.

## Recommendations

- Designate a National Point of Contact from the relevant government body.
- Relevant law enforcement or other body should provide data on the basis of the questionnaire and submit it to ODIHR.
- Make hate crime data, including the data submitted to the ODIHR and other international institutions, is made available to the public.

- For those countries in which no hate crime data is available, undertake to establish a system for the collection of hate crime data.

## Group II: Few or No Hate Crimes Reported

Nine governments - **Andorra, Armenia, Georgia, Greece, Iceland, Liechtenstein, Moldova, Ukraine** and **Uzbekistan** reported that *fewer than ten hate crime incidents* were recorded by police in 2008. While underreporting of hate crime incidents remains a problem throughout the region, such low official figures in some cases run counter to records of incidents reported in the media and by nongovernmental monitors. The discrepancy between official and unofficial reporting of incidents may reveal shortcomings in police reporting of bias-motivated crimes and demonstrates the need for States to examine the effectiveness of official data collection systems and to ensure greater outreach to community-based and other non-governmental organizations.

### Recommendations

- Conduct an inquiry into the potential shortcomings in existing reporting and data collection systems.
- Train police to identify and properly record bias-motivated incidents and to forge links with community groups.
- Reach out to nongovernmental organizations and develop programs to enhance reporting of hate crimes.

## Group III: Data Is Insufficiently Disaggregated According to Bias

One of the goals of effective systems of data collection is to identify the groups that are most affected by hate crime—a process that hopefully guides the creation of effective policies aimed at protecting any such vulnerable groups. However, few OSCE participating States disaggregate data by the type of bias or victim characteristics involved in hate crime incidents. More than half of the participating States do not disaggregate hate crime data on the basis of the bias motivations or victim’s characteristics. While questionnaires submitted to ODIHR revealed that 29 States do record data related to victims’ ethnicity/origin/minority status, 27—religion, 27—race/color, few of those same States actually submitted the data. Furthermore, on the basis of publicly available data Human Rights First has concluded that only 14 of the 56 participating States have adequate systems of monitoring and data collection of racist

violence, with little or no data provided on other forms of bias-motivated violence.

The table below demonstrates the discrepancy between the claims made by OSCE participating States and the data they actually submit to the ODIHR.

Bias type	States that claim to collect data	States that submitted data to ODIHR <sup>1</sup>
Racism and Xenophobia	29	18 (Austria, Belarus, Belgium, Czech Republic, Denmark, France, Germany, Greece, Hungary, Italy, Lithuania, Poland, Russia, Slovenia, Spain, Sweden, Ukraine, United Kingdom)
Religious intolerance	27	4 (Holy See, Slovenia, Sweden, United Kingdom)
Antisemitic	19	8 (Austria, Belgium, Czech Republic, France, Germany, Italy, Sweden, and the United Kingdom)
Anti-Muslim	15	2 (Austria, Sweden)
Anti-LGBT	15	3 (Germany, Sweden, United Kingdom)
Anti-Roma	10	1 (Sweden)
Antidisability	10	2 (Germany, United Kingdom)

### Recommendations

- Develop monitoring systems that provide disaggregated data on the characteristics of the victims or on the bias motivations.
- Make disaggregated hate crime data available to the ODIHR and to the public.

## Group IV: Data Is Insufficiently Disaggregated Between Violent Crimes, Incitement, Discrimination, and other Violations

Fifteen governments—**Belgium, Canada, Croatia, Czech Republic, Finland, Germany, Ireland, Kyrgyzstan, Latvia, Lithuania, Norway, Poland, Slovenia, United Kingdom**, and the **United States** indicated that data is disaggregated according

<sup>1</sup> 2008 data from Canada, Finland, Norway, Spain, and the United States were not available in time for this report.

to the type of crime committed, distinguishing between violent crimes, verbal threats and insults, and incitement to hatred.

However, such data is rarely available publicly, and was in many cases not submitted to the ODIHR.

Due to insufficient disaggregation of hate crime incidents between violent crimes, incitement, discrimination, and other violations, it is difficult to assess the exact nature of the problem, in a given country and identify the targeted measures that would be most effective.

## Recommendations

- Classify data on the basis of all types of bias motivated crime, disaggregating between violent crimes and nonviolent criminal violations.
- Make hate crime data—disaggregated by crime type—available to the ODIHR and to the public.

## Group V: Existence of Hate Crime Laws in Criminal Codes

A growing number of the 56 countries in the OSCE are adopting criminal laws to expressly address violent hate crimes, largely in the form of penalty enhancement provisions, since the ODIHR began to track the issue. At present, there are 40 countries in which legislation treats at least some bias-motivated violent crime as a separate crime or in which one or more forms of bias is regarded as an aggravating circumstance that can result in enhanced penalties.

However, 22 OSCE countries still have no express provisions defining bias as an aggravating circumstance in the commission of a range of violent crimes against persons. They are: **Albania, Bosnia and Herzegovina, Bulgaria, Cyprus, Estonia, Germany, Holy See, Hungary, Iceland, Ireland, Luxembourg, Lithuania, Macedonia, Monaco, Montenegro, the Netherlands, Poland, San Marino, Serbia, Slovenia, Switzerland, and Turkey.**

Data from government bodies, NGOs and media in several of these countries indicate that violent hate crimes are occurring, but criminal justice authorities are unable to address the bias nature of the crime because they lack a legislative basis to do so.

All laws in the 40 countries where legislation addresses bias-motivated violence as a separate crime or as an aggravating circumstance, cover bias based on race, ethnicity, and/or national origin, while 33 also cover religious bias. However, hate crime legislation extends to bias motivated by animus based on

sexual orientation in only thirteen countries—**Andorra, Belgium, Canada, Croatia, Denmark, France, Greece, Portugal, Romania, Spain, Sweden, United Kingdom, United States**—and disability in only seven—**Andorra, Belgium, Canada, Romania, Spain, United Kingdom, United States.**<sup>2</sup>

## Recommendations

- Enact laws that establish specific offenses or provide enhanced penalties for violent crimes committed because of the victim's race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status.
- Concrete steps to begin this process could involve utilizing the ODIHR publication on Hate Crime Laws: a Practical Guide as a basis for a training or consultation among experts and officials across relevant ministries.

## Group VI: Lack of Data on Prosecution and Sentencing

Statistics for sentencing and prosecutions are necessary to assess the government response to hate crime.

However, the vast majority of participating States did not submit data regarding prosecutions in hate crime cases in 2007 and 2008. Thus, though there are an increasing number of States that are adopting hate crime laws, there is little evidence to determine how those laws are used.

## Recommendation:

- Establish and/or enhance existing monitoring systems to disclose the record of both prosecutions of hate crime cases and the use of sentence enhancement provisions.

## General Recommendations

This paper highlights the different stages of compliance with commitments among the 56 participating States in the areas of data collection and implementation of hate crime laws. While specific recommendations are provided in the sections above, some general recommendations for all States are outlined in Human Rights First's **Ten-Point Plan** for Combating Hate Crimes:

- 1. Acknowledge and condemn violent hate crimes whenever they occur.** Senior government leaders should send immediate, strong, public, and consistent messages that violent crimes which appear to be

<sup>2</sup> Information in this section comes largely from Human Rights First's Hate Crime Report Card: <http://www.humanrightsfirst.org/discrimination/>.

motivated by prejudice and intolerance will be investigated thoroughly and prosecuted to the full extent of the law.

**2. Enact laws that expressly address hate crimes.**

Recognizing the particular harm caused by violent hate crimes, governments should enact laws that establish specific offenses or provide enhanced penalties for violent crimes committed because of the victim's race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status.

**3. Strengthen enforcement and prosecute offenders.**

Governments should ensure that those responsible for hate crimes are held accountable under the law, that the enforcement of hate crime laws is a priority for the criminal justice system, and that the record of their enforcement is well documented and publicized.

**4. Provide adequate instructions and resources to law enforcement bodies.**

Governments should ensure that police and investigators—as the first responders in cases of violent crime—are specifically instructed and have the necessary procedures, resources and training to identify, investigate and register bias motives before the courts, and that prosecutors have been trained to bring evidence of bias motivations and apply the legal measures required to prosecute hate crimes.

**5. Undertake parliamentary, interagency or other special inquiries into the problem of hate crimes.**

Such public, official inquiries should encourage public debate, investigate ways to better respond to hate crimes, and seek creative ways to address the roots of intolerance and discrimination through education and other means.

**6. Monitor and report on hate crimes.**

Governments should maintain official systems of monitoring and public reporting to provide accurate data for informed policy decisions to combat violent hate crimes. Such systems should include anonymous and disaggregated information on bias motivations and/or victim groups, and should monitor incidents and offenses, as well as prosecutions. Governments should consider establishing third party complaint procedures to encourage greater reporting of hate crimes and conducting periodic hate crime victimization surveys to monitor underreporting by victims and underrecording by police.

**7. Create and strengthen antidiscrimination bodies.**

Official antidiscrimination and human rights bodies should have the authority to address hate crimes through monitoring, reporting, and assistance to victims.

**8. Reach out to community groups.**

Governments should conduct outreach and education efforts to communities and civil society groups to reduce fear and assist victims, advance police-community relations, encourage improved reporting of hate crimes to the police and improve the quality of data collection by law enforcement bodies.

**9. Speak out against official intolerance and bigotry.**

Freedom of speech allows considerable latitude for offensive and hateful speech, but public figures should be held to a higher standard. Members of parliament and local government leaders should be held politically accountable for bigoted words that encourage discrimination and violence and create a climate of fear for minorities.

**10. Encourage international cooperation on hate crimes.**

Governments should support and strengthen the mandates of intergovernmental organizations that are addressing discrimination—like the Organization for Security and Cooperation in Europe, the European Commission against Racism and Intolerance, and the Fundamental Rights Agency—including by encouraging such organizations to raise the capacity of and train police, prosecutors, and judges, as well as other official bodies and civil society groups to combat violent hate crimes. Governments should also provide a detailed accounting on the incidence and nature of hate crimes to these bodies in accordance with relevant commitments.



## Examples of Bias-Motivated Violence since the 2007 Bucharest Conference on Tolerance

- On June 12, 2010, a gay couple was attacked and beaten on their own doorstep in Vancouver, **Canada**, by a pair of men who uttered antigay slurs. The assailants fled the crime scene before police arrived.<sup>i</sup>
- On the evening of June 9, 2010, a group of Roma traveling to a concert was attacked by approximately 20 skinheads in Sofia, **Bulgaria**. The skinheads beat the victims with glass bottles and bats. The police soon intervened and medics arrived to treat the victims.<sup>ii</sup>
- On June 4, 2010, five students, ages 14 to 21, were subjected to antisemitic taunts and threats at a subway station in the Paris suburb of Brunoy, **France**. Two men reportedly insulted the students, yelled antisemitic slurs and threats, and reportedly showed a knife and made a sign of throat-cutting. After a student called the police, the men were arrested in a nearby supermarket.<sup>iii</sup>
- On May 15, 2010 in Trignac, **France**, a 26-year-old Muslim woman wearing a burqa was assaulted by a 60-year-old woman and her daughter. The victim was shopping when the other women made derogatory remarks about the woman and her attire. The verbal exchange escalated to a physical altercation, and all three women were arrested. The victim accused attackers of racial and religious assault.<sup>iv</sup>
- On April 29, 2010, in Farmington, the **United States**, Vincent Kee, a 22-year-old mentally disabled Navajo Indian man, was kidnapped by three men who shaved a swastika into his head, burned another onto his forearm with a hot wire hanger, and drew degrading words and images on the victim's body.<sup>v</sup> Upon first contact, the police thought the victim was intoxicated rather than mentally challenged and did not mention the swastika brand in the initial report. An internal investigation ensued, while the attackers had been detained and charged with multiple felony counts. Hate crime charges were also sought for the three attackers.<sup>vi</sup>
- On February 16, 2010 in the Fatih area of Istanbul, **Turkey**, a transgender woman was murdered in her apartment. Ayca Yener was stabbed 17 times and had her throat slit. Yener's roommate, 32-year-old Seyhan Özmemiş, was hospitalized with multiple stab wounds but survived. One week prior to stabbings of Yener and Özmemiş, Derya Y., a transgender woman, was found dead in her home on February 8, 2010. In the Altındağ district of Antalya, in Turkey, Y. was found with multiple stab wounds to her face and body, along with a cut throat. Due to the multiple wounds, she died of blood loss.<sup>vii</sup>
- On February 1, 2010 a young man in Hasidic Jewish garb was slapped in the face by a woman who hurled antisemitic insults in Madrid, **Spain**. Bystanders called the police, and the investigation is ongoing.<sup>viii</sup>
- On January 16, 2010, Etz Hayyim Synagogue was set on fire in an arson attack in **Greece**. The Synagogue was a noted Jewish temple and the only synagogue on the island of Crete.<sup>ix</sup> After a second attack in two weeks, numerous relics, pieces of art, books, and computers were damaged. Four men were arrested for the arson.<sup>x</sup>
- On January 10, 2010, the shrine and the Church of the Holy Trinity in Fátima, **Portugal**, were desecrated. The church was covered in graffiti, which included the words "Islam," "moon," "sun," "Muslim," and "mosque." Along with the church, several statues of Catholic religious leaders were covered in paint. The vandals were not found or identified.<sup>xi</sup>
- On December 13, 2009, dozens of people led by a Moldovan Orthodox priest smashed a menorah in **Moldova's** capital Chisinau, using hammers and iron bars to remove the candelabra during Hanukkah. Although the national government denounced the incident, the priest was charged with a misdemeanor for creating a public disturbance.<sup>xii</sup>
- In Rome, **Italy**, within a week in August 2009, a gay disco was set alight and two men were attacked after being seen kissing. A 40-year-old man with a criminal record was arrested and charged with attempted murder, but released by magistrates on the grounds that he was not a threat to public safety.<sup>xiii</sup>
- In Asker, **Norway**, on July 18, 2008, a gunman repeatedly fired at an accommodation center for asylum seekers, which houses fifteen to eighteen youths. A 16-year-old Somali refugee was severely wounded by a projectile that penetrated the wall of the room in which he was sleeping.<sup>xiv</sup> No arrests were reported.<sup>xv</sup>
- Marwa El Sherbiny, a pharmacist from Egypt, was murdered on July 1, 2009, in a courtroom in Dresden, **Germany**. The killer, Alex Wiens, was reported to claim support to "the National Democratic Party of Germany, a right-wing neo-Nazi organization."<sup>xvi</sup> In a park one year prior to the incident, El Sherbiny was insulted by Wiens for wearing a hijab, for which he was fined by the court and appealed the verdict. During the appeal trial, El Sherbiny, who was pregnant, was stabbed 18 times by Wiens. While trying to protect her, El Sherbiny's husband was accidentally shot by a police officer who thought he was the attacker. Although Wiens argued that the killing was not premeditated, he was given a life sentence, the maximum punishment under German law.<sup>xvii</sup>
- On March 3, 2009, a gay couple was found with stab wounds in their home in south-east London, the **United Kingdom**. Fifty-nine-year-old Gerry Edwards did not survive the incident, and his partner Chris Bevan received multiple stab wounds. The police treated the incident as a homophobic murder, and two alleged perpetrators were subsequently arrested.<sup>xviii</sup>
- On February 23, 2009, Robert Csorba, a 27-year-old farm worker, and his 5-year-old son were shot dead as they ran from their burning home in Tatárszentgyörgy, **Hungary**. Csorba's wife and two other children were also seriously injured in the arson attack and treated for severe burns. Despite remnants of the bomb, the police originally declared the fire an electrical accident. Similarly, police at first disregarded the 18 bullets found in five-year-old Csorba's body, as they were unwilling to acknowledge the incident as

murder.<sup>xix</sup> Four suspects were arrested by the Hungarian police in August 2009.

- On February 16, 2009, a beheaded body of a Kyrgyz man was discovered in southern Moscow, **Russia**. The man's severed head was found a day earlier. According to police investigators, the perpetrators will face murder charges if caught. Another Tajik worker, Salahetdin Azizov, was beheaded in the Moscow region by two skinheads in December 2008.
- On January 17, 2009, in Créteil, **France**, two Jewish teenagers were beaten in front of a kosher restaurant by a gang that shouted antisemitic slurs. One of the victims suffered head injuries, and the other was hit in the back. Seven were arrested in connection with the confrontation.<sup>xx</sup>
- On November 8, 2008, a group of teenagers surrounded, taunted, and beat Marcelo Lucero, and Ecuadorian immigrant in Medford, the **United States**. The victim was fatally stabbed by one of the youths. Seventeen months after the incident, the New York State Supreme Court convicted the main attacker of manslaughter as a hate crime, but the teenager was acquitted of the most serious of the charges, second-degree murder as a hate crime.<sup>xxi</sup>
- On July 11, 2008, arson completely destroyed a Jehovah's Witnesses' place of worship in Chekhov, **Russia**. According to a congregant, the fire started with an explosion and the flame spread rapidly through the entire building because the foundation was soaked with a flammable liquid. Jehovah's Witnesses' representatives were dissatisfied with the hesitant response by police and firefighters. Local police have reportedly refused to open an official investigation following the incident.<sup>xxii</sup>
- On May 1, 2008, in Adjara, vandals reportedly desecrated an number of tombs of **Georgian** Jews on Peria mountain.<sup>xxiii</sup>
- On March 19, 2008, in **Denmark**, Deniz Özgür Uzun, a 16-year-old teenager of Turkish origin, was distributing newspapers in the Amager district of Copenhagen. He was verbally harassed by three Danish teenagers aged fifteen, seventeen and eighteen, who then began assaulting him with a baseball bat and a hammer. Deniz died the following day after having sustained severe brain damage.<sup>xxiv</sup> One eyewitness reported the use of a racist slur.<sup>xxv</sup> The three boys were arrested and faced charges of either murder or nonnegligent manslaughter. Two of the defendants, due to the fact that they were minors, were put in juvenile facilities.<sup>xxvi</sup>
- On February 22, 2008, in the Dublin suburb of Drimnagh in **Ireland**, Polish migrant workers Marius Sz wajkos and Pawel Kalite were murdered by a group of youths, suffering lethal stab wounds in the head and throat.<sup>xxvii</sup> Irish Prime Minister Bertie Ahern, who was on a state visit to Poland at the time of the killings, called the killings a result of "hooliganism," while the families of the victims said it would probably "never be known" if they were motivated by xenophobia or racism. A 17-year-old and a 19-year-old were charged in relation to the two murders.<sup>xxviii</sup>
- On February 7, 2008, in **Belgium**, in Liège, two young women, described as being of "Maghreb origin," were attacked by three men in the city center. The victims were verbally abused and physically threatened with a firearm. One of the perpetrators was described as having right-wing extremist affiliations. Following a trial, the two primary offenders were sentenced to jail sentences of fifteen and twelve months respectively (of which six were suspended).<sup>xxix</sup>
- On January 27, 2008, in Kyiv, **Ukraine**, the body of Joseph Bunte, a 19-year old asylum seeker from the Democratic Republic of the Congo, was found with 17 knife wounds in the head, chest, and back.<sup>xxx</sup> The police investigation led to the arrest of two 16-year-olds, reportedly members of an informal skinhead group. The youths were charged with a premeditated murder, although hate motivation was not included as an aggravating circumstance.<sup>xxxi</sup>
- In **Armenia**, on December 23, 2007, in the capital, Yerevan, vandals desecrated a memorial to Jewish victims of the Holocaust in the city's Aragast Park, daubing it with a swastika and black paint.<sup>xxxii</sup>
- In **Kyrgyzstan**, on November 26, 2007, a transgender male was attacked in the streets of Bishkek. Kyrgyzstan's LGBT advocacy group, Labrys, reported on the incident, in which the victim recounted that two drunken men approached him and began to harass and threaten him. The victim went into a nearby supermarket to ask a security guard for assistance. The men followed him into the shop, and the guard refused to help. The assaulters continued to follow the victim through the streets, shouting obscenities and grabbing him. The victim was eventually able to escape. Labrys reported that "this situation is unfortunately very common for many LGBT people in Kyrgyzstan."<sup>xxxiii</sup>
- In **Belarus**, vandals damaged fifteen graves in Babruysk, and daubed antisemitic graffiti and a swastika on cemetery gates in October 2007.<sup>xxxiv</sup>
- In September 2007, attackers in Tartu, **Estonia**, threw stones at a dark-skinned French student. Although the head of an association of foreign students there said the incident was part of a larger problem of neo-Nazi violence, a local police officer downplayed the incident, claiming foreign students in the past two years had been caught up in only a few cases of "robbery, fights, or insults."<sup>xxxv</sup>
- On November 24, 2007, in Zlin, in the **Czech Republic**, three young men described as skinheads shouted racist insults and attacked Sri Lankan student Pradeep Manohara Mahadura as he waited with friends at a bus stop. He was beaten and knocked to the ground and then kicked in the stomach and head before a passerby intervened to help.<sup>xxxvi</sup>
- On August 17, 2007, vandals defaced the cross on the gate of Orthodox Church in Gjilan, **Kosovo**,<sup>xxxvii</sup> and wrote racist slogans on its walls, including "Death for all Serbs."

## Endnotes

<sup>i</sup> Kilian Melloy, Couple Viciously Gay Bashed in Vancouver, *EDGE Boston*, June 15, 2010, <http://www.edgeboston.com/index.php?ch=news&sc=&sc2=news&sc3=&id=106947>.

<sup>ii</sup> Sofia News Agency, "Bulgarian Skinheads, Roma Clash Close to Presidency," *Novinite.com*, June 10, 2010, [http://www.novinite.com/view\\_news.php?id=117010](http://www.novinite.com/view_news.php?id=117010).

<sup>iii</sup> The Associated Press, "Priest leads mob in smashing menorah in Moldova's capital," *Haaretz Daily Newspaper*, December 14, 2009, <http://www.haaretz.com/jewish-world/news/priest-leads-mob-in-smashing-menorah-in-moldova-s-capital-1.2142>.

<sup>iv</sup> Peter Allen, "France Has First 'Burka Rage' Incident," the *Telegraph*, May 18, 2010, <http://www.telegraph.co.uk/news/worldnews/europe/france/7735607/France-has-first-burka-rage-incident.html>.

<sup>v</sup> AP, "DA Seeks Hate Crime Charges in NM Swastika Case," *ABC News*, May 9, 2010, <http://abcnews.go.com/US/wirestory?id=10599062&page=1>.

<sup>vi</sup> Elizabeth Piazza, "Hate-Crime Branding Case Leads to More Training Plans," the *Daily Times*, June 3, 2010, [http://www.daily-times.com/ci\\_15217467?source=most\\_viewed](http://www.daily-times.com/ci_15217467?source=most_viewed).

<sup>vii</sup> "Turkey Urged to Prevent Attacks on Trans People," *Pink News*, February 26, 2010, <http://www.pinknews.org/2010/02/26/turkey-urged-to-prevent-attacks-on-trans-people/>.

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