

HATE CRIMES IN THE OSCE REGION: INCIDENTS AND RESPONSES

Annual Report for 2006



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Foreword

In recent years, OSCE participating States have expressed alarm over the steady rise in the number of hate crimes and violent acts of intolerance taking place throughout the OSCE region. Every year, thousands of people become victims of hate-motivated crimes. Compared to similar crimes that are not motivated by hate, hate crimes always have a broad impact and can therefore be more devastating. By their nature, hate crimes are committed not merely against the immediate victim or their property but against the entire community with which the victim or the property is affiliated. Instigating fear against one community eventually raises the feeling of insecurity among other communities. As a consequence, hate crimes revive old, or may serve to create new, biases, prejudices, and negative imaging of “others”, and also create cycles of mistrust and tension within society. As a result, crimes motivated by hate are particularly aggravating, potentially much more dangerous, and, as such, have a potential to threaten security and stability within and between communities and states.

In recognition of violent manifestations of hatred and intolerance as increasing security threats, the OSCE participating States have strengthened their commitments and developed instruments to ensure a more effective and robust response in combating such crimes and incidents. Ministerial Council Decisions in Maastricht, Sofia, and Ljubljana gave new tasks to the ODIHR, mandating it to “follow closely anti-Semitic incidents” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims” and to “report its findings to the Permanent Council and to the Human Dimension Implementation Meeting and make these findings public”.¹ Ministerial Council Decision No. 13/06 on “Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding” further tasked the ODIHR 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”.² The same Decision also tasked the ODIHR 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”.³

In order not to duplicate the efforts of the other intergovernmental and non-governmental organizations that regularly provide comprehensive accounts of hate crimes and incidents, as well

¹ See MC DEC 4/03, MC DEC/12/04, and MC DEC 10/05 at <<http://tandis.odihr.pl/index.php?p=qu-os,dec>>.

² See MC DEC 13/06 at <<http://tandis.odihr.pl/index.php?p=qu-os,dec>>.

³ *Ibid.*

as of general trends of discrimination, this report provides an overview of continuing challenges faced by states in *responding to violent acts* of hate and intolerance. Covering the year 2006, the report was prepared through a consultative process with the nominated national points of contact on combating hate crime in each of the OSCE's participating States, international partner agencies, civil society organizations, as well as OSCE institutions and field operations.

While emphasizing the importance of incidents for the identification of patterns and trends that were observed in 2006, the focus of the report is on the *responses* of OSCE participating States to such incidents. Examples of effective and immediate responses are highlighted, as are challenges that governments and civil society continue to face in their efforts to prevent and respond to hate-motivated incidents. The ODIHR also sees this report as an early-warning tool, as it highlights areas where better responses are needed.

The comprehensiveness and quality of our reporting are contingent upon the input the ODIHR receives. I hope that this report will encourage participating States to continue to provide us with updated information on incidents and responses to them. At the Human Dimension Implementation Meeting in September, this report should facilitate discussions on the review of implementation of OSCE commitments in the field of tolerance and non-discrimination and help identify future priorities for the work of the OSCE in this area.

To this end, I also invite all participating States to review the ODIHR's toolboxes for combating hate crime, which are presented at the end of this report, and to seek our technical assistance and expertise in order to further improve the implementation of OSCE commitments.

We will continue to develop and refine these tools accordingly.

The report identifies trends and helps to develop specialized networks. It is to be hoped that achievements as well as continuing challenges identified in it will inform governments and civil society alike to further strengthen their action in these fields.

In conclusion, I wish to thank all our contributors, including those in governments, institutions, and civil society, whose effective responses to hate-motivated violence help in the fight against racism, xenophobia, anti-Semitism, and discrimination and serve to foster a climate of respect and understanding.



Ambassador Christian Strohal
ODIHR Director

Summary

This report is part of the ODIHR's attempt to fulfil its mandate to raise awareness about the responses of participating States to hate-motivated crimes and incidents. While the overview of hate-motivated violent incidents included in this report may serve as an illustration of recurrent trends in OSCE states in 2006, the focus of this report is on the *response* of governments. It is based primarily on information received from governments, as well as from international organizations, non-governmental organizations, and media reports. This annual report is a follow-up to the ODIHR's preliminary report that was issued for the period between January and June 2006 and made public in October 2006.

The incidents mentioned in this report were collected and compiled within the framework of the ODIHR's permanent dialogue and co-operation with participating States, international organizations, and civil society in order to: a) better understand hate-motivated violence; b) identify existing efforts of governments and civil society to respond to such incidents; and c) raise awareness about the ways in which the ODIHR can provide assistance and support to states and civil society in strengthening their efforts to combat and effectively respond to violent manifestations of hate.

The report is divided into four parts. **Part I** looks at two types of hate-motivated incidents. It documents that, in 2006, there were frequent attacks involving physical violence targeting both individuals and their property. The response of the participating State concerned is documented for each case. Apart from looking at violent manifestations of hate, this section also deals with hate-motivated media and political discourse, as well as the increased vulnerability of human rights defenders who are targeted because of their perceived affiliation with the communities they support and assist.

Part II examines challenges states face in responding to hate-motivated acts with a focus on law enforcement, data collection, and implementation of legislation. **Part III** gives an overview of initiatives and actions undertaken by participating States in order to strengthen their response to manifestations of hate. It particularly examines six areas, including efforts to: implement legislation, strengthen the response of law enforcement, address negative media and political discourse, promote education to combat intolerance, prevent hate-motivated incidents at sporting events, and establish and strengthen the role and mandate of specialized bodies to address intolerance and hate-motivated incidents. **Part IV** provides an overview of ODIHR tools available to support and assist OSCE participating States and civil society in strengthening their efforts to combat hatred and intolerance.

When looking at types of hate-motivated incidents and at the groups targeted, several trends can be identified. Racist and xenophobic attacks frequently affect Roma and Sinti, as well as other

minority groups. The numerous anti-Semitic incidents that were documented involved violence targeting individual Jews, as well as Jewish sites and symbols. Hate-motivated discourse has also been on the rise, particularly with respect to Jewish and Muslim communities, often in connection with developments in international politics. In many cases, different acts of intolerance overlap, as does the perception of certain groups as both religious and national.

Media, and particularly the Internet, are increasingly used to transmit hate-motivated discourse and propaganda. Their impact is twofold. On the one hand, incitements to commit violent acts are frequently communicated on, and proliferated through, the Internet, in some cases even involving the disclosure of sensitive personal information, which poses a serious threat to potential victims. Apart from this transnational phenomenon, public discourse manifesting itself in the media, as well as on the Internet, tends—even if not explicitly inciting hate-motivated violence—to contribute to a climate of intolerance and to mounting tensions with respect to particular groups or people belonging to them.

As regards government responses, the report shows that relevant authorities in participating States do not always react adequately, transparently, or effectively to hate-motivated incidents. The tendency to present hate crimes as isolated cases and to downplay them as “hooliganism” persists in some OSCE states. Law enforcement agents often demonstrate inadequate first responses to hate-motivated crimes, thus undermining victims’ trust in the rule of law. In some cases, courts issued lenient sentences for violent crimes aggravated by racial or xenophobic hatred.

The lack of data on hate crimes and incidents across the OSCE region is highlighted as a key challenge facing many OSCE states. In this regard, reference is made to the ODIHR’s 2005 report *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives*, in which the ODIHR provided several recommendations regarding data collection, legislation, law enforcement, and the establishment of specialized bodies.

The report also identifies a number of positive trends in state responses that were observed during the reporting period. In response to the high level of hate-motivated incidents, there were more cases of close co-operation between governments, international organizations, and civil society, particularly in the area of hate on the Internet. Governments and civil society organizations made more efforts to improve the monitoring and policing of hate-motivated crimes. A number of states created special working bodies at the national level that involve community-based organizations.

Note on Terminology

The term *hate crime* represents the language used at the 2003 Ministerial Council Meeting in Maastricht, where all OSCE participating States committed to maintain information and statistics on *hate crimes* and to report such information to the ODIHR on a periodic basis. The ODIHR has conceptualized the term *hate crime* in a manner that enables it to respond effectively to its tasks, taking into account the diversity of participating States. With the input of experts from several participating States, the ODIHR developed a working definition of hate crime that is currently being used not only by the ODIHR, but also by a number of partner organizations throughout the OSCE region.

ODIHR Working Definition of Hate Crime

- A) Any criminal offence, including offences against persons or property, where the victim, premises, or target of the offence are selected because of their real or perceived connection, attachment, affiliation, support, or membership with a group as defined in Part B.
- B) A group may be based upon a characteristic common to its members, such as real or perceived race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or other similar factor.

Note: This working definition takes national differences into account, such as differences in legislation, resources, approach, and needs, and thus allows each state to amend the definition as it sees fit.

The term *hate-motivated incident* is also used throughout this report to encompass any incident or act—whether defined by national legislation as criminal or not—against people or property that involves a victim, premises, or target selected because of their real or perceived connection, attachment, affiliation, support, or membership of a group as described in Part B of the above definition. The term is broad enough to cover a range of manifestations of intolerance from low-level incidents motivated by bias to criminal acts.

Hate-motivated crimes are complex phenomena, and this has been acknowledged by human rights defenders and legal practitioners alike; the motivation behind the crimes and the purpose for which they are committed are not easy to identify or prove. To add to the complexity, one must also take into account the issue of multiple identities in relation to hate crimes. Perpetra-

tors of hate-motivated incidents and hate crimes may also be inspired by multiple bias grounds such as gender, ethnicity, or religion. The combination of these grounds can serve to produce something unique and distinct from any single form of discrimination standing alone. People belonging to, or identifying with, different communities may therefore be more vulnerable to hate-motivated crimes.

PART I

Hate-Motivated Violence: Incidents and National Responses

The following overview of hate-motivated violent incidents is intended to serve as an illustration of recurrent trends and responses in OSCE participating States during 2006. It is not intended to be a comprehensive account of cases, but rather a review and illustration of some trends in hate crimes and incidents in various areas. The initial section concerns trends in racism and xenophobia that do not fall expressly into other more specific categories. Hate-motivated violence against Roma and Sinti, migrants, anti-Semitism, hate-motivated incidents against Muslims and against Christians and members of other religions are also presented, as are homophobic hate-motivated acts. This section highlights incidents and trends related to hate propaganda spread through the Internet, the media, and political discourse. It also pays particular attention to the responses of relevant authorities in OSCE participating States, with the aim of identifying the patterns, successes, shortcomings, and challenges.

Violent Manifestations of Hate

Information collected on **incidents motivated by racism and xenophobia** in 2006 reveals a close relationship between racist violence and racist discourse. The available information also suggests both an information deficit and an impunity gap; both government and non-governmental sources concur that a significant majority of violent hate crimes are neither reported to public authorities nor subjected to investigation as crimes.

Trends in racist violence during the year included new waves of violence against particular communities in many countries and changing patterns of violence. In numerous cases, attacks on migrants and foreign students occurred in the context of xenophobic campaigns in print and broadcast media and by both registered political organizations and informal political groups. Members of national minorities and other minority groups were subjected to harassment and violence, often in conjunction with discriminatory and defamatory political discourse, and often accompanied by hate-motivated violence towards foreign nationals of the same ethnic or national origins. National and international armed conflicts beyond the OSCE region exacerbated intercommunity tensions and were an additional stimulus to racist and xenophobic violence towards both immigrants and minorities.

In many cases, young people were both the victims and the perpetrators of racist violence, while women were often the victims of double discrimination based on their gender and membership of a racial or religious group. As a particularly vulnerable group, women are often targeted for racist abuse and violence.

The nature of the violence also evolved in some cases, with a shift from threats and property damage to violent attacks on individuals.⁴ The review also found evidence of increasing cruelty and severity in many cases, including a rising number of deliberate killings and attacks resulting in severe injuries.⁵

The spread of hatred and prejudice through the Internet continued largely unchecked, despite national and international initiatives to limit the use of the Internet to incite and give effect to racism and intolerance. The use of the Internet to disseminate detailed personal information on individuals and to incite deadly violence against them was a developing trend in 2006.

In most OSCE participating States, there is insufficient data to measure the real levels of racist violence, even as new and effective measures to hold perpetrators criminally accountable are introduced. There is, however, a considerable body of incident reports that illustrate the severity and complexity of the problem. Reported incidents in 2006 included attacks of extraordinary violence, as well as attacks seemingly intended to intimidate, degrade, or humiliate.

Cases of racist murders, in which people were attacked because of their "race", colour, descent, or national origin, included the following:

- On 25 October, in Ukraine's capital, Kyiv, a group of men stabbed to death a long-time resident and oil company professional of Nigerian origin whose wife and son were Ukrainian citizens. The attackers reportedly shouted "save Ukraine from these freaks" in the course of the attack.⁶ According to Ukraine's Interior Ministry, the four people detained in connection with the case allegedly committed the murder in revenge for an earlier attack on one of them by an unidentified person perceived to be of African origin. A premeditated-murder case was opened. The investigation established that the murder had a general criminal character.⁷ On 14 November, a 31-year-old citizen of Angola with a Ukrainian wife and two children was attacked and murdered near his home.⁸ This case was identified by investigators as a domestic murder; a premeditated-murder criminal case was opened.⁹ In another suspected racist attack, a Gambian air force captain studying in Kyiv was stabbed outside his dormitory on 28 De-

⁴ See, for example, the statistics of the French National Consultative Council for Human Rights (Commission Nationale Consultative des Droits de l'Homme). French authorities reported a 10 per cent decrease overall in racist and xenophobic and anti-Semitic crimes in 2006, but a relative rise in the proportion of violent crimes. See "La Lutte Contre le Racisme et la Xénophobie: Rapport d'activité 2006", Commission Nationale Consultative des Droits de l'Homme, Section I, p. 12, <<http://lesrapports.ladocumentationfrancaise.fr/BRP/074000226/0001.pdf>>. For a review of statistical data on trends towards increased violence in hate incidents in Europe, see "Hate Crimes: 2007 Survey", Human Rights First, June 2007, <<http://www.humanrightsfirst.info/pdf/07601-discrim-hate-crimes-web.pdf>>.

⁵ The UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance stressed the need, on the part of governments, for a greater affirmation and demonstration of political will to combat racism. See "Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance", submitted to the 62nd session of the Commission on Human Rights, 18 January 2006, p. 4.

⁶ "Kiev Skinheads Murder Nigerian", FsuMonitor.Com, 7 November 2006.

⁷ Communication from the Ministry of Interior of Ukraine to the ODIHR, 10 July 2007.

⁸ Communication from the Eastern Europe Project, ECRE/Refugee Action (Kyiv) to the ODIHR, 22 May 2007.

⁹ Communication from the Ministry of Interior of Ukraine to the ODIHR, 10 July 2007.

ember.¹⁰ The victim was taken by passers-by to the dormitory, where he eventually died. An intentional-murder case was opened; the investigation is underway.¹¹

- In July, in the United Kingdom, a 41-year-old taxi driver of South Asian origin was beaten to death in West Yorkshire in what police said was a racist attack.¹² Two 19-year-old assailants were subsequently tried and sentenced to 25 and 21 years' imprisonment, respectively, on charges of racially aggravated murder. Two other younger teenagers were sentenced to 17 years' imprisonment for participating in the attack.¹³
- In the Russian Federation, a man of Malian origin was stabbed to death in St. Petersburg on 5 February.¹⁴ A 9-year-old Russian girl with a father of Malian origin was stabbed in the face and neck on 25 March.¹⁵ On 7 April, a Senegalese student was shot in St. Petersburg with a weapon painted with a swastika. The student was standing among a group of other students and stood out because of the colour of his skin.¹⁶ Russian non-governmental organizations documented at least 54 racially motivated attacks resulting in death in 2006.¹⁷ In response to these racist incidents in St. Petersburg, police authorities in late May arrested suspected members of an extremist group and attributed numerous racist attacks to them. St. Petersburg's chief prosecutor declared at a press conference that "it is precisely with this group and with these people that we linked the spate of murder attempts and murders which have been committed in our city of late ...".¹⁸

In many cases, violent assaults left victims with severe injuries requiring intensive medical care for prolonged periods and resulting in permanent injury or death. In a number of cases, murders

¹⁰ "Gambian Student Murdered in Kiev", *FsuMonitor.Com*, 2 January 2007, <<http://www.fsumonitor.com/stories/010207Ukraine.shtml>>.

¹¹ Communication from the Ministry of Interior of Ukraine to the ODIHR, 10 July 2007.

¹² "Men jailed for taxi driver murder", *BBC News website*, 20 February 2007.

¹³ *Ibid.*

¹⁴ "Russia: A Timeline Of Recent Racial Incidents", *Radio Free Europe/Radio Liberty website*, 3 April 2006, <<http://www.rferl.org/featuresarticle/2006/04/7519d643-4b94-4a1f-856c-83324e05520f.html>>.

¹⁵ *Ibid.*

¹⁶ "5 Young Extremist Suspects Detained in St. Petersburg", *The Moscow Times website*, 24 May 2006, <http://www.themoscowtimes.com/stories/2006/05/24/014.html>.

¹⁷ The non-governmental organization SOVA Centre for Information and Analysis documented 540 cases of violent hate crimes, including 54 racially motivated attacks resulting in death in 2006, a rise from 31 such cases in 2005, and hate-based attacks on 413 individuals. Victims of hate crimes included members of national minorities, foreigners distinguished by their skin colour, migrants, refugees, and foreign students. Attacks were most frequently carried out by skinheads, targeting people from the Caucasus and Central Asia; the number of skinheads in Russia was generally estimated at around 50,000. See Galina Kozhevnikova, "Radical Nationalism in Russia and Efforts to Oppose it in 2006", SOVA Centre for Information and Analysis, March 2007. The European Commission against Racism and Intolerance's (ECRI) third report on the Russian Federation states that it is "alarmed by consistent information according to which the number of reported racially motivated violent physical attacks against members of visible minorities, in some cases resulting in the death of the victim, has significantly grown over the past years. It is even more worrying that the number of cases reported is probably far from reflecting the real situation in the country, as the victims are generally very reluctant to contact the authorities or even NGOs to inform them about the attacks." See "Third report on the Russian Federation", European Commission against Racism and Intolerance, adopted on 16 December 2005, made public on 16 May 2006, <http://www.coe.int/t/e/human_rights/ecri/1-ECRI/2-Country-by-country_approach/Russian_Federation/Russian_Federation_CBC_3.asp>.

¹⁸ "Extremist Suspects Detained", *The Moscow Times*, *op. cit.*, note 16.

and serious assaults generated national awareness of racist violence and public commitments by political leaders to action against racism.

- On 6 May, a group of skinheads attacked a French national of Togolese origin in Bruges, Belgium, beating him unconscious; a Belgian friend was also injured.¹⁹ The principal victim was in a coma for two months, and remained seriously ill at the end of the year. According to a Flanders News report in April 2007, three individuals were in detention in connection with the attack and faced possible murder charges in the event of the victim died.²⁰
- On 17 May, in the United Kingdom, an Afghan man was racially abused, verbally attacked, and repeatedly stabbed in the chest and stomach by four men who left a flag of England draped over him before running off. The stabbing occurred in a town where the far-right British National Party had earlier won 11 seats on the local council.²¹
- In Potsdam, Germany, in a case that received widespread attention in the lead-up to Germany's hosting of the football World Cup, a German man of Ethiopian origin was severely beaten on 16 April.²² The victim was in a coma until late May. A recording from the victim's cell phone that had picked up the racial epithets of his attackers was broadcast nationwide, and the state prosecutor-general supervised the investigation of the incident as a presumptive racist attack. Intensive inquiries were undertaken. Although prosecutors initially considered charges of attempted racially motivated murder, charges were reduced to assault, as prosecutors said evidence was insufficient to introduce the element of racial motivation.²³ The defendants were acquitted on 15 June 2007.²⁴ The trial failed to prove that the defendants were involved and that the attack was racially motivated. Having ruled in accordance with the *in dubio pro reo* principle, the judge emphasized that a xenophobic motivation was nonetheless conceivable.²⁵ German authorities responded to the Potsdam incident at the highest level, as Chancellor Angela Merkel spoke out against racist violence and pressed for a prompt and thorough investigation. The incident added urgency to intensive measures then under way to ensure a violence-free World Cup. Interior Minister Wolfgang Schäuble announced firm measures to combat racism and xenophobia during the World Cup, declaring that "no one who attempts to attack foreigners, especially people of colour, will succeed".²⁶ Also in Germany, on 19 May, two men attacked a member of the Berlin regional assembly who was of Turkish origin while calling him a "dirty foreigner". He was hospitalized with head injuries after being attacked in

¹⁹ "Woman, Child Dead in Racial Attack", Political Gateway, 11 May 2006, <<http://www.politicalgateway.com>>.

²⁰ Yann Guide, "Agression en Belgique. Victime française. Indifférence générale", citing the Committee in support of Raphaël Mensah, 8 June 2006, <<http://www.bakchich.info/article73.html>>; "Victim of Racist Attack Dies", Flanders News, 10 April 2007, <<http://www.flandersnews.be/cm/flandersnews.be/News/1.108660>>.

²¹ "BNP Town Race Stabbing", UK Monitoring Group, May 2006.

²² "Ethiopian-Born Man Beaten Into Coma", Spiegel Online, 18 April 2006, <<http://www.spiegel.de/international/1,1518,411820,00.html>>.

²³ M. Ermyas, "Eindeutig rassistische Motive", *Potsdamer Neueste Nachrichten* website, 15 September 2006, <www.pnn.de>. The public prosecutor of Potsdam opened the indictment on 22 August.

²⁴ "Freisprüche im Prozess um Überfall auf Äthiopier", Reuters, 15 June 2007, <http://de.today.reuters.com/news/newsArticle.aspx?type=topNews&storyID=2007-06-15T152202Z_01_KOE555294_RTRDEOC_0_DEUTSCHLAND-PROZESSE-EXTREMISMUS-URTEIL-ZF.xml&archived=False>.

²⁵ *Ibid.*

²⁶ "German arrests over race attacks", BBC News website, 26 May 2006, <<http://news.bbc.co.uk/2/hi/europe/5020406.stm>>.

the Lichtenberg ward in east Berlin, known as a neo-Nazi stronghold.²⁷ A six-person police task force was assigned to investigate the assault, and a reward was offered for information. No progress in the case has been reported.²⁸

- A commuter train to Moscow was the scene of a 19 November attack on a 23-year-old ethnic-Kyrgyz man by some 20 young men described as skinheads. The victim was beaten with metal bars, resulting in severe injuries to his head and face, according to a police spokesperson.²⁹ Eleven of the alleged attackers in the Moscow train assault were reportedly detained, and the police launched an investigation.³⁰

In other cases, racist violence appeared **expressly intended to dominate, degrade, and humiliate**.

- In October, a 16-year-old girl of Bulgarian origin was reportedly raped in a school toilet by four boys in an incident that precipitated a national dialogue in Greece. Another student reportedly recorded a video of the incident on a cell phone. Racist threats reportedly forced the girl and her family to leave the community after the crimes came to light.³¹ The extraordinary response to this incident from Greece's highest authorities, including strong statements condemning racism, contrasted dramatically with the initial local response. Local authorities initially responded to the girl's complaint by suspending the boys — and the girl — for five days, while local people closed ranks to protect the boys. Police investigations led to rape charges being brought against the four, and the girl was transferred to a private school in Athens.³² National leaders, including the president, spoke out firmly. Foreign Minister Dora Bakoyannis on 3 November decried the acts as a "horrible instance of racism", while the Archbishop of Athens and All Greece Christodoulos met with the girl and her mother and declared the Church's solidarity with the family.³³
- In an attack on 15 August, in Liverpool, an unknown assailant doused a pregnant woman of Nigerian origin and her two children, aged 10 and 12, with white gloss paint. The three required treatment in a local hospital.³⁴ Police said they were treating the attack as a racist incident because the victim believed she was targeted because of the colour of her skin.³⁵ It is not known whether arrests were made.

²⁷ "German-Turkish Politician Injured in Racist Attack", Deutsche Welle website, 20 May 2006, <<http://www.dw-world.de/dw/article/0,2144,2027025,00.html>>.

²⁸ *Ibid.*

²⁹ "Skinheads Beat Man on Train", *The Moscow Times*, 22 November 2006.

³⁰ *Ibid.*

³¹ "Greece horrified by racist gang rape in school", 5 November 2006, *The Independent* website, <<http://news.independent.co.uk/europe/article1956559.ece>>; "'She Wasn't At All Attractive, She Wasn't Worth It'", *Athens News* website, 10 November 2006, <http://www.athensnews.gr/athweb/nathens.prnt_article?e=C&f=13208&t=01&m=A02&aa=1>.

³² *Ibid.*

³³ "Greek Leadership Expresses Revulsion over Amarynthos Incident", Athens News Agency, 4 November 2006, <<http://www.hri.org/news/greek/ana/2006/06-11-04.ana.html#29>>.

³⁴ "'Racist' paint attack on mother", BBC News website, 15 August 2006, <http://news.bbc.co.uk/2/hi/uk_news/england/merseyside/4795003.stm>. Also see Jonathan McCambridge, "Courts told to use new hate crime strategy", *Belfast Telegraph* website, 15 January 2007, <<http://www.belfasttelegraph.co.uk/news/local-national/article2155169.ece?service=print>>.

³⁵ *Ibid.*

- In the United States, in May 2005, a California landlord beat a 17-year-old African-American girl with a garden hose in an incident that followed weeks of harassment of the victim and her father. The landlord reportedly shouted racial epithets continually, and hung a stuffed monkey with a noose around its neck on the family's banister, with a sign that read "I.M. LYNCHED".³⁶ In March 2007, a jury found the suspect guilty of assault and battery and upheld hate-crime charges against her based in part on her use of racial slurs.³⁷

Migrants and other foreign nationals were particular subjects of racist violence, although incidents involving migrants, particularly those of uncertain legal status, were believed to be seriously underreported. Attacks on migrants did, however, receive national and international prominence in a number of cases.

- On 11 May, in Antwerp, Belgium, a young anti-immigrant extremist shot dead a 24-year-old woman of Malian origin and the 2-year-old child she was caring for.³⁸ Moments before, the gunman had shot a woman of Turkish origin who was reading on a bench in a public square, leaving her critically injured. Belgian authorities and several politicians condemned this incident and stood side-by-side with all immigrant associations in Antwerp in publicly protesting these crimes.³⁹ National leaders and civil society also responded to the attacks with declarations of concern about the rise of racism and xenophobia and outpourings of sympathy for the families of the dead. Some 20,000 people joined a march against racism in Antwerp on 26 May, with banners deploring "The sadness of Antwerp" and with the slogan "Stop racism: Diversity is reality". The shootings are currently under investigation, with the Belgian Centre for Equal Opportunities and Opposition to Racism (CEEOR) acting as joint plaintiff.⁴⁰ The accused pled guilty, and a trial was pending as of the end of the year.⁴¹
- In September, unidentified attackers in Moygashel, Northern Ireland, threw bricks with threatening notes attached through the windows of seven homes occupied by Polish and Lithuanian immigrants.⁴² In June, also in Northern Ireland, arsonists set fire to the home of a Polish couple in Carrickfergus, and attackers severely beat a Latvian man in Lisburn.⁴³ Public authorities in Northern Ireland responded on several levels. The Police Services of Northern Ireland said the September attacks were being treated as race-related.⁴⁴ In addition, Northern Ireland Security Minister David Hanson spoke out to deplore the 15 per cent rise in hate crimes over the previous year, while declaring that "hate crime is wrong and intolerance of any kind has no

³⁶ "Landlord hate crime goes to the jury", PressTelegram.com, 28 March 2007, <http://www.presstelegram.com/news/ci_5544635>; "Long Beach Landlord Convicted of Assault in Hate Crime Trial", The Associated Press, 30 March 2007, <<http://www.signonsandiego.com/news/state/20070330-1147-ca-brf-socal-landlordconvicted.html>>.

³⁷ *Ibid.*

³⁸ "Racist Shooting Rampage Shocks Antwerp (Belgium)", ICARE press release, 12 May 2006, <<http://www.icare.to/news.php?en/2006-05#>>.

³⁹ Communication from the Union of Turkish Associations in Antwerp to the ODIHR, 14 May 2007.

⁴⁰ Information provided to the ODIHR by the CEOOR, 22 September 2006.

⁴¹ "First Anniversary of Antwerp Race Murders", Flanders News, 11 May 2007, <<http://www.flandersnews.be/cm/flandersnews.be/News/1.124037>>.

⁴² "Racist thugs condemned for weekend attacks on homes", *Belfast Telegraph*, 25 September 2006.

⁴³ Michael McHugh, "Ulster disturbing descent into racism", *Belfast Telegraph* website, 27 June 2006, <<http://www.belfasttelegraph.co.uk/incoming/article1854178.ece>>.

⁴⁴ "Racist thugs condemned", *Belfast Telegraph*, *op. cit.*, note 42.

place in a modern society". Hanson spoke while visiting a victim after a weekend in which hate-crime attacks were reported in four towns.⁴⁵ Statutory agencies also undertook detailed studies of the implementation of hate-crime laws in the region.⁴⁶

- In the Russian Federation, four young men attacked three North Korean citizens in Vladivostok on 10 December. Two of the victims later died in hospital as a result of their injuries.⁴⁷ Russian authorities responded promptly to the attacks. Five men were arrested and charged with "deadly assault", all but one of whom were released pending trial.⁴⁸

Anti-immigrant bias fuelled by racism was a factor in attacks on people of particular national or ethnic origins or religion, as well as in targeted **attacks on refugees and asylum seekers**: people who are often particularly vulnerable when they are housed together in highly visible concentrations.

- In Finland, on 23 August, young men attacked a building housing some 40 refugees from Myanmar (Burma) with clubs and stones in the coastal city of Kotka. An initial attack, by just two men, was reported in the afternoon, while some 20 attackers returned in the evening, breaking dozens of windows in one apartment block.⁴⁹ Three of the attackers were arrested.⁵⁰ Police said the attack had been "revenge" after a fight between a foreign man and a Finnish resident of Kotka. Charges of wilful damage and aggravated disturbance of domestic peace were being considered as of the end of August 2006.⁵¹
- At least four men beat and stabbed a Moroccan refugee on 22 July at an anti-racism festival in Olsztyn, Poland. The victim, a member of the Migrator Troupe of refugee actors, had just taken part in a performance about the experience of refugees in Poland and said his assailants told him they attacked him because "you are dark, you are black" and "there are too many foreigners".⁵² According to a press release from the Internet Center Anti Racism Europe (ICARE), Polish Radio cited the Olsztyn police commissioner as denying claims of a racist attack: "The four men in custody didn't belong to any specific organization like [skinheads] or

⁴⁵ "Ulster disturbing descent into racism", *Belfast Telegraph*, *op. cit.*, note 43.

⁴⁶ The Criminal Justice Inspection Northern Ireland, an independent statutory inspectorate, prepared a report entitled "Hate Crime in Northern Ireland: A thematic inspection of the management of hate crime by the criminal justice system in Northern Ireland", which was released in 2007. See "Courts told to use new hate crime strategy", *Belfast Telegraph*, *op. cit.*, note 34; "Criminal Justice Agencies Committed to Addressing Hate Crime but Common Approach Must Be Adopted", Criminal Justice Inspection Northern Ireland press release, 15 January 2007.

⁴⁷ "Indian Student Attacked in St. Petersburg", RIA Novosti, 11 December 2006; "Hate crime attackers admit guilt, await trial", *Vladivostok News* website, 11 January, 2007, <http://vn.vladnews.ru/issue551/Crime_watch/Hate_crime_attackers_admit_guilt_await_trial>; "29 victims in the first decade of December, 2006", SOVA Centre for Information and Analysis press release, 21 December 2006, <[http://xeno.sova-center.ru/6BA2468/6BB41EE/872777BF](http://xeno.sova-center.ru/6BA2468/6BB41EE/87277BF)>.

⁴⁸ *Vladivostok News*, *ibid.*

⁴⁹ "Mob smashes windows of apartments housing refugees from Myanmar: Two men held after racist attack in Kotka", *Helsingin Sanomat*, international edition, 28 August 2006; "Revenge established as motive for racist attack in Kotka", *Helsingin Sanomat*, international edition, 29 August 2006. See <<http://www.hs.fi/english/archive/2006/8>>.

⁵⁰ *Ibid.*

⁵¹ "Revenge", *Helsingin Sanomat*, *op. cit.*, note 49.

⁵² Bogdan Zaryn, "Attack on Moroccan Actor", *Polskie Radio* website, 24 July 2006, <<http://www2.polskieradio.pl/zagranica/dokument.aspx?iid=39582>>.

any nationalist groups. They have criminal records and are known to police. According to our investigation it doesn't seem at the moment that it was a racial attack."⁵³

- Three young immigrants from Gambia and a Spanish friend were attacked in September in Barcelona by a large group of young people upon leaving a concert. The four were subjected to xenophobic verbal abuse and beatings; one of them was hospitalized in an intensive care unit for five days. Legal representation of the victims was provided by SOS Racismo Catalunya.⁵⁴
- In Ukraine, local human rights monitors reported a series of attacks on refugees and asylum seekers in Kyiv and Kharkiv in September and October, including beatings.⁵⁵ On 9 September, an Ethiopian refugee and a friend were attacked by a group of young men and women on a street in downtown Kyiv. The refugee, who was visiting Ukraine from Germany, was beaten in the head with a metal rod and died the next day; his friend was also beaten but escaped to summon police.⁵⁶ Police reportedly responded to the attack by detaining a number of suspects, including two young women.⁵⁷ It is not known whether charges were brought or whether a racist motivation was considered in police investigations. Non-governmental monitors in Ukraine maintained that there was no evidence of police investigations or arrests after most reported assaults on refugees.⁵⁸
- In August, a 41-year-old Chinese asylum seeker was attacked and seriously injured outside his home in the Sighthill area of Glasgow, just three months after he had been relocated there from London. He died in hospital.⁵⁹

Those working with and for refugees and asylum seekers, or providing services to migrant workers, were also subject to hate-motivated attacks in 2006.

- Repeated attacks were reported in Malta on organizations working to advance the rights of refugees and asylum seekers. On 13 March, arsonists set fire to seven vehicles belonging to the Jesuit Centre for Faith and Justice—the national focal point in Malta for the **European Monitoring Centre on Racism and Xenophobia (EUMC)**—and the Jesuit Refugee Services (JRS). The attack followed a press conference announcing the publication of an EU-commissioned report on racism and xenophobia.⁶⁰ Just weeks later, the vehicles of JRS staff were set on fire, while, on 11 April, one day after a *Times of Malta* interview with JRS concerning refugees in

⁵³ "Attack on Moroccan Actor (Poland)", ICARE press release, 24 July 2006, <<http://www.icare.to/news.php?en/2006-07#>>.

⁵⁴ Communication to the ODIHR from ENAR-España/SOS Racismo, citing the SOS Racismo annual report for 2006, 23 May 2007.

⁵⁵ Communication from Eastern Europe Project, ECRE/Refugee Action (Kyiv), 22 May 2007; "Gambian Student Murdered in Kiev", FsuMonitor.Com, 2 January 2007, <<http://www.fsumonitor.com/stories/010207Ukraine.shtml>>.

⁵⁶ E-mail communication with the surviving victim of the attack, with the assistance of the Eastern Europe Project, ECRE/Refugee Action (Kyiv), 22 May 2007.

⁵⁷ Communication from the Eastern Europe Project, ECRE/Refugee Action (Kyiv) to the ODIHR, 22 May 2007.

⁵⁸ *Ibid.*; "Gambian Student Murdered in Kiev", FsuMonitor.com, *op. cit.*, note 55.

⁵⁹ Nicholas Christian, "Teenager stabbed in head during race attack", *Scotland on Sunday* website, 25 February 2007, <<http://scotlandonsunday.scotsman.com/glasgow.cfm?id=298432007>>.

⁶⁰ "EUMC-Bulletin 01/2006", European Union Agency for Fundamental Rights, <<http://www.eumc.europa.eu>>.

Malta, arsonists set fire to the front of the home of a JRS lawyer and burned his car.⁶¹ In May, attackers damaged the homes of two journalists who had published articles on racism, immigration, and the extreme right.⁶² As of October 2006, police investigations into these attacks were reportedly still in process and had not established racist motives in the attacks.⁶³

- The Spanish Commission to Aid Refugees (CEAR) suffered a series of attacks on its Valencia headquarters, including incidents in March and May in which windows were broken and part of the entry was destroyed. Locks were sealed with glue on more than a dozen occasions, while staff and refugees seeking assistance were threatened with violence in the street.⁶⁴ CEAR officials expressed their conviction that the attacks were “racist and xenophobic and [were] related to the work carried out by the organization”. In addition, CEAR lodged formal complaints with police and pressed for an investigation.⁶⁵ Some 300 racist incidents were reportedly registered in Valencia in 2006, according to the regional office of the national Movement against Intolerance; racist and xenophobic graffiti had proliferated in particular in areas known to house immigrants.⁶⁶

In Malta, an initiative to strengthen the hate-crimes provision in criminal law was reported in response to attacks on those assisting refugees and asylum seekers. Act No. XVI was adopted by the House of Representatives on 28 July and came into force on 8 August. It outlines amendments to the Criminal Code to add to the definition of racist offences committed against a person assisting those of different beliefs or colour. The Act also states that, if an arson attack had racist motives, this should be considered an aggravating circumstance.

In the reporting period, numerous **hate-motivated incidents and crimes targeting members of minority communities** and groups seeking recognition as national minorities were observed in the OSCE region. These incidents were witnessed in particular in areas where conflicts occurred in the past or where interethnic tensions persist today.

- Attacks on members of ethnic minorities in Kosovo continued to be reported, including attacks on homes and gathering places. On 26 August, nine people were injured by an explosive device at the Dolce Vita café in the predominantly ethnic-Serb northern section of Mitrovica/Mitrovicë. A 16-year-old suspect was subsequently detained by a member of the Kosovo

⁶¹ “JRS stands up over flames”, di-ve.com, 23 May 2006, <<http://www.di-ve.com/dive/portal/portal.jhtml?id=233034&pid=147>>; also see “JRS Malta Human Rights Lawyer Under Arson Attack”, Jesuit Refugee Service press release, 19 April 2005, <http://www.jrseurope.org/news_releases/April19thMalta.htm>.

⁶² “Malta: Attacks against anti-racists must end”, Amnesty International public statement, 9 June 2006, <<http://web.amnesty.org/library/print/ENGEUR330012006>>.

⁶³ Communication to the ODIHR from the Delegation of Malta, 2 October 2006.

⁶⁴ Jaime Prats, “Una ONG de ayuda a inmigrantes sufre tres ataques en el último año CEAR denuncia la colocación de un artefacto explosivo en su sede de Valencia”, *El País*, 6 February 2007; P. Huguet, “La Comisión de Ayuda al Refugiado denuncia el octavo ataque contra su sede con un artefacto explosivo”, *Las Provincias* website, 16 May 2007, <http://www.lasprovincias.es/valencia/prensa/20070516/sucesos/comision-ayuda-refugiado-denuncia_20070516.html>.

⁶⁵ “Una ONG”, *El País*, *ibid.*

⁶⁶ “En 2006 se registraron unas 300 agresiones xenófobas y racistas”, ABC.es, 7 February 2007, <http://www.abc.es/hemeroteca/historico-07-02-2007/abc/Valencia/en-2006-se-registraron-unas-300-agresiones-xenofobas-y-racistas_1631331755410.html>.

Police Service while fleeing to the southern part of the town.⁶⁷ On 19 September, the apartment of a Kosovo Serb family in Klina was attacked with an explosive device, seriously injuring four family members. Incidents continued to be reported in which buses and trucks transporting Serbs from Osojane/Osojan to northern Mitrovica/Mitrovicë were stoned.⁶⁸ According to information received from the OSCE Mission in Kosovo, ethnically motivated violence seeking to coerce members of minority communities into selling their property and departing Kosovo continues to take place.⁶⁹

- Hate incidents motivated by ethnicity bias continued to be reported in Bosnia and Herzegovina. In an incident in Banja Luka, a Bosniak man was verbally and physically attacked while seeking to repossess an apartment that lawfully belonged to him.⁷⁰ Police responded almost immediately and restrained the attacker. The attacker was subsequently tried and sentenced to six months' imprisonment, which was suspended for two years.⁷¹
- In Bulgaria, racist and xenophobic discourse attributed to registered political parties, in particular regarding the Macedonian, Roma, and Turkish minorities, provided a backdrop to racist violence against representatives of minorities. In June, in the midst of a reportedly racist and xenophobic campaign to deny registration to the Turkish National Union, a Molotov cocktail was thrown at the house of one of its leaders.⁷² In July, a mosque used by the Turkish minority in Kazanluk was set on fire with a Molotov cocktail.⁷³ Information on investigations into the firebombings is unavailable.
- Hate crimes based on national origin reported in the Russian Federation included a 15 October attack on a 50-year-old ethnic-Armenian man in Byisk, and an attack on a 39-year-old man of Azerbaijani descent on 1 November: both victims died in hospital. The two attackers alleged to have committed both crimes were charged with murder motivated by ethnic hatred. They were also allegedly members of an extremist organization.⁷⁴
- On 29 August, in Kondopoga, Russian Federation, a brawl in a restaurant owned by a man of Azerbaijani descent set off violent attacks against people of Caucasian origin living there: businesses were burned, and a market that employed many people of Caucasian origin was attacked.⁷⁵ Speakers at a mass meeting on 2 September demanded that unregistered peo-

⁶⁷ "Ethnic Communities in Kosovo in 2006", Humanitarian Law Center, 13 February 2007, <<http://www.hlc-rdc.org/storage/docs/b04511b841d3bd4f7ce3d4be54f1ace5.doc>>.

⁶⁸ See the chapter on Bulgaria in *Human Rights in the OSCE Region: Europe, Central Asia and North America—Report 2007 (Events of 2006)*, International Helsinki Federation for Human Rights, 27 March 2007, <http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=4387>; and communication from the Agency for Human and Minority Rights of the Republic of Serbia to the ODIHR, 10 July 2007.

⁶⁹ Communication from the OSCE Mission in Kosovo to the ODIHR, 14 September 2006.

⁷⁰ Communications from the OSCE Mission to Bosnia and Herzegovina to the ODIHR, 13 September 2006 and 13 July 2007.

⁷¹ *Ibid.*

⁷² See the chapter on Serbia in *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68.

⁷³ *Ibid.*

⁷⁴ "Skinheads Charged with Hate Crimes Murders", *FsuMonitor.Com*, 29 November 2006, <<http://www.fsumonitor.com/stories/112906Russia.shtml>>, citing a 24 November 2006 article in the Russian daily *Gazeta*.

⁷⁵ "Hate Crimes: 2007 Survey", *Human Rights First*, *op. cit.*, note 4.

ple “of Caucasian origin” leave Kondopoga within 24 hours, after which mobs set fire to cars, overturned commercial stalls belonging to people from the Caucasus, and threw firebombs.⁷⁶ At least eight people singled out for their apparent Caucasian appearance were reported injured in what was widely characterized as a pogrom.⁷⁷ Chechen families were sheltered in a nearby school that was in turn firebombed three days later, although no injuries resulted.⁷⁸ In response to these events, over 200 people were detained, some of whom were subjected to administrative sanctions. In the immediate aftermath of the violence, the number of police deployed there was reportedly increased, while checkpoints were established.⁷⁹ On 16 November, prosecutors opened an investigation into racial-incitement charges against Aleksandr Belov, the leader of the Movement Against Illegal Immigration. According to the statement of the prosecution: “A.A. Potkin (Belov) specifically came from Moscow to Kondopoga to organize and take part on 2 September in an unsanctioned demonstration with the participation of more than 2,000 citizens. He took part in the preparation of a list of demands to the local administration concerning the non-native population, which was aimed at the incitement of hatred toward citizens living in Kondopoga who had come to Kondopoga from the Chechen Republic of the Russian Federation and the republics of the Caucasus region.”⁸⁰

- In July, in Ukraine, Crimean Tatars who protested proposals to expand a market on the site of a Tatar cemetery were attacked in an incident of racially motivated violence. Part of the grounds of the cemetery had been taken over for a market in the aftermath of the mass deportation of the Crimean Tatars, and, according to a non-governmental source, “mausoleums dating back to the 15th century were—and are—being used as public restrooms”.⁸¹ A day after protesters barred access to the site, some traders reportedly “aligned themselves with extreme nationalist Cossack and skinhead groups” to attack the Tatars.⁸² On 12 August, a delegation from the Crimean Tatar parliament was attacked at the market by a mob of extreme nationalists reportedly shouting “Tatars out of the Crimea!” and other slogans.⁸³ In response to the violence, Ukrainian Prime Minister Viktor Yanukovich met with Tatar leaders, and reportedly pledged that the market would be moved and the site returned to the Tatars. National officials subsequently announced that the market would be closed down on 11 September.⁸⁴

Racist violence continues to be manifested during sporting events in many participating States, despite the enormous efforts made by governments, football associations, and civil society to transform the forum of football stadiums and game-day broadcasts into platforms for promoting

⁷⁶ *Ibid.*, citing “V Karelii vozvuzhdno ugovnoe delo protiv lidera DPNI”, SOVA Centre for Information and Analysis, 15 December 2006, <<http://xeno.sova-center.ru/45A2A1E/86A44E7>>.

⁷⁷ Galina Kozhevnikova, “Autumn—2006: Under the Kondopoga Banner”, SOVA Centre for Information and Analysis, 4 January 2007.

⁷⁸ “Hate Crimes: 2007 Survey”, Human Rights First, *op. cit.*, note 4, citing “V Kondopoge prodolzhaetsya napadenia na immigrantov”, *Novaya Politika*, 6 September 2006, <<http://www.novopol.ru/article11216.html>>.

⁷⁹ “Hate Crimes: 2007 Survey”, Human Rights First, *op. cit.*, note 4, citing “V Kondopoge za uchastie v massovikh bezporyadkakh zederzhany 224 chelovek”, *Regnum.ru*, 9 September 2006, <<http://www.regnum.ru/news/703736.html>>.

⁸⁰ “Kondopoga Banner”, SOVA Centre for Information and Analysis, *op. cit.*, note 77.

⁸¹ “Crimean Tatars Clash with Traders Over Old Cemetery”, *Bigotry Monitor*, Vol. 6, No. 25, 14 July 2006, <<http://www.fsmonitor.com/stories/bigotrymonitor.shtml>>.

⁸² “More Clashes Over Crimean Tatar Cemetery”, *Bigotry Monitor*, Vol. 6, No. 29, 25 August 2006, <<http://www.fsmonitor.com/stories/bigotrymonitor.shtml>>.

⁸³ *Ibid.*

⁸⁴ *Ibid.*

tolerance and mutual respect. Incidents of violence in and around football stadiums continued to receive high levels of public and government attention in 2006.

- On 23 November, an incident in the aftermath of a match in France between Paris St. Germain and Israel's Tel Aviv Hapoel involved a combination of racist and anti-Semitic violence. St. Germain fans shouting "kill the Jews" and "the dirty Jew must die" attacked a 25-year-old Jewish fan, and subsequently attacked a black police officer who came to his aid.⁸⁵ A state prosecutor said the crowd "hurled insults—'dirty Jew,' 'Dirty Negro' and monkey cries—and raised Nazi salutes"; and attacked both the fan and the police officer, at which time the officer fired his revolver, killing one of the attackers.⁸⁶ The response of senior public authorities in France was to stress the importance of eradicating racism and anti-Semitism in football, including racist discourse. Then-Interior Minister Nicolas Sarkozy demanded action even if it meant barring spectators. After meeting with soccer officials and representatives of fans, he told the press, "We prefer to see stands that are empty than full of unwanted people."⁸⁷ And he added, "We no longer want racists, Nazi salutes, monkey noises in stadiums. Soccer is not war."⁸⁸

High-level responses to racist violence were reported in a number of participating States in which national political leaders declared their concerns and their commitment to action in response to racism and xenophobia.

- Belgium's leadership spoke out to condemn racism and xenophobia in the wake of the 11 May attacks. Belgian Prime Minister Guy Verhofstadt condemned the attacks in Antwerp as a form of extreme racism and cautioned Belgian citizens against being pulled into "a spiral of violence". He reaffirmed the commitment of the police and judicial system to ensure the proper follow-up of the case.⁸⁹
- In November, then-President Jacques Chirac of France spoke out to condemn racist violence in the wake of the incident at the Paris St. Germain stadium, declaring that the racist statements reportedly uttered at the stadium "inspire a feeling not only of condemnation, not only of stupefaction—but also of horror".⁹⁰
- In Germany, Chancellor Angela Merkel condemned the attack in Potsdam strongly and expressed hope for quick results in the investigation in order "to make very clear that we condemn absolutely hatred of foreigners [and] right-wing violence".⁹¹

⁸⁵ Elaine Sciolino, "Night of Soccer Violence in France Reveals an Ugly Underside", *The New York Times*, 28 November 2006; Bruce Crumley, "France Confronts Soccer's Vicious Underside", *Time*, 1 December 2006.

⁸⁶ "France Confronts Soccer's Vicious Underside", *Time*, *ibid.*

⁸⁷ "Night of Soccer Violence in France", *The New York Times*, *op. cit.*, note 85. For background on racism at the Parc de Princes stadium, see "France Confronts Soccer's Vicious Underside", *Time*, *op. cit.*, note 85.

⁸⁸ *Ibid.*

⁸⁹ "18-Year Old 'Far-Right' Belgian Shot and Apprehended for Racially Motivated Series of Killings", About.com, <<http://racerelations.about.com/b/a/257444.htm>>.

⁹⁰ "Chirac condemns football violence", BBC News website, 25 November 2006, <<http://news.bbc.co.uk/1/hi/world/europe/6182414.stm>>.

⁹¹ Colin Nickerson, "Racial Attacks in Germany Stir World Cup Fear, Far-Right Groups Alarm Host Nation", *The Boston Globe*, 24 April 2006.

- National attention drawn to the rape of an ethnic-Bulgarian girl in Greece brought prompt declarations of concern from senior officials, including President Karolos Papoulias, who declared: "Greeks have experienced expatriation and racism and we will not impose what we have been through on the immigrants living and working here."⁹² In December, the Greek Education Ministry banned students from using cell phones in school on the grounds that video-taping bad behaviour "encourages further disorder as well as competition amongst pupils to create increasingly shocking images".⁹³
- In response to hate-motivated incidents in the Russian Federation, President Vladimir Putin stated in a 9 May speech to World War II veterans during a Victory Day parade that: "Those who are again trying to raise the defeated flags of Nazism, who sow ethnic hatred, extremism and xenophobia, are leading the world to a dead end, to thoughtless bloodshed and cruelty."⁹⁴

Racially motivated crimes and incidents against Roma and Sinti in the OSCE area continue to be of concern. Available evidence suggests that participating States have achieved little in terms of effectively combating racist attacks against Roma and Sinti. On a consistent basis, Roma and Sinti in Southern and Central Europe are identified as the most disliked minority.⁹⁵ Pervasive negative stereotypes and anti-Roma prejudice are fertile ground for hate-crime incidents. Concurrently, the gap in the socio-economic and education situation is growing rather than diminishing, which reinforces negative attitudes among the majority. Limited legal action or inaction by law enforcement and justice institutions in incidents against Roma and Sinti contributes to their feeling of insecurity and victimization.

Moreover, it is disturbing that racially motivated incidents against Roma and Sinti, as reported, are being committed by law enforcement functionaries.⁹⁶ Racist discourse by local and national extremist parties, politicians, and/or state representatives has encouraged such behaviour on the part of police.

The following incidents offer illustrations of racially motivated crimes affecting Roma and Sinti:

- In Serbia, the Minority Rights Centre (CRM) criticized a court's lenient sentencing of a dozen skinheads who attacked a Roma settlement in February, breaking windows in several Roma houses while shouting: "Gypsies, You're Dead Meat!" The police arrested nine perpetrators. The municipal misdemeanour court decided that both the perpetrators and the victims were to pay a fine. The CRM filed a criminal charge against the perpetrators for instigating racial and

⁹² "Teen Rape Case Sparks Reaction", *Kathimerini* website, 3 November 2006, <<http://www.ekathimerini.com/4dcgi/news/content.asp?aid=76139>>.

⁹³ Malcolm Brabant, "Greece bans mobiles in schools", BBC News website, 8 December 2006, <<http://news.bbc.co.uk/2/hi/europe/6162243.stm>>.

⁹⁴ "Putin faces up to racist scourge", BBC News website, 9 May 2006, <<http://news.bbc.co.uk/2/hi/europe/4755163.stm>>.

⁹⁵ See, for example, "Current Attitudes Toward the Roma in Central Europe: A Report of Research with non-Roma and Roma Respondents", Open Society Institute, 2005 <http://www.soros.org/initiatives/roma/articles_publications/publications/attitudes_20050901/romasurvey_2005.pdf>.

⁹⁶ The European Roma Rights Centre has brought several publicized cases to the European Court of Human Rights to seek justice for Roma victims of hate-motivated crimes. For more information, visit <www.errc.org>.

religious intolerance. The public prosecutor did not start a criminal procedure, even though they were obliged to do so.⁹⁷

- According to information from the European Roma Rights Centre (ERRC), on 13 April, a group of young people attacked a Roma tent camp in Volzhskie, Russian Federation. As a result, a man and a woman were killed, and six others were severely injured. The Prosecutor's Office of the Volgograd region opened a criminal investigation under Art. 105(2) of the Criminal Code for murder committed by a group of people, motivated by national, racial, or religious hatred. Nine young people were detained. The ERRC is continuing to monitor the case. In addition, The Associated Press observed that "a wave of racially motivated attacks in Russia have raised concerns of growing militant nationalism".⁹⁸ The Associated Press chronicles several incidents of hate-motivated violence involving gangs of youth. Law enforcement authorities have reacted very leniently, and, according to The Associated Press, critics say that the Russian Government is moving very slowly to stem the rise of xenophobia and racism.

Compounding the above, the problems Roma and Sinti encounter in their relations with law enforcement authorities include the following:

- According to the Helsinki Committee for Human Rights Macedonia, in the former Yugoslav Republic of Macedonia on 9 May, two Roma brothers were chased by a Police Alpha unit (a unit for quick intervention) on their way home. One boy, who jumped in the River Vardar, was missing for several days; his body was found 16 days later in the municipality of Gjorce Petrov.⁹⁹ According to the ERRC, the public prosecutor announced on 26 July that charges would not be pursued by the state against the Alpha unit. The Helsinki Committee is currently assisting the parents of the dead Roma boy to file a private complaint.¹⁰⁰
- In Bosnia and Herzegovina, the European Commission against Racism and Intolerance noted that Roma were allegedly "the objects of disproportionately frequent checks and sometimes of harassment by law enforcement officials". Prejudice *vis-à-vis* Roma still appears to be widespread, and some law enforcement officials have been reported to have held Roma responsible for crimes on the basis of little or no evidence and to have failed to investigate crimes committed against Roma.¹⁰¹ According to the Advisory Committee of the Framework Convention for the Protection of National Minorities, "the general lack of confidence in law-enforcement authorities by the Roma partly explains why few incidents involving police abuse against Roma are reported, a state of affairs which is aggravated by the extremely low number of Roma employed as police officers".¹⁰²

⁹⁷ "Victims Penalized, Too", OneWorld Southeast Europe, as reported by Radio B92, <<http://see.oneworld.net/article/view/130874/1>>.

⁹⁸ "2 Gypsies Shot Dead, Police Arrest Suspect", The Associated Press, 18 April 2006.

⁹⁹ "Report on the Human Rights Situation in the Republic of Macedonia, June 2006", Helsinki Committee for Human Rights Macedonia, <http://www.mhc.org.mk/eng/a_izveshtai/a_2006_06mi.htm>.

¹⁰⁰ "Macedonian Police Abuse Young Romani Man; Romani Youth Found Dead After Being Chased by Police", European Roma Rights Centre, <<http://www.errc.org/cikk.php?cikk=2686>>.

¹⁰¹ "Report on Bosnia and Herzegovina", European Commission against Racism and Intolerance, para. 51, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach>.

¹⁰² "Opinion on Bosnia and Herzegovina", Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities, adopted on 27 May 2004, para. 70, <http://www.coe.int/T/E/Human_Rights/Minorities>.

- In Serbia, the Humanitarian Law Center reported physical and verbal abuse by unidentified police officers of Roma children washing car windows on Belgrade streets. However, an investigation has reportedly been slow and ineffective.¹⁰³
- A 2007 Amnesty International report on Romania noted that: “violent clashes between police and members of the Romani community in Reghin, Apalina district, reportedly resulted in injuries to two policemen and 36 Romani women, men and children. The incident reportedly began when a police officer alleged that he had been assaulted by two Romani men. Shortly afterwards, a violent altercation broke out after plain-clothes police officers and masked Special Forces police officers arrived at the Apalina district, reportedly to serve two subpoenas. The police claimed they were attacked by several Roma using rocks, metal bars and pitchforks. The Roma claimed that Special Forces officers provoked the violence by using excessive force, including by firing rubber bullets and tear gas. The initial police investigation cleared the officers of any wrongdoing. In November, following a visit by two members of the European Parliament, the General Police Inspectorate opened a preliminary investigation into the incident. The investigation was continuing at the end of the year.”¹⁰⁴
- A Roma civic organization notified the Hungarian National Police Headquarters that anti-Roma statements had been made on the internal homepage of the Hungarian police. Following the notification, the homepage was taken down, and an internal investigation was launched into the activities of 32 professional officers and public employees.¹⁰⁵
- On 23 October, a non-Roma man was reportedly attacked by inhabitants of the Roma settlement near the village of Ambrus in the municipality of Ivančna Gorica in Slovenia. Following threats from non-Roma residents, the entire Romani community fled from their homes to the forest. They spent several nights hiding in the forest in fear of retribution by non-Roma, who made a range of threats against the local Roma, including death. On 28 October, the local Roma attempted to return to their homes under police protection. Reportedly, approximately 200 non-Roma local residents objected to the return of the Roma and, under threat of violence, demanded that authorities resettle the Romani community living there to a more suitable location “due to security and ecological reasons”.¹⁰⁶

In 2006, anti-Semitic incidents and crimes continued to threaten stability and security in the OSCE region, remaining at high levels in terms of both frequency and intensity.¹⁰⁷ **Manifestations of anti-Semitism** involved physical attacks, including murder; verbal assaults, mainly against

¹⁰³ “Police Violence against Roma in Serbia and Montenegro”, European Roma Rights Centre, <<http://www.errc.org/cikk.php?cikk=1590>>.

¹⁰⁴ See the chapter on Romania in *Amnesty International Report 2007: The State of the World’s Human Rights* (Witney, UK: Amnesty International, 2007), <<http://thereport.amnesty.org/eng/Regions/Europe-and-Central-Asia/Romania>>.

¹⁰⁵ “Hungarian Police Chief Suspends 32 Officers over Anti-Gypsy Homepage”, BBC Monitoring, original source: Hungarian television M2 satellite service, 11 December 2006.

¹⁰⁶ “Slovene Authorities Capitulate to Mob”, European Roma Rights Centre, <<http://www.errc.org/cikk.php?cikk=2653>>.

¹⁰⁷ In a worldwide survey, the Stephen Roth Institute recorded 590 cases of violence and vandalism, including 19 major attacks perpetrated with a weapon and intent to kill and 270 physical attacks on Jews, which is twice as many as in 2005. See “Antisemitism Worldwide 2006: General Analysis”, The Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism, 2007, p. 1, <<http://antisemitism.tau.ac.il/asw2006/gen-analysis.pdf>>; also see “Antisemitism: 2007 Hate Crime Survey”, Human Rights First, June 2007, p. 2.

visibly identifiable Jews or Jewish institutions; and attacks against Jewish property, including vandalism on Jewish cemeteries and synagogues.¹⁰⁸ In particular, schools and Jewish students have become prominent targets.¹⁰⁹ Analyses and investigations of these incidents show that the projection of anti-Israel sentiment onto Jewish communities throughout Europe was a widespread pattern in 2006, with the conflict between Israel and Hezbollah frequently being used as a justification for anti-Semitism. This found its expression in both organized and spontaneous violence. In this context, direct reference to the Third Reich was often made, with Holocaust imagery being used as a rhetorical device to threaten Jews or to equate them with the perpetrators of the Holocaust.¹¹⁰ This development and the politicization of Holocaust denial account for the fact that the Shoah has become a theme in anti-Semitism. In 2006, attacks against the memory of the Holocaust were both rhetorical and physical, with memorial sites being desecrated and demolished in various participating States. In addition, adherence to (elements of) traditional anti-Semitic prejudice, traditional stereotypes, and radical exclusionary nationalism have continued to motivate anti-Semitic incidents. Across the OSCE region, law enforcement officers have responded to these incidents with investigations, especially in the case of threats, harassment, and violent attacks against Jewish individuals and/or communities.

Official or unofficial data specifically on anti-Semitism in 2006 was submitted to the ODIHR by participating States and civil society with respect to Belgium,¹¹¹ Canada,¹¹² the Czech Republic,¹¹³ France,¹¹⁴ Germany,¹¹⁵ Italy,¹¹⁶ the United Kingdom,¹¹⁷ and the United States.¹¹⁸ The findings suggest that the number of anti-Semitic incidents, when compared with 2005, increased by 20 per cent in France and by 31 per cent in the United Kingdom. Belgium, Canada, and the United Kingdom recorded their highest number of anti-Semitic incidents since 2001, 1996, and 1984, respectively. The number of politically motivated acts with an anti-Semitic background declined by 1.3 per cent in Germany, while the number of anti-Semitic incidents decreased by 12 per cent in

¹⁰⁸ The UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance stated with respect to the resurgence of anti-Semitism: "The most dramatic and symbolic manifestation of individual acts of anti-Semitism concerns the profanation, the desecration of tombs and places of worship. While such profanations affect all religions, those affecting places identified as Jewish are more common in many countries, particularly in Europe." See "Report of the Special Rapporteur", *op. cit.*, note 5, p. 9.

¹⁰⁹ Stephen Roth Institute, *op. cit.*, note 107.

¹¹⁰ *Verfassungsschutzbericht 2006* (Berlin: Bundesministerium des Innern, 2006), p. 109-110, <http://www.bmi.bund.de/Internet/Content/Common/Anlagen/Broschueren/2007/Verfassungsschutzbericht__2006__de,templateId=raw,property=publicationFile.pdf/Verfassungsschutzbericht_2006_de.pdf>.

¹¹¹ "Rapport sur l'antisemitisme en Belgique, Année 2006", Antisemitisme.be, <http://www.antisemitisme.be/site/event_detail.asp?eventId=505&catId=32&language=FR>.

¹¹² "2006 Audit of Antisemitic Incidents: Patterns of Prejudice in Canada", League for Human Rights of B'nai Brith Canada, 2007, <<http://www.bnaibrith.ca/pdf/audit2006.pdf>>.

¹¹³ Communication from the Ministry of the Interior of the Czech Republic to the ODIHR, 17 May 2007. Fourteen criminal offences with an anti-Semitic background were recorded in the Czech Republic in 2006.

¹¹⁴ "Rapport sur l'Antisémitisme en France 2006", Service de Protection de la Communauté Juive (Service for the Protection of the Jewish Community), pp. 3-5, <http://www.crif.org/uploads/articles/fichiers/Rapport_Analyse_2006.pdf>.

¹¹⁵ *Verfassungsschutzbericht 2006*, *op. cit.*, note 110.

¹¹⁶ Communications to the ODIHR from the Permanent Mission of Italy to the OSCE, 7 August 2006, 12 December 2006, and 6 March 2007.

¹¹⁷ "Antisemitic Incidents Report 2006", The Community Security Trust, p. 8, <http://www.thecst.org.uk/docs/Incidents_Report_06.pdf>.

¹¹⁸ "Anti-Semitic Incidents in U.S. Decline in 2006, Despite Year Marked by Violent Attacks", Anti-Defamation League press release, 14 March 2007, <http://www.adl.org/PresRele/ASUS_12/4993-12.htm>.

the United States. Even where the levels declined, however, several violent attacks, including murder, occurred. One of the significant trends is thus that violent attacks seem to be on the rise.

- In July, August, and September, i.e., during the conflict between Israel and Hezbollah, the number of anti-Semitic incidents increased in various European countries.¹¹⁹ During that time, threatening and defamatory phone calls, letters, and hate mail were received in disproportionate numbers by European Jewish communities. In Vienna, some of these letters compared Jewish leaders to Nazi leaders.¹²⁰ In Newcastle, United Kingdom, a man phoned the local synagogue on 31 July, saying: “Following your killing of the children of the Lebanon, be on warning that your children are now targets in Newcastle.” The man was subsequently convicted of malicious communication and fined £150.¹²¹ The Dutch Jewish community noted a significant rise in harassment during these months, in which 105 anti-Semitic incidents were unofficially recorded. At that time, the infamous Dutch football rallying cry “*Hamas, Hamas, Jews to the Gas!*” was repeatedly directed against local Jews in public.¹²² The Jewish community in Berlin also registered an increase in anti-Semitic violence in the context of mounting tensions in the Middle East and estimated that anti-Semitic incidents occurred every day during that time, partly without being reported.¹²³
- On 28 July, a 30-year-old man opened fire at the Jewish Federation of Greater Seattle building in the United States, claiming that he was upset about “what was going on in Israel”. One person was killed and five wounded, including a pregnant woman. Upon surrendering, the man was jailed and charged with nine felony counts, including violation of the state’s hate-crime law and aggravated first-degree murder.¹²⁴ Overall, the Anti-Defamation League counted a total of 1,554 anti-Semitic incidents across the United States in 2006, which marks a 12 per cent decline when compared with 2005.¹²⁵
- On 17 September, the Oslo synagogue was attacked and damaged by unknown individuals firing at the building from a car. Three days later, the Norwegian police arrested four suspects, who were also investigated for possible involvement in plotting to blow up the Israeli Embassy

¹¹⁹ “Anti-Semitic Incidents and Discourse in Europe During the Israel-Hezbollah War”, European Jewish Congress, <http://www.eurojewcong.org/ejc/DOC/601_AS_report.pdf>; Stephen Roth Institute, *op. cit.*, note 107, p. 6. One of the speculative conclusions of the last report on anti-Semitism by the European Monitoring Centre on Racism and Xenophobia (EUMC) was that developments in the Middle East may have an influence on the increase and decrease of anti-Semitism in Europe. See the December 2006 version of the EUMC working paper “Antisemitism: Summary overview of the situation in the European Union 2001-2005”, p. 18, <http://fra.europa.eu/fra/material/pub/AS/Antisemitism_Overview_December_2006_en.pdf>. Also see “Hate Crimes: 2007 Survey”, Human Rights First, *op. cit.*, note 4, p. 9.

¹²⁰ “Newsletter”, Forum against Anti-Semitism, September 2006, p. 8.

¹²¹ The Community Security Trust, *op. cit.*, note 117, p. 8.

¹²² Stephen Roth Institute, *op. cit.*, note 107, p. 13; The Centre for Information and Documentation on Israel (CIDI) informed the ODIHR that this rallying cry is occasionally used in cases of verbal abuse in the streets, with victims then reporting the incident to the CIDI and the local police, who, according to the CIDI, have been very supportive of the victims.

¹²³ “Jewish leader: Jews are being attacked ‘daily’ in Berlin”, European Jewish Press, 30 November 2006, <<http://www.ejpress.org/article/11980>>.

¹²⁴ “Man charged with murder in shooting at Seattle’s Jewish Federation”, *USA Today* website, as reported by The Associated Press, 2 August 2006, <http://www.usatoday.com/news/nation/2006-08-02-seattle_x.htm>.

¹²⁵ “Anti-Semitic Incidents in U.S. Decline”, Anti-Defamation League, *op. cit.*, note 118.

in Oslo. The men were initially charged with vandalism, which was then upgraded to organizing an act of terrorism.¹²⁶

- The Ministry of the Interior of the Czech Republic informed the ODIHR that the number of criminal offences motivated by religious or nationalist hatred against Jews and the Jewish faith dropped from 23 in 2005 to 14 in 2006. While four of these cases fell under Section 198 (a) of the Criminal Code, which punishes defamation of a nation, ethnic group, race, or religious belief, six crimes fell under Section 261, which punishes support and propagation of movements suppressing human rights and freedoms.¹²⁷ In late August, one such group, called National Resistance, threatened to attack synagogues in the Czech Republic should President Vaclav Klaus not allow them to serve in the "Iranian Islamic Army" in a potential war with Israel. Czech authorities have started investigating the case.¹²⁸ According to media reports, security measures were stepped up in Prague on 23 September, i.e., at the beginning of the Jewish New Year, as intelligence sources were suspecting an attack on congregants gathering in the synagogue. One month later, the mayor of Prague confirmed rumours that there had been a serious security threat to Jewish sites on 23 September.¹²⁹
- In the United Kingdom, youth threw bricks and yelled anti-Semitic insults at a group of Jews. The incident took place in Manchester in the middle of June.¹³⁰ The police have been investigating the case with no outcome so far.¹³¹ The case was one of 52 incidents of assault and extreme violence with an anti-Semitic motivation in Manchester in 2006. Overall, the Community Security Trust (CST) recorded 112 violent anti-Semitic assaults in the United Kingdom in 2006, which is the highest ever recorded by the CST and a 37 per cent rise with respect to 2005. In 227 incidents, the victims were individual Jewish people, with 121 of these being visibly identifiable as Jewish. Thirteen people were convicted of offences relating to anti-Semitic incidents from 2005 and 2006, with some cases still awaiting trial.¹³²
- In Canada, where the League for Human Rights of B'nai Brith noted an overall increase in the number of anti-Semitic incidents by 12.8 per cent in 2006, 131 of the overall 935 anti-Semitic incidents had a clear reference to the Middle East conflict, with 95 of these taking place in July and August.¹³³ For instance, three adults reportedly tossed stones at worshippers outside a synagogue in Montreal on 24 July while shouting "This is revenge for Lebanon!"¹³⁴ Police were called, but no perpetrators were caught.¹³⁵

¹²⁶ Stephen Roth Institute, *op. cit.*, note 107, p. 8; "Charges in Norway Synagogue Attack", Jewish Telegraphic Agency, 25 September 2006.

¹²⁷ Communication from the Ministry of the Interior of the Czech Republic to the ODIHR, 17 May 2007.

¹²⁸ "Czech Neo-Nazis Threaten to Attack Synagogues, Fight against Israel", BBC Monitoring, 1 September 2006, original source: *Mlada fronta Dnes* website, Prague, in Czech, 31 August 2006.

¹²⁹ "Tschechische Zeitung berichtet von Terrorplan gegen Juden", Spiegel Online, 6 October 2006, <<http://www.spiegel.de/politik/ausland/0,1518,441091,00.html>>; "Czechs on Security Alert", Jewish Telegraphic Agency, 26 September 2006; "Prague Terrorist Threat Confirmed", Jewish Telegraphic Agency, 23 October 2006; Stephen Roth Institute, *op. cit.*, note 107, p. 18.

¹³⁰ Information provided to the ODIHR by the Community Security Trust.

¹³¹ *Ibid.*

¹³² The Community Security Trust, *op. cit.*, note 117, p. 4.

¹³³ "2006 Audit of Antisemitic Incidents", B'nai Brith Canada, *op. cit.*, note 112, pp. 2-3.

¹³⁴ *Ibid.*, p. 8.

¹³⁵ Information provided to the ODIHR by B'nai Brith Canada.

Many anti-Semitic incidents were not premeditated, but were spontaneous acts carried out by individuals or small groups, inspired by a general climate of intolerance and resentment against Jews. Such incidents tended to take place close to or in institutions clearly identifiable as Jewish or in public places.¹³⁶ One of the challenges thus remains to provide for a safe environment and a social climate where feeling safe is congruous with openly and actively practising the Jewish faith.

- Nine people were stabbed in a Moscow synagogue on 11 January.¹³⁷ The police reacted with prompt investigations. The perpetrator was convicted and initially sentenced to 13 years in prison. In June, Russia's Supreme Court ordered a retrial,¹³⁸ and on 15 September Moscow's City Court sentenced him to 16 years in prison, with the charge of inciting racial hatred added to the final verdict.¹³⁹ In the same month, a man entered a synagogue in Rostov-on-Don, holding a broken fragment of a bottle and screaming pro-Nazi and anti-Semitic slogans.¹⁴⁰ The assailant was charged with hooliganism, but not imprisoned, due to his mental condition.¹⁴¹ In December, police detained an attacker in Ulyanovsk who threw a Molotov cocktail at the city's Jewish centre and also nailed a threatening note to the door.¹⁴² In general, anti-Semitism in the Russian Federation in 2006 primarily found its expression in vandalism rather than in violent attacks against individuals.¹⁴³ However, no official data is available.
- Anti-Semitic attacks in Belgium tended to target Jews who were visibly identifiable as such.¹⁴⁴ On 5 January, a Jewish couple and their baby were attacked by another passenger on a train to Antwerp. The man shouted curses at them and slightly injured the father with a knife. The railway police arrested the man.¹⁴⁵ During the night of 22 August, an Orthodox Jewish family in Forest was harassed when their house was surrounded by people shouting anti-Semitic slogans. The family subsequently filed a complaint.¹⁴⁶ According to Antisemitisme.be, 66 anti-Semitic incidents were recorded in Belgium in 2006, which is the highest number since data began being collected.¹⁴⁷ While the number of violent acts decreased in 2006, the number of incidents categorized as "ideological", e.g., insults or anti-Semitic publications, increased.¹⁴⁸

Apart from congregants and Orthodox Jews, rabbis were a vulnerable group in 2006.

¹³⁶ See "Antisemitism Worldwide 2006", Human Rights First, *op. cit.*, note 107, p. 23.

¹³⁷ "Worshippers Attacked in Moscow Synagogue", *The Moscow News*, 13 January 2006.

¹³⁸ "Russian Court Orders Retrial Of Synagogue Attacker", Radio Free Europe/Radio Liberty website, 20 June 2006, <<http://www.rferl.org/featuresarticle/2006/6/32B71FEA-A4EC-487C-A33D-AA00239A193F.html>>.

¹³⁹ "Russian Synagogue Attacker Sentenced", Radio Free Europe/Radio Liberty website, 15 September 2006, <<http://www.rferl.org/featuresarticle/2006/09/B9397BAB-395C-422F-86EA-B5DC60F3F095.html>>.

¹⁴⁰ "Attempted Attack on Rostov Synagogue Thwarted", *FsuMonitor.Com*, 13 January 2006, <<http://www.fsmonitor.com/stories/011306Russia.shtml>>.

¹⁴¹ Information provided to the ODIHR by the SOVA Centre for Information and Analysis. Also see *ibid.*

¹⁴² In May 2007, a court in Ulyanovsk handed down a two-year suspended sentence to the student, who was convicted of actions inciting ethnic hatred. The man had reportedly confessed to believing that Jews crucified Jesus and ritually murdered Christian children. See "Suspended Sentence for Firebombing Synagogue", *Bigotry Monitor*, Vol. 7, No. 21, 25 May 2007, <<http://www.fsmonitor.com/stories/052507BM.shtml>>.

¹⁴³ Information provided to the ODIHR by the SOVA Centre for Information and Analysis.

¹⁴⁴ Antisemitisme.be, *op. cit.*, note 111.

¹⁴⁵ *Ibid.*, p. 15.

¹⁴⁶ *Ibid.*, p. 5.

¹⁴⁷ *Ibid.*, pp. 1-2.

¹⁴⁸ *Ibid.*, pp. 1-2.

- On 3 June, the chief rabbi of Croatia was verbally and physically assaulted by youth wearing Nazi shirts and shouting "Away with the Jews". In the same period, members of the Zagreb Jewish community received anti-Semitic mail. Zagreb police investigated the matter and on 15 June arrested a student, who was charged with sending a threatening e-mail to the Jewish community. The student allegedly subscribed to the idea of destroying Israel and claimed to be an admirer of National Socialism. He was charged with making public statements about one race's supremacy and for encouraging racial discrimination.¹⁴⁹ In the case of the attack against the rabbi, the police started an investigation.
- On 28 May, the chief rabbi of Poland was punched and attacked with what appeared to be pepper spray. The attacker yelled "Poland for Poles". The suspect who was arrested confessed to the act at the end of June. According to Warsaw police, the perpetrator was tied to neo-Nazi organizations and had a history of football-related hooliganism.¹⁵⁰ He received a two-year suspended sentence. In response to this incident and to threatening messages, the Jewish community set up a database listing incidents of anti-Semitism in Poland.¹⁵¹

A large number of violent incidents targeting Jews took place in France and Ukraine. However, official data is only available for France.

- The Representative Council of Jewish Institutions in France (Conseil Représentatif des Institutions juives de France) presented statistics collected by the Service for the Protection of the Jewish Community in co-operation with the French Ministry of the Interior. These figures show that physical attacks on Jews in France rose from 77 in 2005 to 112 in 2006.¹⁵² This increase of 45 per cent can only partly be attributed to the Israel-Hezbollah conflict, as most incidents occurred in the first half of 2006.¹⁵³ Rather, the murder of a young French Jew appears to have sparked off further attacks. Targeted because of stereotypical associations with Jewish identity, the man was kidnapped on 21 January. The kidnappers pressed his family for ransom, demanding that funds be elicited "from the Synagogue", because "all Jews are rich".¹⁵⁴ On 13 February, the victim was found near rail tracks south of Paris naked, handcuffed, and severely injured, with burn marks on his body. He died shortly thereafter. French police arrested a dozen gang members, including the lead suspect, who repeatedly denied any anti-Semitic motivation. While it was widely agreed that the prime motive for the act was greed, then-Minister of the Interior Nicolas Sarkozy noted that anti-Semitic stereotypes played a critical

¹⁴⁹ "Croatian Jews Charge Student who Threatened Jews by Email", BBC Monitoring, 3 June 2006, original source: HINA news agency, Zagreb, in English, 3 June 2006; "Croatia: Neo-Nazi Youths Attack Zagreb Chief Rabbi", BBC Monitoring, 9 June 2006, original source: HRT1 TV, Zagreb, in Croatian, 9 June 2006; also see "Croatia—Threatening Email Letter to the Jewish Community in Zagreb", The Coordination Forum for Countering Antisemitism, 2 June 2006, <http://www.antisemitism.org.il/eng/events/17597/Croatia_%E2%80%93_Threatening_E-Mail_Letter_to_the_Jewish_Community_in_Zagreb>.

¹⁵⁰ "Schudrich Attack Suspect Seized", Polish Press Agency, 29 June 2006; "Suspect Arrested in Poland Rabbi Attack", The Associated Press, 28 June 2006.

¹⁵¹ "Poland's Jewish community sets up anti-Semitism database", European Jewish Press, 23 June 2006, <<http://www.ejpress.org/article/news/9239>>.

¹⁵² Service de Protection de la Communauté Juive, *op. cit.*, note 114.

¹⁵³ Stephen Roth Institute, *op. cit.*, note 107, p. 6.

¹⁵⁴ "Brutal Murder Was Anti-Semitic Crime, Says Sarkozy", *The Guardian* website, 22 February 2006, <<http://www.guardian.co.uk/france/story/0,,1715029,00.html>>; also see Stephen Roth Institute, *op. cit.*, note 107, p. 6; "Sarkozy Says Religion Made Slain Jew a Target", *The New York Times*, 22 February 2006.

role in the selection of the victim, which he described on 21 February as “anti-Semitism by amalgam”.¹⁵⁵ A prosecutorial investigation led to the provisional arrest and interrogation of numerous suspects. The lead suspect has been charged with murder and the aggravating circumstance that the murder was linked to the victim’s religion.¹⁵⁶ Numerous other incidents were reported with respect to France, especially during the month of March.¹⁵⁷

- Neo-Nazism continued to inspire anti-Semitic attacks in Ukraine.¹⁵⁸ In an attempt to mark the birthday of Adolf Hitler, two separate attacks on Jewish youngsters took place in Dnipropetrovsk on 20 April. While a Jewish boy was severely beaten and stabbed, a group of four Jewish boys were attacked by a group of approximately 30 skinheads.¹⁵⁹ The police committed to finding the perpetrators, but the results of the investigations are not yet known. In June, law enforcement officials of the Dnipropetrovsk region met with Jewish leaders to discuss manifestations of anti-Semitism.¹⁶⁰ However, violent attacks continued to take place. On 14 August, a group of trainees and instructors celebrated the end of a seminar by singing Israeli songs in a café in Kyiv, when three men started beating up one of the instructors, also tossing chairs and bottles at the group.¹⁶¹ The attackers fled. A few days after Israeli football fans were attacked by hooligans, a Jewish man was beaten up on a crowded street in Odessa on 18 September. Witnesses reported that the attackers screamed anti-Semitic slogans in his face, while the victim himself reportedly had to call the police.¹⁶² More attacks following this pattern occurred in Ukraine in the course of 2006, where 36 per cent of the respondents to a recent survey carried out by the Kiev International Institute of Sociology stated that they did not want to see Jews as citizens of their country.¹⁶³

An especially worrying trend was that numerous manifestations of anti-Semitism focussed on, and evolved around, schools and pupils.¹⁶⁴

- Anti-Semitic graffiti involving swastikas was daubed on the walls of a school in Milan and in Cesena, Italy, on 14 and 15 February and in Sainte-Genevieve des Bois, France, on 27 Feb-

¹⁵⁵ “Brutal Murder”, *The Guardian*, *ibid*.

¹⁵⁶ “Il y a un an, Ilan Halimi tombait aux mains du ‘gang des barbares’”, *Le Figaro* website, 19 January 2007, <http://www.lefigaro.fr/france/20070119.WWW000000963_il_y_a_un_an_ilan_halimi_tombait_aux_mains_du_gang_des_barbares_.html>.

¹⁵⁷ Stephen Roth Institute, *op. cit.*, note 107, p. 6.

¹⁵⁸ “Chronicle of Antisemitism in Ukraine & Russia: 2005-2006”, *FsuMonitor.Com*, 2 February 2007, <<http://www.fsumonitor.com/stories/020207Report.shtml>>.

¹⁵⁹ “Ukrainian Skinheads Stab Jew”, National Conference on Soviet Jewry, 23 April 2006, <http://www.ncsj.org/AuxPages/030706A-S_Ukr.shtml>; “Graffiti Appears, Students Attacked in Dnepropetrovsk”, National Conference on Soviet Jewry, 24 April 2006, <http://www.ncsj.org/AuxPages/030706A-S_Ukr.shtml>; information was also provided to the ODIHR by the Tkuma Central Ukrainian Holocaust Foundation.

¹⁶⁰ “Local Police Chiefs Meet Jewish Community on Anti-Semitism Issues”, The Federation of Jewish Communities of the CIS, 9 June 2006, <<http://www.fjc.ru/news/newsArticle.asp?AID=392402>>.

¹⁶¹ “Ukraine—An Attack on a Group of Jews in [Kyiv]”, The Coordination Forum for Countering Antisemitism, 18 August 2006, <http://www.antisemitism.org.il/eng/events/18431/Ukraine_%E2%80%93_An_Attack_on_a_Group_of_Jews_in_Kiyev>.

¹⁶² “Another Anti-Semitic Attack in Odessa”, *FsuMonitor.Com*, 21 September 2006, <<http://www.fsumonitor.com/stories/092106Ukraine.shtml>>.

¹⁶³ “Chronicle of Antisemitism”, *FsuMonitor.Com*, *op. cit.*, note 158.

¹⁶⁴ This trend was identified by the Stephen Roth Institute, Human Rights First, the Community Security Trust, B’nai Brith Canada, and the Anti-Defamation League.

ruary.¹⁶⁵ Fifty-nine Jewish schools and/or children were targeted in the United Kingdom.¹⁶⁶ In late July, vandals threw stones through the windows of a Jewish orphanage in Zhytomyr, Ukraine, several days after the director's home had also been attacked.¹⁶⁷ On 6 August, the Danish Jewish school in Copenhagen received a threatening letter calling Jews "rats, snakes, vampires, paedophiles etc." The letter concluded with the threat, "Maybe you have forgotten that we have gasoline and stones."¹⁶⁸ The school management decided not to file a complaint, because it was assumed that the sender was mentally ill. As a result, state authorities did not react to the event.¹⁶⁹ In early September, an Orthodox Jewish boy was hit with a Molotov cocktail in Montreal. Canadian police responded quickly and arrested two young men in connection with this attack and with another anti-Semitic incident. Both suspects were denied bail, which was interpreted as a step towards "ensuring a safe and secure environment for the Jewish community".¹⁷⁰ Unofficial data shows that the number of anti-Semitic incidents in educational settings in Canada increased by 12.5 per cent in comparison with 2005.¹⁷¹ On 20 September, a graffiti reading "We are all Adolph Hitler. Let the stench prevail. We cremated six million" was painted on the walls of the Jewish school in Zagreb, Croatia.¹⁷² On 26 September, the Or Avner Jewish School of Volgograd, Russia, was attacked by vandals. Windows were smashed, a swastika and the slogan "For the purity of the nation" were drawn on the walls, and a security guard was also injured.¹⁷³ When three young men tried to break into the school for a fourth time in late November, they were arrested by police, and a criminal case was subsequently opened against them.¹⁷⁴ In the wake of vandal attacks on the local synagogue and Holocaust memorial, a Jewish school was attacked in Vac, Hungary, on 6 November. Apart from graffiti such as "Heil Hitler", a marble tablet commemorating the Holocaust was stolen.¹⁷⁵ On 13 November, graffiti with slogans like "Death to the Jews" was painted on the door of a garage located next to the Jewish School Beth Habat in Geneva.¹⁷⁶

¹⁶⁵ "Italy—Antisemitic Graffiti on a School in Milan", The Coordination Forum for Countering Antisemitism, 14 February 2006, <http://www.antisemitism.org.il/eng/search/?country=47&id_category=106®ion=>; "France—Antisemitic Graffiti at a School in Sainte Genevieve des Bois", The Coordination Forum for Countering Antisemitism, 27 February 2006, <http://www.antisemitism.org.il/eng/events/17877/France_%E2%80%93_Antisemitic_Graffiti_at_a_School_in_Sainte_Genevieve_Des_Bois>.

¹⁶⁶ The Community Security Trust, *op. cit.*, note 117, p. 26.

¹⁶⁷ "Vandals Strike Jewish Orphanage, Home of Its Director", *FsuMonitor.Com*, 24 July 2006, <<http://www.fsumonitor.com/stories/072406Ukraine.shtml>>.

¹⁶⁸ "Denmark—Threat Letter Sent To The Jewish school in Copenhagen", The Coordination Forum for Countering Antisemitism, 6 August 2006, <http://www.antisemitism.org.il/eng/events/19716/Denmark-Threat_Letter_Sent_To_The_Jewish_school_in_Copenhagen>.

¹⁶⁹ Information provided to the ODIHR by the Jewish Community in Copenhagen.

¹⁷⁰ "B'nai Brith Canada commends the decision to deny bail to suspect connected to a series of firebombings targeting the Jewish Community", B'nai Brith Canada press release, 14 May 2007, <<http://www.bnaibrith.ca/prdisplay.php?id=1211>>.

¹⁷¹ "2006 Audit of Antisemitic Incidents", B'nai Brith Canada, *op. cit.*, note 112, p. 25.

¹⁷² "Croatia—Antisemitic Graffiti on a Jewish School in Zagreb", The Coordination Forum for Countering Antisemitism, 20 September 2006, <http://www.antisemitism.org.il/eng/events/18824/Croatia_%E2%80%93_Antisemitic_Graffiti_on_a_Jewish_School_in_Zagreb>.

¹⁷³ "Global Anti-Semitism: Selected Incidents Around the World in 2006", Anti-Defamation League, <http://www.adl.org/Anti_semitism/anti-semitism_global_incidents_2006.asp>.

¹⁷⁴ Information provided to the ODIHR by the SOVA Centre for Information and Analysis.

¹⁷⁵ "Global Anti-Semitism", Anti-Defamation League, *op. cit.*, note 173.

¹⁷⁶ "Rapport sur la situation de l'Antisemitisme en Suisse Romande, Année 2006", Coordination Intercommunautaire contre l'Antisemitisme et la Diffamation (Intercommunal Coordination against Anti-Semitism and Defamation), <[http://www.cicad.ch/index.php?id=137&tx_ttnews\[tt_news\]=1601&tx_ttnews\[backPid\]=7&cHash=40e97d3b19](http://www.cicad.ch/index.php?id=137&tx_ttnews[tt_news]=1601&tx_ttnews[backPid]=7&cHash=40e97d3b19)>.

On 26 November, a man broke into the Lauder Chabad School in Vienna, smashing windows and breaking other objects with a crowbar. Austrian police arrested a man who was subsequently sentenced to 15 months in prison for vandalizing the school. During the trial, the man claimed that there were too many Jews in Austria. His racist motivation was deemed an aggravating circumstance by the court.¹⁷⁷

- In addition, Jewish children were attacked, including by their peers, either on their journeys to and from school or during the school day. The CST reported 25 physical and defamatory assaults on Jewish children in the United Kingdom.¹⁷⁸ On 10 October, an Orthodox Jewish boy was walking home in Glasgow when he was attacked by two separate groups of boys who shouted insults at him and kicked him.¹⁷⁹ In the report of the All-Party Parliamentary Inquiry into Antisemitism in the UK, it was recommended that the Home Office provide a greater level of support in addressing the security needs of British Jews, especially with reference to their places of worship and schools.¹⁸⁰ In the Russian Federation, an attacker opened fire on a man dropping his daughter off at a Jewish school; the attacker escaped. The police started an investigation, focussing on anti-Semitism as a motive.¹⁸¹ In Hollywood, Florida, a Jewish student had a swastika and “Jew scum” written on his arm by another student. This was one of 193 anti-Semitic acts reported for middle and high schools in the United States in 2006.¹⁸² In February, a Jewish student in Antwerp, Belgium, received anonymous letters reading “Jew, I am going to gas you.” After the school management failed to react, a complaint was filed with the police.¹⁸³ In Beringen, Belgium, a group of Orthodox Jewish students were attacked by 10 teenagers during a school trip on 30 November. The attackers threw stones at them, made the Hitler salute, and shouted anti-Semitic slogans. The Belgian police detained 10 individuals, who were ordered to pay damages, apologize, and serve 30 hours of community service.¹⁸⁴ After identifying a 13-year-old boy as Jewish, four students attacked him in his suburban middle school in Paris, sending him to the hospital on 13 September. Legal action was taken against the assailants.¹⁸⁵ On 12 December, a bus driver in Paris claimed there was no room and refused to allow some youngsters on an almost empty bus because their skullcaps identified them as Jewish. A complaint was filed.¹⁸⁶ In December, a 14-year-old Jewish girl from Berlin received police protection after she had been insulted and humiliated for months by other youths on the basis of her faith. The girl had been beaten and called a “dirty Jew” by

¹⁷⁷ “Austrian Chabad School Vandalized”, Jewish Telegraphic Agency, 27 November 2006; “15 Monate Haft für überzeugten Antisemiten”, ORF website, 7 February 2007, <<http://wien.orf.at/stories/169983>>.

¹⁷⁸ The Community Security Trust, *op. cit.*, note 117, p. 26.

¹⁷⁹ *Ibid.*, p. 7. Further information was provided to the ODIHR by the Community Security Trust.

¹⁸⁰ “Report of the All-Party Parliamentary Inquiry into Antisemitism”, All-Party Parliamentary Group Against Antisemitism, September 2006, p. 52, <<http://thepcaa.org/Report.pdf>>.

¹⁸¹ “2006: A Year in Review. Anti-Semitism in the Russian Federation”, National Conference on Soviet Jewry, February 2007, <<http://www.ncsj.org/AuxPages/020207Russia.pdf>>.

¹⁸² “Anti-Semitic Incidents in U.S. Decline”, Anti-Defamation League, *op. cit.*, note 118.

¹⁸³ Antisemitisme.be, *op. cit.*, note 111, p. 26.

¹⁸⁴ *Ibid.*, p. 2.

¹⁸⁵ “Global Anti-Semitism”, Anti-Defamation League, *op. cit.*, note 173.

¹⁸⁶ “France—A Bus Driver Refused to Allow Jewish Youths to Board his Bus”, The Coordination Forum for Countering Antisemitism, 3 December 2006, <http://www.antisemitism.org.il/eng/events/20721/France_%E2%80%93_A_Bus_Driver_Refused_to_Allow_Jewish_Youths_to_Board_his_Bus>.

another girl and was subsequently harassed and threatened by groups of young people.¹⁸⁷ The German police have launched an investigation into the actions of five pupils on the basis of criminal assault, coercion, and slander. Like many other Jewish students who in the past two years have experienced harassment, the girl is now enrolled at a Jewish school.¹⁸⁸ The Berlin senator for education published statistics that document the increase in the number of violent incidents in Berlin schools. In the academic year 2005-2006, 80 incidents of right-wing extremism were reported.¹⁸⁹

- On 27 January, the anniversary of the liberation of Auschwitz, a teacher told a Jewish student in Paris, "If you are cold, there will always be room for you in an oven." The student filed a complaint that led to the teacher's suspension for four months.¹⁹⁰ But anti-Semitism in the classroom has not only been directed at Jewish students. Rather, references to both anti-Jewish stereotypes and Holocaust imagery are used in order to defame and humiliate others or as a means of provocation. In many schools, the term "Jew" has become a swear-word—a phenomenon that was also noted with respect to football games in the Netherlands and in Germany. On 12 October, a group of teenagers in Porey, Germany, forced a classmate to walk around the schoolyard wearing a placard that read: "I'm the biggest pig in town, only with Jews do I hang around." In another incident in Berlin, a student proclaimed during a lesson that "Jews should be gassed".¹⁹¹ It was also reported that students have been exposed to the anti-Semitic views of their teachers. On 14 January, a community-college teacher in Toronto told her pupils that the media were under the control of the Jews and that "the media make things up like the Holocaust". A student filed a complaint with the college administrators and an apology was made.¹⁹²

The collected information shows that anti-Semitism has also manifested itself in the form of vandalism against synagogues, Jewish cemeteries, and against Holocaust memorials throughout the OSCE region. In those participating States where systematic data collection is undertaken by state and/or civil society organizations, a clear increase in the intensity and frequency of vandalism has been identified.¹⁹³ In some cases, historically significant dates or symbols were chosen for attacks.

- Marking the birthday of Adolf Hitler on 20 April, a group of 15 skinheads attacked the synagogue of Orenburg in the Russian Federation. The windows of the synagogue were smashed

¹⁸⁷ "Angriffe auf jüdisches Mädchen", *Die Tageszeitung* website, 25 November 2006, <<http://www.taz.de/dx/2006/11/25/a0226.1/text>>.

¹⁸⁸ See "Jüdische Schüler fliehen vor Nazis und aggressiven Muslimen", Spiegel Online, 7 December 2006, <<http://www.spiegel.de/politik/deutschland/0,1518,453133,00.html>>.

¹⁸⁹ "Gewaltsignale an Berliner Schulen 2005/06", Senatsverwaltung für Bildung, Wissenschaft und Forschung (Senate Department for Education, Science and Research), 13 December 2006, <https://www.berlin.de/imperia/md/content/sen-bildung/hilfe_und_praevention/gewaltpraevention/handout_gewalt.pdf>.

¹⁹⁰ "France—A Teacher in Paris Makes Antisemitic Remarks", The Coordination Forum for Countering Antisemitism, 27 December 2006, <http://www.antisemitism.org.il/eng/events/17864/France_%E2%80%93_A_Teacher_in_Paris_Makes_Antisemitic_Remark>.

¹⁹¹ "Jüdische Schüler", Spiegel Online, *op. cit.*, note 188; "'Du Jude'—ein ganz normales Schimpfwort", Spiegel Online, 14 October 2006, <<https://www.spiegel.de/politik/deutschland/0,1518,442534,00.html>>.

¹⁹² Information provided to the ODIHR by B'nai Brith Canada.

¹⁹³ Vandalism attacks increased by 41 per cent in France and by 46 per cent in the United Kingdom. See Stephen Roth Institute, *op. cit.*, note 107, p. 25.

with rocks. By the time the police arrived, the gang had disappeared. Russian law enforcement authorities arrested a young man who was identified by witnesses, though they are treating the incident as “ordinary hooliganism”.¹⁹⁴

- In late June, 19 gravestones and monuments were smashed in a Jewish cemetery in Vilnius, Lithuania.¹⁹⁵ It was assumed that the act was linked to the 65th anniversary of an uprising in June 1941, when Lithuanian nationalists fought against the Soviet Union shortly before the Nazi invasion.¹⁹⁶ On 16 September, the Jewish cemetery in Vilnius was desecrated, with up to 20 tombs being smashed and uprooted. The incident was reported to the police.¹⁹⁷ With respect to the prosecution of other anti-Semitic incidents in Lithuania, the ODIHR was informed about the incrimination of eight individuals in two different cases. Seven people were convicted by a court decision for incitement against people of Jewish origin and fined. Another individual was convicted by a penal order of the court for incitement against people of Jewish origin when publishing comments on a website. A fine was imposed and computer hardware seized.¹⁹⁸
- In an attack on the memory of the victims of the Holocaust, a group of men tossed a copy of the diary of Anne Frank into a bonfire, shouting “Hereby, I commit Anne Frank to the fire”, and allegedly also calling for other things “alien to the German race” to be thrown into the blaze in the presence of some 70 bystanders in the course of a summer solstice festival that was organized in Pretzien, Germany, by the far-right group Home League of East Elbia on 24 June. Law enforcement officers who were called to the scene later admitted not having recognized the significance of the diary and the incident. The incident had thus initially been investigated on grounds of disorderly conduct, and it was only upon receiving another call from a witness that it was recorded as “incitement of hatred” on 27 June.¹⁹⁹ In March 2007, a court in Schönebeck convicted five suspects of inciting racial hatred and disparaging the dead, issuing a suspended sentence of nine months and fines. Two suspects were acquitted for lack of evidence.²⁰⁰ The court agreed that the convicts had consciously selected the diary of Anne Frank and carefully planned the act. The defence claims made during the trial were rejected.²⁰¹ The defendants stated that the act was an attempt to free themselves from the burden of history.
- On 9 November, neo-Nazis vandalized a *Kristallnacht* monument hours after the town’s annual memorial ceremony in Frankfurt (Oder), Germany. The vandals destroyed candles and

¹⁹⁴ “Orenburg Synagogue Vandalized”, *Bigotry Monitor*, Vol. 6, No. 16, 28 April 2006, <<http://www.fsmonitor.com/stories/042806BM.shtml>>.

¹⁹⁵ “Jewish graves desecrated in Vilnius”, *The Baltic Times* website, 26 June 2006, <http://www.baltictimes.com/print_article/15719>.

¹⁹⁶ “Lithuanian Cemetery Attacked”, *Bigotry Monitor*, Vol. 6, No. 23, 30 June 2006, <<http://www.fsmonitor.com/stories/063006BM.shtml>>.

¹⁹⁷ “Lithuania—Desecration of the Cemetery in Vilnius”, The Coordination Forum for Countering Antisemitism, <http://www.antisemitism.org.il/eng/events/18942/Lithuania_%E2%80%93Desecration_of_the_Cemetery_in_Vilnius>.

¹⁹⁸ Information provided to the ODIHR by the Lithuanian Ministry of the Interior on 18 May 2007.

¹⁹⁹ “Polizisten kannten Frank-Tagebuch nicht”, *Focus Online*, 17 July 2006, http://www.focus.de/politik/deutschland/verbrennung_nid_32072.html.

²⁰⁰ “Germans Convicted for Burning Anne Frank’s Diary”, *Deutsche Welle* website, 8 March 2007, <<http://www.dw-world.de/dw/article/0,2144,2377653,00.html>>.

²⁰¹ “Bewährungsstrafen für Tagebuch-Verbrennung”, *Der Tagesspiegel* website, 8 March 2007, <<http://www.tagesspiegel.de/politik/nachrichten/magdeburg-tagebuch-verbrennung/94998.asp>>.

wreaths, yelling “Sieg Heil” and trying to damage the memorial stone itself. German police arrested 16 men who were known as right-wing extremists.²⁰² Nine suspects were charged with incitement of hatred and disparaging the dead.²⁰³ Overall, the German Federal Office for the Protection of the Constitution noted that the number of politically motivated hate crimes rose by 15 per cent in 2006.²⁰⁴ One thousand six hundred thirty-six crimes with a right-wing extremist and anti-Semitic background were registered in Germany, which marks a decrease of 1.3 per cent in comparison with the data available for 2005.²⁰⁵

- Also on 9 November, a synagogue was defaced in South London. Large posters with photographs of dead Palestinian women and children were plastered on the exterior walls of the building.²⁰⁶

Holocaust memorials and other memorials commemorating Jewish victims were reportedly vandalized in Belarus, Belgium, Estonia, Germany, Greece, Hungary, Latvia, Lithuania, the Netherlands, Serbia, Ukraine, and the United States.

- An explosion occurred in Brest, Belarus, on 30 November. The monument dedicated to the victims of the Brest Ghetto was damaged after a device detonated beneath the wreaths and flowers. Local authorities reportedly dismissed the incident as “hooliganism”.²⁰⁷ The ombudsperson on religions and nationalities of the Republic of Belarus reported to the ODIHR that non-Jewish cemeteries and memorials had also been targeted in vandalism attacks and that criminal investigations were conducted into all acts of vandalism.²⁰⁸ Investigations reportedly revealed that these acts of vandalism were not related to anti-Semitism, but rather to certain problems in the process of socialization and the upbringing of those who committed the acts. The ombudsperson added that attacks on Jewish cemeteries and memorials were not numerous and did not endanger the life or health of citizens.
- On 25 July, the memorial crypt for the Jewish martyrs of Belgium in Brussels was seriously vandalized. The fence was broken; an urn containing the ashes of victims of the Auschwitz-Birkenau concentration camp was emptied; and excrement, condoms, etc. were left on the ground.²⁰⁹

²⁰² “Rioters Vandalize Kristallnacht Memorial”, Jewish Telegraphic Agency, 10 November 2006.

²⁰³ “Keine Haftbefehle gegen Neonazis”, Tagesschau.de, 10 November 2006, <http://www.tagesschau.de/aktuell/meldungen/0,1185,0ID6083016_NAV_REF1,00.html>.

²⁰⁴ “Vorstellung Verfassungsschutzbericht 2006—Bundesinnenminister Dr. Wolfgang Schäuble: Islamistischer Terrorismus nach wie vor größte Bedrohung für die Innere Sicherheit in Deutschland”, press release from the German Interior Ministry, 15 May 2007, <http://www.bmi.bund.de/cdn_012/nn_662928/Internet/Content/Nachrichten/Pressemitteilungen/2007/05/VSB__2006.html>.

²⁰⁵ *Verfassungsschutzbericht 2006*, *op. cit.*, note 110.

²⁰⁶ “South London Synagogue Defaced with Photos of Palestinian Casualties Taken from the Guardian Newspaper”, European Jewish Congress, 19 November 2006, <http://www.eurojewcong.org/ejc/news.php?id_article=625>.

²⁰⁷ “Holocaust Memorial Damaged in Blast”, *Bigotry Monitor*, Vol. 6, No. 42, 8 December 2006, <<http://www.fsmonitor.com/stories/120806BM.shtml>>.

²⁰⁸ Communication to the ODIHR from the Permanent Delegation of the Republic of Belarus to the OSCE, 10 July 2007.

²⁰⁹ Information provided to the ODIHR by the Centre for Equal Opportunities and Opposition to Racism, Belgium, 8 May 2007.

- On 16 July, the memorial commemorating the victims of the massacre of Babi Yar was vandalized in Kyiv. The vandals broke a glass detail of the monument and several tiles.²¹⁰ In November, Kyiv police, who had classified the incident as “hooliganism”,²¹¹ detained a 23-year-old man in connection with the incident. The suspect claimed to have been motivated by “hooliganistic impulses” rather than anti-Semitism.²¹²

Apart from the incidents that took place on historically significant days, synagogues were, according to the reports received, vandalized in Belgium, Canada, the Czech Republic, France, Germany, Hungary, Ireland, the Netherlands, Norway, the Russian Federation, Serbia, Switzerland, Ukraine, the United Kingdom,²¹³ and the United States, particularly in the context of the Israel-Hezbollah conflict. The vandalism involved the spraying of graffiti such as swastikas, offensive and anti-Semitic references to the Israel-Hezbollah conflict, and the tossing of stones or Molotov cocktails.

- In Montreal, a synagogue was vandalized three times in February with anti-Semitic messages. On 10 March, a fire occurred at the same synagogue. Police investigations have not yielded any conclusive results. On 21 March, swastikas and other Nazi symbols were found on the back and side walls of another synagogue in Montreal.²¹⁴ Overall, the number of anti-Semitic incidents involving vandalism in Canada rose from 273 in 2005 to 317 in 2006.²¹⁵
- It was reported that synagogues were vandalized or attacked in the Ukrainian cities of Kyiv, Zhytomyr, Kirovohrad,²¹⁶ and Dnipropetrovsk. On 11 May, for example, the security camera of the Dnipropetrovsk synagogue recorded a person wielding an axe and scratching a swastika on the synagogue’s front wall. When the security guard called to the man, he pointed a gun at him. Police are investigating.²¹⁷
- Synagogues, cemeteries, and Jewish organizations were a frequent target of vandalism in the Russian Federation.²¹⁸ On 22 September, two synagogues and a mosque were vandalized in Khabarovsk and Astrakhan, presumably marking the Jewish New Year and Ramadan.²¹⁹ The perpetrators escaped.

²¹⁰ “Jewish Memorial Vandalized in Ukrainian Capital”, BBC Monitoring, 17 July 2006, original source: Ukrainian newspaper *Segodnya*, in Russian, 17 July 2006, p. 4.

²¹¹ “Babi Yar Memorial Vandalized”, *Bigotry Monitor*, Vol. 6, No. 26, 20 July 2006, <<http://www.fsmonitor.com/stories/072006BM.shtml>>.

²¹² “Lviv Holocaust Memorial Vandalized; Police Arrest Suspected Vandal of Babi Yar Memorial”, *FsuMonitor.Com*, 10 November 2006, <<http://www.fsmonitor.com/stories/111006Ukraine.shtml>>.

²¹³ The Community Security Trust recorded 82 incidents targeting synagogues. See Community Security Trust, *op. cit.*, note 117, p. 4.

²¹⁴ Information provided to the ODIHR by B’nai Brith Canada.

²¹⁵ “2006 Audit of Antisemitic Incidents”, B’nai Brith Canada, *op. cit.*, note 112, p. 2.

²¹⁶ “Ukrainian Synagogue Attacked”, *Bigotry Monitor*, Vol. 6, No. 15, 21 April 2006, <<http://www.fsmonitor.com/stories/042106BM.shtml>>.

²¹⁷ “Vandal Carving a Swastika on Synagogue Spotted”, *Bigotry Monitor*, Vol. 6, No. 19, 19 May 2006, <<http://www.fsmonitor.com/stories/051906BM.shtml>>.

²¹⁸ “Radical nationalism in Russia and efforts to counteract it in 2006”, SOVA Centre for Information and Analysis, p. 6, <<http://xeno.sova-center.ru/6BA2468/6BB4208/93A572E>>.

²¹⁹ “Two Synagogues and a Mosque Vandalized”, *Bigotry Monitor*, Vol. 6, No. 33, 29 September 2006, <<http://www.fsmonitor.com/stories/092906Bigotry.shtml>>; “Russian Synagogues Hit”, Jewish Telegraphic Agency, 22 September 2006.

Vandalism of Jewish cemeteries and/or the destruction of tombstones were reported with respect to the Czech Republic, France, Germany, Italy, Latvia, Lithuania, the Netherlands, Romania, the Russian Federation, Ukraine, the United Kingdom, and the United States.

- On 8 February, three gravestones were vandalized in the Jewish cemetery of Vatra Dorna, Romania. The incident was reported to the police by members of the Jewish community. According to police officials, an investigation is underway.²²⁰
- The Czech Ministry of the Interior informed the ODIHR that Czech law enforcement officers were investigating various desecrations of Jewish cemeteries. For example, 55 tombstones were damaged at the Jewish cemetery in Žamberk in October.²²¹
- In the United Kingdom, 47 gravestones were damaged on 18 August and 13 September at the Jewish cemetery in Manchester. The police responded to these incidents, but no arrests have so far been made. Apart from introducing regular patrols and a closed-circuit television camera, local community members whose property overlooks the site have become involved, so as to assist in reporting the presence of unauthorized individuals on the site.²²²

While synagogues, Jewish cemeteries, and Holocaust memorials were the most frequent sites of vandalism, other buildings associated with individual Jews or a Jewish community were also damaged. On 1 August, vandals painted swastikas on 20 shops in Rome. Fliers subsequently found at the shops were signed by “Armed Revolutionary Fascists” denouncing “the Zionist economy”.²²³ Overall, the Italian Ministry of Interior reported 62 hate crimes with an anti-Semitic background committed in the country in the course of 2006.²²⁴

In many participating States, officials representing all levels of government and other public figures have actively spoken out against anti-Semitism and provided investigations with moral and political support.

- Five OSCE participating States have introduced special envoys dealing with anti-Semitism, the Holocaust, and relations with Jewish communities: France, Germany, Poland, Spain, and the United States.
- Following the attack in the Moscow synagogue and an attempted crime in Rostov-on-Don, many Russian government officials made statements. Foreign Minister Sergei Lavrov met with chief Rabbi Lazar and stressed the need to establish a dialogue about international co-

²²⁰ “Morminte evreisti profanate la Vatra Dornei”, *Caleidoscop*, 8 February 2006, <<http://www.caleidoscop.org.ro/Members/anca/news-caleidoscop/morminte-evreiesti-profanate-la-vatra-dornei>>.

²²¹ Communication from the Ministry of the Interior of the Czech Republic to the ODIHR, 17 May 2007.

²²² Information provided to the ODIHR by the Community Security Trust.

²²³ “Jewish Shops in Rome Vandalized”, *Bigotry Monitor*, Vol. 6, No. 28, 4 August 2006, <<http://www.fsmonitor.com/stories/080406BM.shtml>>; “Svastiche e insulti antisemiti sui negozi degli ebrei”, Osservatorio sul pregiudizio antiebraico contemporaneo (an Italian organization that monitors contemporary anti-Semitism), <http://www.osservatorioantisemitismo.it/scheda_evento.asp?number=815&idmacro=1&n_macro=&idtipo=59>, original source: *Corriere della Sera*, 2 August 2006.

²²⁴ Communications to the ODIHR from the Permanent Mission of Italy to the OSCE, 7 August 2006, 12 December 2006, and 6 March 2007.

operation, as xenophobia, anti-Semitism, and racism occur in different manifestations in different countries.²²⁵ In the aftermath of the attack on the Moscow synagogue, Russian law enforcement authorities declared their intention to inspect the Internet for radical right-wing content.

- In a meeting with the chief rabbi of Rome on 16 January, Pope Benedict XVI condemned anti-Semitism and called for co-operation between Christians and Jews. The Pope stated: “we cannot but denounce and battle with determination against the hatred and misunderstandings, injustices and violence that continue to sow anxieties in the hearts of men and women of good will. In this context, how can we not be grieved and concerned about the renewed demonstrations of anti-Semitism that are at times reported?”²²⁶
- Following the murder of the young Jewish man in France, then-Prime Minister Dominique de Villepin met with Jewish groups and organizations and pledged that the government would do its utmost to find the killers of the young man and to combat anti-Semitism.²²⁷ More than 200,000 people participated in a demonstration against racism and anti-Semitism commemorating the victim in Paris and other French cities on 26 February, while the French president, the prime minister, and numerous other political and religious leaders attended the national commemorative ceremony for the victim on 23 February.²²⁸ In addition, the French Ministry of National Education has implemented educational measures to combat racism, anti-Semitism, and, more broadly, communalism. Working relations have been set up between the Representative Council of Jewish Institutions in France (CRIF) and the Ministry at both the national and local levels. The Ministry informs the CRIF on a regular basis on all the measures taken to improve the general context.
- In the aftermath of the attack against the chief rabbi of Poland, then-Prime Minister Kazimierz Marcinkiewicz expressed his regrets and declared that “there is no place for anti-Semitism”. President Lech Kaczynski met the chief rabbi to show his solidarity and assured him that the state authorities would work to prevent anti-Semitic incidents.²²⁹ According to Polish state authorities, the police investigation “progressed unusually fast”, and the rabbi thanked the president and the prime minister for their public involvement.²³⁰
- After the firebombing of the Jewish school in Montreal, the premier of Quebec, Jean Charest, called on all Quebec residents to stand with the Jewish community against hate crimes: “I think

²²⁵ “Statement by the Spokesman of Russia’s Ministry of Foreign Affairs Regarding Attack on Downtown Moscow Synagogue Visitors”, Ministry of Foreign Affairs of the Russian Federation, <http://www.mid.ru/brp_4.nsf/e78a48070f128a7b43256999005bcbb3/64d2b091d6a67f78c32570f400305787?OpenDocument>.

²²⁶ “Address of His Holiness Benedict XVI to Dr. Riccardo di Segni, Chief Rabbi of Rome”, 16 January 2006, <http://www.vatican.va/holy_father/benedict_xvi/speeches/2006/january/documents/hf_ben-xvi_spe_20060116_rabbino-roma_en.html>.

²²⁷ “Murder of a young Jew reopens questions of France’s safety”, *The Jerusalem Post* website, 22 February 2006, <<http://www.jpost.com/servlet/Satellite?apage=2&cid=1139395464509&pagename=JPost%2FJPArticle%2FShowFull>>.

²²⁸ “Cérémonie nationale en hommage à Ilan Halimi”, *Le Figaro* website, 24 February 2006, <http://www.lefigaro.fr/france/20060224.FIG000000030_ceremonie_nationale_en_hommage_a_ilan_halimi.html>.

²²⁹ “Poland’s Chief Rabbi Attacked in Warsaw”, *Agence France Presse*, 28 May 2006.

²³⁰ *Ibid.*

it is important that all Quebec see very clearly on this issue that we are a society of tolerance...".²³¹

- In Croatia, the Parliamentary Committee on Human and Minority Rights expressed its concern over the series of anti-Semitic incidents that took place in June.²³²
- In April, a roundtable organized by the Czech Ministry of the Interior's Security Department and the Jewish community took place in Prague with the aim of improving the safety and security of the Jewish community.²³³
- Following the attack on the Jewish Center in Seattle, Mayor Greg Nickels proclaimed: "This is a crime of hate, and there's no place for that in the City of Seattle." Police subsequently increased security measures for Jewish synagogues, as well as for mosques all around the city.²³⁴
- In the United Kingdom, an all-party parliamentary committee made an inquiry into anti-Semitism and in September 2006 published an extensive report on the matter, which also included a list of recommendations.²³⁵
- Several weeks after the burning of a copy of the diary of Anne Frank at a bonfire in Germany, the prime minister of Saxony Anhalt, Wolfgang Böhmer, together with other ministers and prominent figures participated in a public reading of the book, which was attended by some 200 students.²³⁶ Furthermore, the Ministry of Justice of Saxony Anhalt held an expert roundtable focussing on how to respond to right-wing extremism.

Hate-motivated crimes against **Muslim communities** also took the form of desecration of cemeteries; arson attacks; and vandalism of property, mosques, and Muslim schools. A particularly disturbing trend throughout 2006 was the firebombing of mosques and other properties:

- Several incidents of desecration occurred in France on 24 September, the day French Muslims started celebrating Ramadan: swastikas and racist slogans were found scrawled on the walls of two mosques, and one of them was set on fire; six swastikas were painted on the walls of the Penhars Mosque in the town of Quimper; racial insults and swastikas were also reportedly scrawled on the walls of a mosque in Carcassonne in southern France.²³⁷ Moreover, on 3 July, vandals painted swastikas and anti-Muslim slogans on a mosque in the Parisian sub-

²³¹ "After Attack on Jewish School in Montreal, Politicians Speak out", Jewish Telegraphic Agency, 7 September 2006.

²³² "Croatia—The Parliamentary Committee on Human and Minority Rights Expressed Concern over the Latest Anti-Semitic Incidents in Za[greb]", The Coordination Forum for Countering Antisemitism, 20 June 2006, <http://www.antisemitism.org.il/eng/events/17603/Croatia_%E2%80%93_The_Parliamentary_Committee_on_Human_and_Minority_Rights_Expressed_Concern_over_the_Latest_Antisemitic_Incidents_in_Za>.

²³³ Communication from the Permanent Mission of the Czech Republic to the United Nations, the OSCE, and other international organizations in Vienna, 8 September 2006.

²³⁴ "One dead in hate-crime shooting at Jewish center", CNN.com, 29 July 2006, <<http://edition.cnn.com/2006/US/07/28/seattle.shooting>>.

²³⁵ All-Party Parliamentary Group Against Antisemitism, *op. cit.*, note 180.

²³⁶ "Zeichen setzen mit Anne Frank", *Der Tagesspiegel*, 14 July 2006.

²³⁷ "Two mosques vandalized in France", Human Rights Without Frontiers, as reported by Reuters, 26 September 2006, <http://www.hrwf.net/religiousfreedom/news/2006PDF/France%202006.doc#_Toc156192381>.

urb of Courcouronnes. According to a mosque official, the exterior walls were covered with slogans that included “Islam go home”, “France is white”, and “We fight against Islam”. He reported that this was the second time in a year that vandals had damaged the mosque, which is located in a heavily immigrant town. Local officials responded very quickly, removing most traces of the racist slurs.²³⁸

- Several attacks against mosques occurred in the Russian Federation. A mosque in the town of Yakhroma was destroyed in an explosion on 4 July. Fortunately, no one was hurt. An investigation into the attack has been launched.²³⁹ Gasoline bombs were thrown at a mosque in Yaroslavl on 25 September. The incident occurred a day after the country’s Muslims began observing the Islamic holy month of Ramadan. The attackers smashed the mosque’s windows and threw Molotov cocktails at the building. Several cars parked nearby were also damaged. A duty officer with the Yaroslavl regional police said he was unaware of the incident.²⁴⁰
- A petrol bomb was thrown through the window of a mosque in Swindon, United Kingdom, and swastikas and anti-Islamic slogans daubed on the walls in an apparent backlash following the alleged terrorist plot to blow up planes leaving from British airports. It was the third time the mosque had been targeted, and the attack came days after local Muslim leaders had asked police for more protection. A local man was arrested and charged with arson and causing religiously aggravated criminal damage.²⁴¹
- In Bosnia and Herzegovina, a missile was launched at a mosque in Mostar. The Balinovac mosque reportedly suffered 15 attacks in just 11 months. Also, in Trebinje, on 18 July, an unknown person reportedly continued shooting over Muslim tombstones for over an hour, without any interruption or intervention.²⁴²
- Several cases of vandalism were reported with respect to Canada. On 4 June, vandals smashed 30 windows at a mosque in Toronto and damaged nearby cars.²⁴³ On 7 June, a Muslim high school in east Mississauga was vandalized.²⁴⁴ An Islamic centre and family home in Winnipeg were desecrated on 17 September with swastikas and xenophobic phrases, including “I’m a Packy [sic] fag.” The same mosque has been repeatedly targeted; in 2001, animal faeces and eggs were smeared on the walls, and, in 2004, the windows were smashed.²⁴⁵

²³⁸ “Paris mosque plastered with racist graffiti, swastikas”, Islam Awareness Homepage, as reported by The Associated Press, 3 July 2006, <http://www.islamawareness.net/Islamophobia/France/france_islamophobia_002.html>.

²³⁹ “Yakhroma Mosque Firebombed in Terror Attack”, Religious Diversity News, 4 July 2006, <<http://www.pluralism.org/news/article.php?id=12820>>.

²⁴⁰ “Mosque Attacked in Central Russia”, Caleidoscop, 25 September 2006, <<http://www.caleidoscop.org.ro/Members/zane/news-caleidoscop/mosque-attacked-in-central-russia>>.

²⁴¹ “Call for calm after petrol bomb attack on mosque”, *Wiltshire News* website, 18 August 2006, <<http://archive.thisiswiltshire.co.uk/2006/8/18/274328.html>>.

²⁴² See the chapter on Bosnia and Herzegovina in *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68, p. 36.

²⁴³ “Mosque vandalized after bomb-plot sweep”, CBC News website, 4 June 2006, <<http://www.cbc.ca/story/canada/national/2006/06/04/mosque-vandalized.html>>.

²⁴⁴ “Islamic School Vandalized in Mississauga (Canada)”, The Pluralism Project, as reported by *The Mississauga News*, 7 June 2006, <<http://www.pluralism.org/news/article.php?id=12611>>.

²⁴⁵ “Winnipeg mosque attacked by vandals—again”, CTV.ca, 17 September 2006, <http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20060917/mosque_vandalized_060917/20060917>.

- Five Muslim graves were desecrated in Esbjerg, Denmark, on 11 February. Danish Prime Minister Anders Fogh Rasmussen reacted quickly in denouncing the desecration and condemning any expression or action offending people's religious feelings.²⁴⁶ In Brøndby, a Muslim cemetery was vandalized twice in 2006. In the first incident, which took place in July, swastikas were painted on the cemetery. In the second incident, in November, vandals put pigs' heads on graves.²⁴⁷ Similar vandalism also took place at the Islamic religious community centre in Copenhagen. According to Ahmet Deniz, deputy chairman of the Danish Islamic Burial Foundation, the cemetery would not be put into use until the foundation could be certain that the vandalism would be stopped.²⁴⁸
- In the United Kingdom, several cases of attacks and vandalism of property, mosques, and cemeteries were reported. On 4 October, a petrol bomb was thrown at the Medina Dairy, which is owned by a Muslim family in Berkshire, in a third night of unrest involving up to 50 youths in the area. Staff at the dairy reported that they had faced verbal abuse; that their cars had been damaged; and that stones, bricks, and bottles had been thrown at the buildings. Three arrests were made and more than 20 people were searched by police.²⁴⁹ Muslim headstones in a Bradford cemetery were targeted for the fourth time in two years. Forty-four headstones in the Muslim section of the cemetery were knocked over and damaged by vandals on 29 November. The cemetery was also targeted in September 2004, when more than 30 Muslim gravestones were smashed, and on 17 February 2005, when three gravestones were desecrated by vandals.²⁵⁰ The Albirr Masjid mosque in Basingstoke was daubed with racist graffiti in 30-centimeter-high letters on 25 September. This attack followed what detectives believe was a racially motivated arson attack in the previous month.²⁵¹
- On 1 December, 23 large black crosses were painted on a wall inside a Muslim cemetery in Vienna. A Muslim cleric said it was not the first time the cemetery project had been vandalized. Several months earlier, arsonists had damaged part of the visitors' hall, which delayed construction.²⁵²
- A mosque in the American state of Texas was targeted three times in October, prompting fear and calls for understanding among religious communities. Black spray paint was used to write

²⁴⁶ "Vandals in Denmark Strike Muslim Graves", *The Washington Post* website, 13 February 2006, <<http://www.washingtonpost.com/wp-dyn/content/article/2006/02/12/AR2006021201087.html>>.

²⁴⁷ "Hærværk mod muslimsk gravplads", DR website, 22 November 2006, <<http://www.dr.dk/Nyheder/Indland/2006/11/22/193550.htm?rss=true>>.

²⁴⁸ "An uncertain future looms for a Muslim cemetery which has been dogged by vandalism", *The Copenhagen Post Online*, 24 July 2006, <<http://www.cphpost.dk/get/96909.html>>.

²⁴⁹ "Police patrol dairy after attack", BBC News website, 4 October 2006, <<http://news.bbc.co.uk/1/hi/england/berkshire/5408254.stm>>.

²⁵⁰ "Muslim headstones vandalised for fourth time", *The Muslim News Online*, 22 December 2006, <<http://www.muslim-news.co.uk/paper/index.php?article=2744>>.

²⁵¹ Matt Smith, "Second race attack on mosque", *Hampshire.net*, 25 September 2006, <http://www.thisishampshire.net/display.var.936407.0.second_race_attack_on_mosque.php>.

²⁵² "Vandals paint crosses at Vienna's Muslim cemetery", *Signonsandiego.com*, 1 December 2006, <<http://www.signonsandiego.com/news/world/20061201-0714-austria-muslims-vandalism.html>>.

the misspelled word “Redemption” on the building. Vandals had also trampled the mosque’s flower beds and smashed exterior lights within the previous month.²⁵³

Two particularly disturbing trends observable throughout 2006 were desecration of the Koran and defilement of places of worship with severed pigs’ heads. Both trends can be perceived as a direct attack on, or insult to, the religion.

- In December, 500 people, many of them from the fascist group Forza Nuova (New Force), staged a protest against the building of a mosque in the city of Colle di Val d’Elsa, Italy. A severed pig’s head was left outside the gates of the site where work had begun. The mosque walls were defaced with anti-Muslim graffiti, and local Muslims were pelted with sausages.²⁵⁴
- A severed pig’s head was thrown into a mosque in Lewiston, Maine, in the United States, during a prayer session in July. A local man was charged with desecration of a church, a misdemeanor. The charge was considered a hate-bias crime, and the case was referred to the Attorney General’s Office.²⁵⁵
- In September, a pig’s head was found dumped outside a mosque in south Wales hours before the holy month of Ramadan began. The incident is being investigated as a hate crime.²⁵⁶
- Vandals splashed blood on a wall and left a pig’s head at a mosque under construction in the eastern French city of Belfort, a security official reported in October.²⁵⁷
- In the United States, an online video of two men shooting a Koran and throwing it on the ground outside a Chattanooga mosque in June was turned over to federal prosecutors. In the footage, two men are seen shooting at the holy book in a wooded area with a Colt M-16. In the last scene, one of them is seen throwing the damaged Koran onto the sidewalk outside a local Islamic centre.²⁵⁸
- Two prison officers are under investigation in the United Kingdom over claims that they strapped copies of the Koran to their feet to use as skis in games dubbed the “Muslim Olympics”. The officers based at the Feltham Young Offenders’ Institution are also accused of using the Koran for “discus” events. Both officers were suspended on full pay—between £25,000

²⁵³ “Lubbock mosque vandalized three times in one month”, News 8 Austin website, as reported by The Associated Press, 26 October 2006, <<http://news8austin.com/content/headlines?AriD=173301&SecID=2>>.

²⁵⁴ Malcolm Moore, “Muslims victimised over mosque plan”, *The Daily Telegraph* website, 1 January 2007, <<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/01/01/wmosque01.xml>>.

²⁵⁵ “Severed pig’s head thrown into mosque during prayer session”, *The Boston Globe* website, as reported by The Associated Press, 4 July 2006, <http://www.boston.com/news/local/main/articles/2006/07/04/severed_pigs_head_thrown_into_mosque_during_prayer_session>.

²⁵⁶ “Pig’s head found outside mosque”, BBC News website, 29 September 2006, <http://news.bbc.co.uk/2/hi/uk_news/wales/south_east/5392154.stm>.

²⁵⁷ “Vandals leave pig’s head at French mosque site”, Reuters, 23 October 2006, <<http://www.reuters.com/article/worldNews/idUSL239716920061023>>.

²⁵⁸ Aatif Ali Bokhari, “Muslims, Mosques Targets of Hate”, *The Arab American News* website, 11 July 2006, <<http://www.arabamericannews.com/newsarticle.php?articleid=5840>>.

and £30,000 a year—while the claims are investigated.²⁵⁹ The incident occurred on 23 July, only three weeks after the release of an independent inquiry report into the racist murder of Zahid Mubarek at the Feltham Young Offenders' Institution.

- On 23 February, a district court in the German town of Lüdinghausen convicted a businessman of insulting Islam by printing the word “Koran” on toilet paper and offering it to mosques. The 61-year-old man was given a one-year prison sentence, which was suspended for five years, and ordered to complete 300 hours of community service. He also offered his toilet paper for sale on the Internet at a price of 4 euros per roll, saying the proceeds would go toward a “memorial to all the victims of Islamic terrorism”.²⁶⁰

A number of reports²⁶¹ have documented the sharp rise in violent incidents against Muslims following the attacks of 11 September 2001; the Madrid and London bombings in 2005; and other events, including the murder of Theo Van Gogh in the Netherlands in 2004. A significant trend in 2006 was the continuation of a backlash against Muslim communities in the aftermath of what can be termed “trigger events”.

Following the arrest of 24 alleged suspects of a planned terrorist attack on transatlantic aircraft travelling from the United Kingdom to the United States on 9 August, the following incidents were reported:

- A petrol bomb was thrown through the window of a Swindon mosque, and swastikas and anti-Islamic slogans were daubed on the walls. Similar incidents were reported at three other mosques.²⁶²
- The following week, two Asian men were forced to leave a flight from Malaga, Spain, to the United Kingdom after fellow passengers demanded their removal, and three young doctors—one a Muslim—were taken off a flight from the United States to Canada after a drunken passenger falsely identified them as a terrorist threat.²⁶³

Several incidents were documented following the arrest of suspected terrorists in Canada on 4 June:

²⁵⁹ “Prison Guards Suspended for ‘Muslim Olympics’”, Mootstormfront, 25 July 2006, <<http://www.mootsf.org/forums/showthread.php?t=954>>.

²⁶⁰ “German Court Convicts Man for Insulting Islam”, Human Rights Without Frontiers, 2 March 2006, <http://www.hrwf.net/religiousfreedom/news/2006PDF/Germany%202006.doc#_Toc157244049>.

²⁶¹ See the following reports: “Muslims in the EU: City Reports”, Open Society Institute, EU Monitoring and Advocacy Program, 2007, <http://www.eumap.org/topics/minority/reports/eumuslims/background_reports>; “The Impact of 7 July 2005 London Bomb Attacks on Muslim Communities in the EU”, European Monitoring Centre on Racism and Xenophobia, November 2005, <<http://fra.europa.eu/fra/material/pub/London/London-Bomb-attacks-EN.pdf>>; “Report on the Situation of Muslim and Arab peoples in various parts of the world”, UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, submitted at the 62nd session of the Commission on Human Rights, 13 February 2006; Michael McClintock, *Everyday Fears: A Survey of Violent Hate Crimes in Europe and North America* (Human Rights First, 2005), <<http://www.humanrightsfirst.org/discrimination/pdf/everyday-fears-080805.pdf>>.

²⁶² “Call for calm”, *Wiltshire News*, *op. cit.*, note 241.

²⁶³ “3 doctors falsely accused of terrorism”, *National Post* website, 18 August 2006, <<http://www.canada.com/national-post/news/story.html?id=66115112-3cc9-451e-a0d2-354e9ae4bd0e>>.

- The same day, vandals smashed 30 windows at a mosque in Toronto and damaged nearby cars;²⁶⁴
- On 7 June, a Muslim high school in East Mississauga was vandalized.²⁶⁵

On 9 June, an imam was threatened by a knife-wielding man in Montreal who asked if he wanted to “die a martyr” and whether he was “carrying belts full of explosives”. The man was charged with armed assault, uttering threats, and possession of a dangerous weapon.²⁶⁶

Apart from attacks against Muslim and Jewish communities, which are often motivated by not only religious biases, but also by political or cultural biases, **Christians and other religious groups, including religious minorities and so-called non-traditional or new religious movements, have experienced violence** because of their faith.²⁶⁷

These episodes, which have affected all religious communities, have to be framed in a wider context of intolerance and restriction of the right to freedom of religion or belief in some countries in the OSCE area. Legislation that restricts religious freedom is often coupled with social prejudice towards religious minorities and antagonism for conversion.²⁶⁸ Discriminatory legislation often triggers social intolerance towards “non-traditional” religious groups and influences public discourse. Problems include discrimination against individuals in the workplace and public services; the disruption or prohibition of worship even in private homes; defamation campaigns against minority religious groups, including verbal harassment and threats against Christian proselytes; attacks on the sharing of beliefs; lack of transparency and consistency in registration procedures; unlawful confiscation of property of religious communities and individuals; violent attacks against religious buildings and vandalism of cemeteries; and censorship of religious literature. These restrictions may be a direct result of state legislation and policies, or, in other cases, they may arise as a result of a lack of protective action from state authorities, often in the face of a dominant religious majority.²⁶⁹

²⁶⁴ CBC News, *op. cit.*, note 243.

²⁶⁵ The Pluralism Project, *op. cit.*, note 244.

²⁶⁶ “Hateful Attack at Mosque”, *The Gazette*, 11 June 2006.

²⁶⁷ The UN special rapporteur on freedom of religion or belief uses the term “religious minorities” to distinguish them from the “predominant religious community”. Religious minorities may include “non-traditional religious minorities” and “new religious movements”. See “Report of the Special Rapporteur on freedom of religion or belief (Ms. Asma Jahangir)”, UN Human Rights Council, A/HRC/4/21, 26 December 2006, <<http://ohchr.org/english/bodies/hrcouncil/4session/reports.htm>>.

²⁶⁸ Such legislation may include mandatory registration with high minimum membership requirements, a ban on private religious teaching, the prohibition of proselytism, as well as restrictions on the publication and use of religious material. These provisions may be discriminatory or applied in a discriminatory way in relation to certain communities.

²⁶⁹ In their joint report, the UN special rapporteur on freedom of religion or belief and the UN special rapporteur on current forms of racism mention the increasing number of violent acts against Christians: “There has also been an undeniable increase in acts of Christianophobia, which has been particularly apparent in the context of the complex relations between Christians and Muslims and the proselytism of certain evangelical groups. In all the occurrences of discrimination and intolerance against Christians—mainly reflected in the attacks of their places of residence and worship—the common denominator has always been the fact that this religion, amalgamated with the Western civilization, has been the target of defamation and demonization.” See “Report of the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance further to Human Rights Council decision 1/107 on incitement to racial and religious hatred and the promotion of tolerance”, UN Human Rights Council, A/HRC/2/3, 20 September 2006, p. 7. The UN special rapporteur on freedom of religion or

Serious abuses of freedom of religion or belief involve registration and property issues faced by religious communities. Due to obstacles in legislation and/or complicated bureaucratic procedures, many religious minorities remain unregistered and, as a consequence, are often fined, and their members are detained by the police, interrogated, and forced to give false statements.

Incidents against Christians and other religious groups in the OSCE area in 2006 took the form of acts of violence against places of worship and residence, disruption of services, and threats and physical attacks against the clergy and proselytes.

- With respect to the Russian Federation, several incidents prompted by hate against specific religious groups were reported. The Baptist, Catholic, and Pentecostal communities reported police inaction in response to frequent attacks directed at their communities, including during services.²⁷⁰
- A ceremony for the celebration of Easter carried out by the local Reconciliation Pentecostal Church in the Southern Siberian settlement of Spassk on 23 April was disturbed by the entry of a group of 20 drunken youths, who attacked the congregation in an attempt to “sort out the sectarians”. The police have been criticized for their lenient response to the incident. Upon being summoned, officers allegedly did not arrest the assailants and thus did not stop the attack. Apart from the use of hate speech, several believers were physically attacked and subsequently hospitalized, and some of their electronic equipment was also damaged. The Reconciliation Church appealed to the regional authorities, who issued an official apology and ordered investigations.²⁷¹ Reportedly, the perpetrators apologized for their actions and provided compensation to the Church, which did not file an official lawsuit.²⁷² On 27 August, 20 members of the Perm New Testament church were seriously poisoned by a gas attack dur-

belief pays particular attention to the experience of religious minorities: “Furthermore, some religious minorities are adversely affected by manifestations of rejection or violence from non-State actors and by threats to their very existence as a specific community.” See “Report of the Special Rapporteur”, *op. cit.*, note 267, p. 15. Anastasia Crickley, the Personal Representative of the OSCE Chairman-in-Office on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, reported on cases of intolerance and discrimination, as well as limitations to religious freedom, in her report to the Permanent Council in November 2006. The report had not been published or made available to the public as of September 2007.

Other sources describing growing religious intolerance and restrictions to religious freedom include:

- a) Andreu Rocha Scarpetta, “Dossier on Discrimination and Intolerance against Christian Faith—OSCE Region 2006”, included in a communication to the ODIHR from the Permanent Mission of the Holy See to the OSCE, 4 September 2006;
- b) “Hate Crimes: 2007 Survey”, Human Rights First, *op. cit.*, note 4;
- c) World Report 2007: Events of 2006 (New York: Human Rights Watch, 2007), <<http://www.hrw.org/wr2k7/wr2007master.pdf>>;
- d) *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68;
- e) “International Religious Freedom Report 2006”, US Department of State, <<http://www.state.gov/g/drl/rls/irf/2006/71284.htm>>;
- f) FORUM 18 website, <<http://www.forum18.org>>.

²⁷⁰ Communication to the ODIHR from the Permanent Mission of the Holy See to the OSCE, quoting Forum 18 News Service from 6 July 2006, 4 September 2006.

²⁷¹ Geraldine Fagan, “Russia: Whose side are the police on?”, Forum 18 News Service, 7 June 2006, <http://www.forum18.org/Archive.php?article_id=794>; “Hate Crimes: 2007 Survey”, Human Rights First, *op. cit.*, note 4, p. 31.

²⁷² “Khuligany, ustroivshie pogrom na Paskhu v Kemerovskoi oblasti, poprosili u veruyushchikh proshcheniya”, Slavic Centre for Law and Justice, 28 September 2006, <<http://www.rlinfo.ru/press/pr20062809a.html>>.

ing a service.²⁷³ On the night of 27 October, a cross was torn off a new Orthodox church and the walls were damaged in the village of Novaya Kalita in the Rossoshansk district of the Voronezh region. It was the fourth such incident in the above-mentioned district in 2006.²⁷⁴ On 22 November, the Mologa museum, part of an Orthodox monastery, was desecrated by a group of skinheads in Rybinsk. Vandals left graffiti with anti-Christian slogans.²⁷⁵ The day before the incident, similar graffiti and a swastika appeared on the walls of the Rybinsk Spassko-Preoprazhenskaya Cathedral.²⁷⁶ The police detained the perpetrators, who admitted their responsibility for both acts.²⁷⁷

- A pagan temple near the village of Pietrovo-Dal'nee in the suburb of Moscow was vandalized several times.²⁷⁸ On 6 November, a well-known faith healer was shot to death at her home in the village of Orzhonikidze in Ingushetia. The perpetrator has not been found, but the police are investigating.²⁷⁹ Authorities blamed "radical" Muslims, who believe that faith healing is a sin against Islam. It was the second killing of a faith healer in Ingushetia in two years. Seven faith healers had been killed in the nearby republic of Karachaevo-Cherkessiya as of November 2006.²⁸⁰
- In Kyrgyzstan, mounting intolerance towards religious minority groups culminated in the murder of an ethnic-Kyrgyz man who had previously converted to Christianity. His dead body was found in the village of Zhety-Oguz in early January. The act was reportedly instigated by the village mullah, while the killing was actually carried out by a group of mainly drunken village men targeting the only Christian in their community.²⁸¹ The response of district authorities amounted to no more than assigning a special plot for the victim's burial, which, due to Muslim provisions, was not allowed to take place in the village cemetery.

²⁷³ "Otravlenie neizvestnym gazom na voskresnom bogosluzhenii piatidesiatnikov v Permi", SOVA Centre for Information and Analysis, 27 August 2006, <<http://religion.sova-center.ru/events/13B74CE/146F060/7DAD1DD>>.

²⁷⁴ "Neizvestnye oskvernili tolko chto postroennuyu selskuyu tserkov' v Voronezhskoi oblasti", Blagovest Info, 27 October 2006, <<http://www.blagovest-info.ru/index.php?ss=2&s=3&id=9759>>.

²⁷⁵ "Britogolovym ne navitsya khristianstvo", *Zolotoe kol'tso* website, 25 November 2006, <http://www.goldring.ru/index.php?option=com_content&task=view&id=83971&Itemid=3>.

²⁷⁶ "Oskvernenie sobor v Rybinske", NTM website, 29 November 2006, <<http://www.ntm-tv.ru/news/our/20061129182329.html>>.

²⁷⁷ "V dele ob oskvernении pravoslavnogo sobora v Rybinske pojavilsya podozrevaemyi", SOVA Centre for Information and Analysis, 19 December 2006, <<http://religion.sova-center.ru/events/13B74CE/14C8529/86FCAA2>>.

²⁷⁸ "Podmoskov'e: unichtozheno kaphische 'kruga yazycheskikh traditsii'", Credo.ru, <<http://portal-credo.ru/site/print.php?act=news&id=44610>>; "Yazycheskoe kaphische v podmoskovnom Petrovom-Dal'nem vtorichno oskvernili, i Perunov den' prikhozhanie kaphische otmetili na Istrinskom vodokhranilishche", Credo.ru, <<http://portal-credo.ru/site/?act=news&id=45587&cf=>>>; "V Podmoskov'e razrusheno yazycheskoe kaphische", SOVA Centre for Information and Analysis, <<http://209.85.135.104/search?q=cache:VxpUhKN9GFQJ:religion.sova-center.ru/events>>.

²⁷⁹ "Informatsionnyi vypusk No. 819", Information Center SNO, 11 November 2006, <http://www.livechechnya.org/Archiv/12_11_06.htm>; "V stanitse Ordzhonikidzevskaya rano utrom soversheno ubiistvo", Ingushetia.ru, 6 November 2006, <<http://ingushetiya.ru/news/8615.html>>.

²⁸⁰ "Gunmen kill faith healer in southern Russia", *International Herald Tribune* website, as reported by The Associated Press, 6 November 2006, <http://209.85.135.104/search?q=cache:2Eyq2g5Da0cJ:www.ihf.com/articles/ap/2006/11/06/europe/EU_GEN_Russia_Restive_South.php+Gunmen+kill+faith+healer+in+southern+Russia&hl=en&ct=clnk&cd=3>.

²⁸¹ Igor Rotar, "Kyrgyzstan: Intolerance against Christians highlighted by murder", Forum 18 News Service, 17 February 2006, <http://www.forum18.org/Archive.php?article_id=729>. This incident is also mentioned in Rocha Scarpetta, *op. cit.*, note 269, p. 16.

- On 28 July, another incident related to social intolerance towards proselytes took place in the village of Karakulja in the Osh region of southern Kyrgyzstan. A Protestant pastor, an ethnic-Kyrgyz man, was attacked by a mob of about 80 people, beaten until he lost consciousness, and thrown out of his house. After that, the mob opened the shed where he kept religious literature, including dozens of Bibles, and burned all of it in the courtyard. Three police officers watched the unruly crowd but took no action. Two months after the incident, people from the village where the pastor preaches threatened him with death, demanding that he leave the village.²⁸² The pastor continued to receive threats, and, on the night of 12–13 November, bottles containing a flammable substance were thrown at the prayer house. While a criminal case was opened to investigate the incident, on 1 December the Osh church received a communication from the Government's Religious Affairs Committee that the Karakulja Baptist community had been denied registration on the grounds that the church had been carrying out religious activities without registration for a long period.²⁸³
- In Uzbekistan, on 18 December, a member of the Pentecostal Church in Tashkent was attacked and severely beaten.²⁸⁴
- In Georgia, on 2 November, about 50 people, including secondary-school teachers and pupils, gathered in front of a building belonging to Jehovah's Witnesses and attacked it with stones. The organizer of the incident, who had already committed similar criminal acts against Jehovah's Witnesses in the past, was jailed.²⁸⁵
- During the reporting period, the religious extremist group David Agmashenebeli Society of Orthodox Parish Protesters organized a protest in front of a building assumed to belong to the Catholic Church. The group used anti-Catholic slogans describing Catholics in abusive and offensive language.²⁸⁶ In a separate event, a Catholic priest experienced physical and verbal abuse during the presentation of a newly released book at the National Library of Georgia. During the event, members of the David Agmashenebeli Society even forced the priest to say he was an Orthodox Christian.²⁸⁷
- A similar incident in Tbilisi involved an attack against the guard of a community building (also a member of the Jehovah's Witness community), who was beaten and forced to make the sign of the cross in the Orthodox way. A Jehovah's Witness contacted the Office of the Public Defender for assistance and reported that even the police officers who responded to the call did not react to the crime properly. Once a representative of the Public Defend-

²⁸² Igor Rotar, "Kyrgyzstan: Mob goes unpunished as intolerance of religious freedom rises", Forum 18 News Service, 27 September 2006, <http://www.forum18.org/Archive.php?article_id=846>.

²⁸³ Igor Rotar, "Kyrgyzstan: officials call for police to close embattled Baptist church", Forum 18 News Service, 9 March 2007, <http://www.forum18.org/Archive.php?article_id=927&printer=Y>.

²⁸⁴ "Hate Crimes: 2007 Survey", Human Rights First, *op. cit.*, note 4, p. 32.

²⁸⁵ This incident was mentioned in the report of the Georgian non-governmental organization Union Century 21. The report included information on hate-motivated violence from June through December 2006. Information was submitted to the ODIHR on 17 May 2007.

²⁸⁶ *Ibid.*

²⁸⁷ *Ibid.*

er's Office got involved in the case, the police arrested all four people who committed the crime.²⁸⁸

- During the reporting period, a number of attacks against Christians took place in Turkey. On 8 January, in Adana, a Protestant leader and convert was attacked by a group of youngsters who also uttered death threats.²⁸⁹ Two adults and one minor were apprehended. A criminal case was opened against the adults, which is still ongoing. The public prosecutor was instructed by the Ministry of Justice to interrogate the minor.²⁹⁰ On 5 February, in the northern city of Trabzon, a 61-year-old Catholic priest was shot dead while praying in his church. The 16-year-old perpetrator, who was arrested shortly after the shooting, shouted a religious slogan to justify his actions, and allegedly made a confession to the police that indicated the religious motivation behind the attack.²⁹¹ The killing was strongly and publicly condemned by the government, including by the interior minister.²⁹² Five days after the incident, a Roman Catholic priest from Italy was attacked by youth at a church in Izmir. The perpetrators grabbed him by the throat, threatened to kill him, and shouted religious slogans at him.²⁹³ The incident was immediately investigated by the police. On 8 March, a Muslim woman was attacked and beaten in her shop. The attacker accused the woman of "Christianizing" his daughter.²⁹⁴ The perpetrator was arrested and was tried on charges of wilful infliction of injury. He was punished with a fine.²⁹⁵ On 11 March, a man entered the convent of St. Antoine's Catholic Church, where a group of young people were preparing a play for Easter, and threatened those present with a knife.²⁹⁶ The perpetrator was apprehended by the police and later arrested.²⁹⁷ On 2 July, a French Catholic clergyman was wounded as a result of a knife attack in the city of Samsun.²⁹⁸ The perpetrator was arrested and tried on charges of "inflicting injuries with a weapon". The court ruled that the defendant was mentally ill when he committed the crime. He was sent

²⁸⁸ Several perpetrators of violent attacks on religious minorities in recent years were imprisoned during 2006. On 31 January, the Vake-Saburtalo district court in Tbilisi sentenced three perpetrators to six years', four years', and one year's imprisonment, respectively, on charges that included illegal interference with the execution of religious rites or other religious rules and habits, beatings, and arson. Other supporters of the perpetrators were given three-year suspended prison sentences. In October, a higher court in Tbilisi rejected an appeal by the perpetrators. According to Amnesty International, however, hundreds of perpetrators continue to enjoy impunity. See "Annual Report for Georgia", Amnesty International, <<http://www.amnestyusa.org/annualreport/view.php?c=GEO>>.

²⁸⁹ "Turkey: Convert Christian Beaten Unconscious", Compass Direct News, 20 January 2006, <<http://www.compassdirect.org/en/display.php?page=news&idelement=4175&lang=en&length=short&backpage=archives&critere=turkey&countryname=&rowcur=0>>.

²⁹⁰ Communication to the ODIHR from the Permanent Representation of Turkey at the OSCE, 23 May 2007.

²⁹¹ "Turkey: Catholic Priest Gunned Down", Compass Direct News, 7 February 2006; "Catholic priest injured in attack in Samsun", *Turkish Daily News* website, 4 July 2006, <<http://www.turkishdailynews.com.tr/article.php?newsid=47882>>.

²⁹² "Aksu condemns murder, extends condolences to Catholics", *Turkish Daily News* website, 11 February 2006, <<http://www.turkishdailynews.com.tr/article.php?newsid=35535>>.

²⁹³ *Ibid.*

²⁹⁴ "Anti-Missionary 'Witch-Hunt' Haunts City", Compass Direct News, 20 April 2006, <<http://www.compassdirect.org/en/display.php?page=news&idelement=4328&lang=en&length=short&backpage=archives&critere=&countryname=Turkey&rowcur=0>>.

²⁹⁵ Communication from Turkey, *op. cit.*, note 290.

²⁹⁶ "Turkey: Intruder Threatens Catholic Priests and Youth", Compass Direct News, 16 March 2006.

²⁹⁷ Communication from Turkey, *op. cit.*, note 290.

²⁹⁸ Suzan Fraser, "Priest Stabbed in Turkey—3rd Such Attack", WorldWide Religious News, as reported by The Associated Press, 2 July 2006, <<http://www.wwrn.org/article.php?idd=22023&sec=23&con=54>>; "Turkey: Catholic Priest Knifed in North", Compass Direct News, 5 July 2006.

to a high-security hospital for protection and treatment.²⁹⁹ On 4 November, the Odemis Love Protestant Church in Odemis, near Izmir, was attacked with Molotov cocktails. The church, where the pastor and his family lived, had been the target of stone-throwing and harassment in the months prior to the event.³⁰⁰ An investigation, which started immediately after the incident, is still ongoing.³⁰¹

- In Serbia, members of religious communities were also the victims of acts of violence. Adventist churches were the target of numerous acts of vandalism, which included the breaking of windows in Kikinda on 16 March; an arson attack in Omoljica, near Pancevo, on 1 April; stone-throwing in Bojnik, near Leskovac, on 25 May and 7 July; and damage to the metal railings in front of the Adventist church in Orlovat near Zrenjanin on 2 September.³⁰² There were various attacks on Jehovah's Witnesses, as well as on followers of Hare Krishna.³⁰³ On 15 February, a man locked two female devotees inside a building near Belgrade. He then started destroying their religious literature and attempted to drag them into the cellar. One of the two victims managed to escape and subsequently called the police, who rescued the other. The perpetrator is currently being prosecuted. On 20 February, a male Jehovah's Witness was beaten on the head while talking to a family about his beliefs. Serbian police arrested the attacker, whose case was brought before the courts. During the night of 17-18 June, a Hare Krishna devotee from Jagodina, who had already been attacked in July 2005, was assaulted in front of his home. The victim had to be hospitalized, as he suffered three knife wounds and had a cross carved into his head. According to an NGO report, no one has been prosecuted for the attack.³⁰⁴
- In the state of Connecticut in the United States, anti-Christian graffiti and a swastika were found on the walls of a church in the town of Greenwich on 21 April. A number of statues in the church were also destroyed. On 30 December, anti-Christian words and symbols were sprayed on the walls of a Catholic church in Anniston, Alabama.³⁰⁵
- In Switzerland, there were acts of vandalism against Christian tombstones, and crucifixes were desecrated inside churches. In June, the cemetery of Bosco Gurin, in the Tessin Canton, was desecrated during a music festival. Around ten crosses and tombstones were damaged.³⁰⁶ The Catholic Church of Muttenz, in the Bâle-Campagne Canton, was also damaged. Several religious symbols were destroyed and excrement was found on the altar and in the baptismal

²⁹⁹ Communication from Turkey, *op. cit.*, note 290.

³⁰⁰ "Turkey: Attackers Firebomb Protestant Church", Compass Direct News, 9 November 2006.

³⁰¹ Communication from Turkey, *op. cit.*, note 290.

³⁰² Drasko Djenovic, "Serbia: Attacks continue on religious communities", Forum 18 News Service, 25 September 2006, <http://www.forum18.org/Archive.php?article_id=845>.

³⁰³ *Ibid.*

³⁰⁴ *Ibid.*

³⁰⁵ "Hatewatch For the Record", Southern Poverty Law Center, Intelligence Project, <<http://www.splcenter.org/intel/hate-watch/fortherecord.jsp>>.

³⁰⁶ "Tolérance vis-à-vis des chrétiens et discrimination des chrétiens en Suisse", Secretariat of the Conference of Swiss Bishops, paper presented at the OSCE Conference on Combating Discrimination and Promoting Mutual Respect and Understanding—Follow-up to the Cordoba Conference on Anti-Semitism and Other Forms of Intolerance, Bucharest, 7-8 June 2007.

font. The perpetrators, a group of youngsters between 12 and 13 years of age, were punished according to Art. 261 of the Swiss Criminal Code.³⁰⁷

In some cases, attacks on religious communities took place in areas affected by conflict.

- In Bosnia and Herzegovina, religious sites and other objects of all three official faiths—Muslim, Serbian Orthodox, and Catholic—were frequent targets of violent attacks: windows were broken, furniture and equipment destroyed, cemeteries and tombstones desecrated. In the municipalities of Kakanj and Ilijas, near Sarajevo, tombstones in the Orthodox cemetery were destroyed on several occasions. The premises of the Croatian Cultural and Education Association Napredak in Sarajevo were broken into several times. The walls were defaced with graffiti, some of which was inflammatory, including a call to kill members of certain faiths.³⁰⁸ Windows of mosques in Prijedor were broken on a number of occasions. Stones were thrown at the house of the town’s principal imam, and tombstones were desecrated. Despite complaints, Prijedor’s mayor chose not to react to these and other events targeting religious sites or their leaders, allegedly due to fear that it would only cause additional strains on inter-religious dialogue.³⁰⁹
- The Serbian Orthodox Church in Kosovo was attacked on several occasions. On 5 March, bullets were fired into a car occupied by a Serbian Orthodox priest and his wife and daughter near Staro Gracko/Starogracke in the Lipljan municipality. On 6 May, on the road from Kosovska Mitrovica/Mitrovicë to Pristina/Prishtinë, a group of unidentified people opened fire on the car of a Serbian Orthodox priest and his family.³¹⁰ Nobody was injured on either occasion. On 15 March, the windows of the Church in Varos/Varosh, near Urosevac/Ferizaj, were broken and tombstones at the local cemetery destroyed. The Kosovo Police Service identified the perpetrators, but they were released.³¹¹ On 15 April, icons at the Church of Saint Paraskeva were destroyed in Gojbulja/Gojbuljë, near Vucitrin/Vushtrri.³¹² On 12 May, the Church of Saint Iljija in Podujevo/Podujeve was broken into, and parts of the church that had been renovated after the March 2004 riots were damaged. The Church of the Birth of the Mother of God in Obilic/Obiliq was attacked on 19 June. On 21 June, the Church of Saint Andrew was vandalized. Other incidents included the desecration of graveyards in a Serbian Orthodox cemetery located in the ethnic-Serb-majority village of Staro Gracko/Starogracke. KFOR had reportedly cordoned off the cemetery on 9 June when visitors discovered a landmine there.³¹³ Tombstones in the cemetery of Vitimirica/Vitomiricë were desecrated on 17 April.³¹⁴

Numerous **hate-motivated incidents and hate crimes against lesbians, gays, bisexuals, and transgender people (LGBT)** occurred in the OSCE region in 2006. Homophobic and

³⁰⁷ *Ibid.*

³⁰⁸ *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68, p. 36.

³⁰⁹ Communication from the OSCE Mission to Bosnia and Herzegovina to the ODIHR, 13 July 2007 .

³¹⁰ Communication from the Serbian Agency for Human and Minority Rights, *op. cit.*, note 68.

³¹¹ *Ibid.*

³¹² *Ibid.*

³¹³ See “Serbia and Montenegro (includes Kosovo)” in “International Religious Freedom Report 2006”, US Department of State, *op. cit.*, note 269, <<http://www.state.gov/g/drl/rls/irf/2006/71405.htm>>.

³¹⁴ Communication from the Serbian Agency for Human and Minority Rights, *op. cit.*, note 68.

transphobic incidents and crimes targeting LGBT people are believed to be among the most underreported and under-documented,³¹⁵ and the perpetrators of such crimes often go unpunished. This has been acknowledged by the UN special rapporteur on extrajudicial, summary or arbitrary executions,³¹⁶ the United Nations high commissioner for human rights,³¹⁷ and the Council of Europe commissioner on human rights.³¹⁸

The problem of underreporting and under-documentation can partly be explained by the fact that, out of 56 participating States, only 10 have reported to the ODIHR that they include sexual orientation as grounds for bias and/or an aggravating circumstance within their national hate-crime legislation.

Homophobic attitudes among law enforcement staff and the belief that reported incidents will not be handled seriously and only lead to a forced “coming out” to family, friends, and colleagues are among the main reasons that victims of homophobic and transphobic crimes and incidents do not report and document their case with the police. However, 2006 witnessed a slight increase in quantitative and qualitative data and statistics on violent incidents and crimes inspired by hatred against LGBTs, though one has to acknowledge that there is a big gap between data reported to the ODIHR on behalf of the participating States (seldom) and that reported by NGOs or other sources (more frequently):

- In the Netherlands, following a number of serious hate-motivated incidents against LGBTs, two pilot research projects among LGBTs, initiated by local governments, show that approximately 10 per cent of LGBT people indicate that they have been threatened with violence, whereas 3-10 per cent have faced an actual violent attack due to their sexual orientation.³¹⁹ Since Dutch police did not register homophobic violence as such until recently,³²⁰ it is impossible to say if the actual number of homophobic incidents and hate crimes has increased.³²¹

³¹⁵ Several reports confirm this observation: “Minorities Under Siege: Hate Crimes and Intolerance in the Russian Federation”, Human Rights First, June 2006, p. 19, <<http://www.humanrightsfirst.info/pdf/06623-discrim-Minorities-Under-Siege-Russia-web.pdf>>; Douglas Victor Janoff, *Pink Blood: Homophobic Violence in Canada* (Toronto: University of Toronto Press, 2005), p. 15; *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives* (Warsaw: OSCE/ODIHR, 2005), p. 23.

³¹⁶ “Statement by Professor Philip Alston, Special Rapporteur on extrajudicial, summary or arbitrary executions”, Human Rights Council, 19 September 2006, <http://www.extrajudicialexecutions.org/reports/dialogues/hrc_second_session/texts/Alston.pdf>.

³¹⁷ UN high commissioner on human rights, speech delivered at the International Conference on Gay, Lesbian, Bisexual and Transgender Rights, Montreal, 26 July 2006: “Neither the existence of national laws, nor the prevalence of custom can ever justify the abuse, attacks, torture and indeed killings that gay, lesbian, bisexual, and transgender persons are subjected to because of who they are or are perceived to be. Because of the stigma attached to issues surrounding sexual orientation and gender identity, violence against LGBT persons is frequently unreported, undocumented and goes ultimately unpunished. Rarely does it provoke public debate and outrage. This shameful silence is the ultimate rejection of the fundamental principle of universality of rights.”

³¹⁸ “Gay Pride Marches Should Be Allowed—and Protected”, Council of Europe commissioner on human rights, 24 July 2006, <http://www.coe.int/t/commissioner/Viewpoints/060724_en.asp>.

³¹⁹ J. de Boom and M. van San, *Geweld tegen homoseksuelen* (Rotterdam: RISBO Contractresearch, 2006).

³²⁰ Despite the fact that the Netherlands’ Parliament adopted a resolution that instructs government to ensure accurate and separate reporting and documenting of homophobic incidents, problems related to the implementation of this resolution have been reported by Dutch NGOs.

³²¹ *Gewoon doen: Acceptatie van homoseksualiteit in Nederland* (The Hague: Sociaal en Cultureel Planbureau, 2006).

- In the Russian Federation, an online poll among 35,000 users of the Qguys.ru website showed that 26.5 per cent of respondents claimed to have suffered from physical violence due to their sexual orientation at least once, whereas almost 40 per cent said they had suffered from threats, blackmail, and psychological pressure. The percentages for provincial towns are higher than for Moscow.³²²
- In the United States, the Southern Poverty Law Center reported in the spring of 2007 that 75 per cent of gay students had reported being verbally assaulted at school, and more than a third said that they had been physically harassed.³²³
- In Poland, research conducted in 2006³²⁴ among 1,002 LGBTs found that almost one in five (17.7 per cent) had experienced a form of hate-motivated physical violence, the percentage for men being slightly higher than for women. Of this group, as many as 42 per cent said they had experienced physical violence at least three times in the period from January 2005 to December 2006. Eighty-five per cent of cases were not reported due to lack of confidence in the police.³²⁵ Hate-motivated psychological violence was experienced by more than 50 per cent of the respondents, and as many as 70 per cent said that they had been subjected to psychological violence at least three times.

Other information on homophobic and transphobic incidents and hate crimes in 2006 were reported to, or identified by, the ODIHR with respect to, among others, Austria, Belarus,³²⁶ Croatia, France,³²⁷ Georgia, Hungary, Ireland, Latvia, the Netherlands, Poland, Portugal, the Russian Federation, Serbia, Turkey, Ukraine, the United Kingdom, and the United States. It should also be noted that two OSCE participating States (Uzbekistan and Turkmenistan) criminalize consenting same-sex acts between adults.³²⁸ Analysing the available data, reports and cases, one can distinguish the following trends:

(1) Homophobic hate crimes and incidents often show a high degree of cruelty and brutality. “They often involve severe beatings, torture, mutilation, castration, even sexual assault.

³²² Information obtained from the Russian LGTB Network website: <<http://www.lgbtnet.ru>>.

³²³ Information obtained from the Student Press Law Center: <<http://www.splc.org>>.

³²⁴ *Situation of bisexual and homosexual persons in Poland: 2005 and 2006 report* (Warsaw: Campaign Against Homophobia and Lambda Warsaw Association, 2007), <http://www.kampania.org.pl/cms/data/upimages/report_homophobia_Poland_2007_EN.pdf>.

³²⁵ Similar observations can be found in Serbian research: only 10 per cent of victims of a hate-motivated incident reported the incident to the police. See “Discrimination against lesbians and gays in Serbia in 2006”, LABRIS, <http://www.labris.org.yu/en/index.php?option=com_content&task=view&id=136&Itemid=48>.

³²⁶ See “Belarus” in “2006 Country Reports on Human Rights Practices”, US Department of State, 6 March 2007, <<http://www.state.gov/g/drl/rls/hrrpt/2006/78802.htm>>.

³²⁷ *Rapport sur l’homophobie 2006* (Paris: SOS Homophobie, 2007), <http://www.sos-homophobie.org/index.php?menu=4&menu_option=42&menu_soption=427&news=1#schap1>.

³²⁸ Note in this respect the statement at the Human Rights Council on 19 September 2006 by Professor Philip Alston, special rapporteur on extrajudicial, summary or arbitrary executions, who stated in relation to criminalizing consensual same-sex acts in private that this is a “fundamental negation of all that human rights norms stand for. These practices should be a matter of deep concern rather than a source of controversy.”

They are also very likely to result in death.³²⁹ Transgender people seem to be even more vulnerable within this category.³³⁰ In 2006, a particularly cruel incident in this regard took place:

- On 22 February, a homeless, HIV-positive, Brazilian transgender woman living in extreme social exclusion in Porto, Portugal, was tortured and anally raped with sticks by a group of young men. She was then thrown into a 15-meter-deep well filled with water and left to die at an abandoned construction site. The perpetrators (all underage, except for one) were detained on the day of the crime and brought before the judicial authorities. The case was referred to by a European Parliament resolution as a “horrific torture and murder”,³³¹ and court proceedings were initiated in May. On 1 August, the court sentenced the perpetrators to remain in detention.³³² According to a Portuguese NGO, the court stated in its verdict that the victim’s death was caused by drowning rather than the perpetrators’ acts that led her to be thrown into the well. The court allegedly did not consider the crime to be a homicide, nor did it consider it a hate crime based on gender identity despite the fact that the court’s sentence refers to a transphobic element in its explanation, i.e., that the boys approached the victim out of curiosity to see “a man with breasts”.³³³ The case is currently under consideration by the Court of Appeal in Porto.

(2) Gay-pride marches have provided an opportunity for some groups to manifest their hatred towards LGBTs. In 2006, hatred and intolerance towards LGBTs were expressed during gay-pride marches in, among others, Moldova, Poland, and Romania. The 2006 marches in Latvia and the Russian Federation faced particularly violent responses:

- In Latvia, following a ban on the 22 July equality march, gangs of white-power groups threw excrement and stones at participants; hateful posters were visible throughout the city, and the police faced difficulties in securing protection.³³⁴ The police arrested 14 individuals who attacked marchers in Riga, six of whom appeared in court and were fined 50–70 euros each. As the Permanent Representation of Latvia to the OSCE pointed out, since their “activities clearly showed hate-motivated action”, the decisions of the court were appealed by the Prosecutor’s Office in order to start criminal proceedings under the Criminal Code (on charges of hooliganism). In April 2007, the regional prosecutor’s office charged two of the perpetrators with group hooliganism causing bodily injuries and property damage, and resisting law enforcement authorities.³³⁵

³²⁹ Barbara Perry, *Hate and Bias Crime* (New York and London: Routledge, 2003), p. 172. Also see Janoff, *op. cit.*, note 315, p. 68; *Combating Hate Crimes in the OSCE Region*, OSCE/ODIHR, *op. cit.*, note 315, p. 31.

³³⁰ Note in this regard that, in Northern Ireland from June 2006, police offices have started to record hate crimes against transgender people separately.

³³¹ “Increase in racist and homophobic violence in Europe”, European Parliament, 15 June 2006.

³³² Communication to the ODIHR from the Permanent Representation of Portugal to the OSCE, 18 September 2006.

³³³ “Gisberta—Transexual assassinada por um grupo de jovens”, ILGA Portugal, <<http://www.ilga-portugal.pt/noticias/gisberta.htm>>; “Não agiram por causa da orientação sexual da vítima”, *Diário de Notícias* website, 2 August 2006, <http://dn.sapo.pt/2006/08/02/sociedade/nao_agiram_causa_orientacao_sexual_v.html>.

³³⁴ “Riga Pride 2006”, ILGA Europe, <http://www.ilga-europe.org/europe/guide/country_by_country/latvia/riga_pride_2006>; Letter from the Latvian Centre for Human Rights, 22 May 2007.

³³⁵ “Riga Pride Attacker to Be Prosecuted”, ICARE, <<http://www.icare.to/article.php?id=8838&lang=en>>; also see “Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment”, presented during the meeting on Implementation of General Assembly Resolution 60/251 of 15 March 2006, 27 March 2007; *Steadfast in Protest: Annual Report 2006* (International Federation for Human Rights, 2007), p. 485, <<http://www.fidh.org/IMG/pdf/FIDH-EN-EUROPE.pdf>>.

- In the Russian Federation, prominent religious leaders from all major denominations used strong homophobic language in their condemnations of the banned gay-pride march of 27 May. In February, Russia's Central Spiritual Governance for Muslims stated that "the Moscow Gay Pride [march] should not be allowed, and if they still come out into the streets, then they should be bashed".³³⁶ The subsequent violent events during and after the gay-pride march in Moscow, which led to strong criticism by, among others, the Council of Europe Commissioner on Human Rights,³³⁷ included attacks against a German member of parliament and at least 50 gay men, lesbians, and activists, who fell victim to beatings by small groups of skin-heads who were "hunting" throughout the city after the march.³³⁸

(3) Meeting places (bars, discos) and LGBT advocacy organizations are among the locations where hate attacks frequently take place.³³⁹

- In the United States, an 18-year-old male high-school dropout wounded three patrons of a gay bar in New Bedford, Massachusetts, with a hatchet and a handgun on 2 February. He walked into the bar, ordered a drink, and asked the bartender if it was a gay bar. When this was confirmed, the man struck a patron in the head with the hatchet; he also struck a second patron when he tried to come to the aid of the first victim. The third victim was shot. The attacker fled but died a week later of wounds suffered in a shootout with Arkansas police officers who tried to arrest him. Officers found Nazi regalia in the attacker's bedroom and anti-Semitic and racist writings on his walls.³⁴⁰
- In Zagreb, Croatia, on 4 March, in a club where a party was being held by the organization Iskorak (an LGBT advocacy organization), three people physically attacked guests. While shouting homophobic insults, they injured them with punches, kicks, and glass bottles and threatened to kill them. Several people were injured, and five were taken to a hospital where medical examinations were conducted. An investigation by the Zagreb Police Headquarters determined that a misdemeanour against public order and peace—namely, fighting in public—had been committed. After public condemnation of the investigative procedure, a new criminal investigation was conducted. On 8 March, a Croatian LGBT NGO pressed charges against the suspects with the Municipal State Attorney's Office in Zagreb for the qualified criminal offence of violent behaviour (Art. 331, para. 2, of the Criminal Code) and criminal offence of racial or other discrimination (Art. 174, para. 1, of the Criminal Code). On 10 March, Zagreb's Police Station No. 4 pressed charges against the suspects with the Municipal State Attorney's Office in Za-

³³⁶ "Russian Muslim Chief Predicts Violence if Gay Parade Allowed in Moscow", MosNews, <<http://groups.yahoo.com/group/russia-terror/message/333>>, 14 February 2006.

³³⁷ "Freedom of assembly belongs to all people", statement by Council of Europe Commissioner for Human Rights Thomas Hammarberg, <<https://wcd.coe.int/ViewDoc.jsp?id=1010053&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679>>.

³³⁸ "Moscow Pride: Detailed Accounts of the Events by ILGA Europe", ILGA Europe, 27 May 2006; "Pride and Violence: A Chronicle of the Events of May 27, 2006 in Moscow", Human Rights Watch, <<http://hrw.org/backgrounder/eca/russia0606/index.htm>>; also see "Minorities Under Siege", Human Rights First, *op. cit.*, note 315, p. 22; Information from the SOVA Centre for Information and Analysis to the ODIHR, 28 August 2006.

³³⁹ There were also hate-motivated attacks on gay bars in Austria and in the United Kingdom in 2006. See "Armed gang attack gay bar", Gay.com, 28 February 2006, <<http://uk.gay.com/headlines/9671>>.

³⁴⁰ Pam Belluck, "Fugitive in Gay Bar Attacks Dies After Shootout With Arkansas Police", *The New York Times*, 6 February 2006.

greb only for the criminal offence of violent behaviour. By a resolution of the Municipal State Attorney's Office, the criminal charge lodged by the police was rejected since, on the basis of the petition, it was not possible to determine that the criminal offence of violent behaviour had been committed in this case; rather, the Municipal State Attorney's Office laid charges of participation in a fight. On 30 May, the injured parties brought a criminal lawsuit against the suspects before the Municipal Court in Zagreb for the criminal offence of violent behaviour linked to the criminal offence of racial or other discrimination. To date, the Croatian NGO has not received any response from the Municipal State Attorney's Office on the criminal charges brought on 8 March. The proceedings at the Magistrate's Court in Zagreb for a misdemeanour against public order and peace are still in process.

A particular problem affects LGBT individuals who are confronted by intolerant attitudes and hate-motivated behaviour. Whereas victims of racial, gender, ethnic, or religious violence can expect support from their families and relatives, this is often not the case for LGBT people, as many victims of so-called gay bashing have not admitted their sexual orientation to their families.

Throughout the OSCE region, **human rights defenders**³⁴¹ have increasingly faced obstacles preventing them from carrying out their activities. Human rights defenders may be attacked on account of their public statements, campaigning, or other forms of affiliation with, or support for, vulnerable groups. This general trend, reported by international organizations, as well as by non-governmental organizations, has drawn attention to the situation of individuals and organizations operating in a particular area of the human rights field, the area of tolerance and non-discrimination.³⁴²

It appears that human rights defenders who actively prevent and respond to intolerance against groups or individuals on the basis of their perceived or real affiliation with a group are especially vulnerable. The Special Representative of the United Nations Secretary General on Human Rights Defenders, Ms. Hina Jilani, highlighted during the OSCE Supplementary Human Dimension Meeting dedicated to human rights defenders in April 2006 that "leaders of indigenous and other minority communities, defenders of the rights of displaced persons, migrants and refugees are increasingly being targeted".³⁴³ Likewise, the Commissioner for Human Rights of the Council of Europe, Mr. Thomas Hammarberg, concluded at a colloquy on the protection of human rights de-

³⁴¹ This section follows Art. 1 of the commentary on the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: "Individuals, groups and organs of society that promote and protect universally recognized human rights and fundamental freedoms." See "Promotion and Protection of Human Rights: Human Rights Defenders—Implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms: Report of the Secretary-General", UN Commission on Human Rights, 13 January 2000, <<http://hri.ca/fortherecord2000/documentation/commission/e-cn4-2000-95.htm>>.

³⁴² *Steadfast in Protest*, *op. cit.*, note 335; *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68; *Dispatches—reports from the front line* (Dublin: Front Line, 2007), <<http://www.frontline-defenders.org/files/en/Front%20Line%20Dispatches%202006.pdf>>; *Amnesty International Report 2007*, Amnesty International, *op. cit.*, note 104; *World Report 2007*, Human Rights Watch, *op. cit.*, note 269; "Hate Crimes: 2007 Survey", Human Rights First, *op. cit.*, note 4.

³⁴³ Keynote Address by Hina Jilani, Special Representative of the United Nations Secretary General on Human Rights Defenders, OSCE Supplementary Human Dimension Meeting, Vienna, 30 March 2006, <http://www.osce.org/documents/odhr/2006/03/18594_en.pdf>.

defenders in November 2006 that “defenders working on equal human rights for all, regardless of their perceived sexual orientation or gender, rights of migrants, and those defending the rights of national minorities or women’s rights often face particular difficulties in their activities”.³⁴⁴

The cases reported in 2006 encompass a broad range of offences covering all levels of violence from intimidation and threats to destruction of property and murder. While these attacks clearly constitute violations of human rights, they are also hate crimes. This assumption is supported by the working definition of a hate crime adopted by the ODIHR, according to which: “any criminal offence ... where the victims, premises or target of the offence are selected because of their real or perceived ... support for a group” may be considered as a hate crime. Similarly, some participating States, such as the United Kingdom,³⁴⁵ have already included in their criminal legislation provisions establishing affiliation, support, or membership of a group as being possible characteristics of a hate crime. In the same vein, the guidelines of the US Federal Bureau of Investigation (FBI) include as characteristics of a hate crime the fact that the victim is a “member of an advocacy group supporting the precepts of the victim group”.³⁴⁶

In the general context of a deterioration of the situation of human rights defenders in some parts of the OSCE region, there has been a significant increase in the number of reported attacks on defenders working in the field of tolerance and non-discrimination. Anti-racist and anti-fascist activists, leaders of minority groups, activists promoting respect and equal rights for LGBT people and for Roma and Sinti were targeted in 2006.³⁴⁷

Cases that were characterized by a **high level of violence** that ended with the death of the victim or severe trauma revealed similar patterns. The **perpetrators** mostly belong to, or are

³⁴⁴ “Conclusions of Council of Europe Commissioner for Human Rights, Mr Thomas Hammarberg: Council of Europe Colloquy on ‘Protecting and Supporting Human Rights Defenders’”, Strasbourg, 13-14 November 2006, <[https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH\(2006\)19&Language=lanEnglish&Ver=original&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679](https://wcd.coe.int/ViewDoc.jsp?Ref=CommDH(2006)19&Language=lanEnglish&Ver=original&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679)>.

³⁴⁵ Crime and Disorder Act amended in 1998, Section 28:

- (1) An offence is racially aggravated for the purposes of sections 29 to 32 below if:
 - (a) at the time of committing the offence, or immediately before or after doing so, the offender demonstrates towards the victim of the offence hostility based on the victim’s membership (or presumed membership) of a racial group; or
 - (b) the offence is motivated (wholly or partly) by hostility towards members of a racial group based on their membership of that group.
- (2) In subsection (1) (a) above-

“membership”, in relation to a racial group, includes association with members of that group; “presumed” means presumed by the offender.
- (3) It is immaterial for the purposes of paragraph (a) or (b) of subsection (1) above whether or not the offender’s hostility is also based, to any extent, on-
 - (a) the fact or presumption that any person or group of persons belongs to any religious group; or
 - (b) any other factor not mentioned in that paragraph.
- (4) In this section “racial group” means a group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins.

³⁴⁶ “Hate Crime Data Collection Guidelines: Uniform Crime Reporting”, US Department of Justice, Federal Bureau of Investigation, Section II.B: Objective evidence that the crime was motivated by bias, para. 14: “The victim although not a member of the targeted racial, religious, disability, sexual-orientation, or ethnic/national origin group, was a member of an advocacy group supporting the precepts of the victim group”, <<http://www.fbi.gov/ucr/hatecrime.pdf>>.

³⁴⁷ “Report of the Special Rapporteur on torture”, *op. cit.*, note 335.

familiar with, organized groups that often stem from right-wing nationalist or supremacist movements:

- On 7 April, a Senegalese student was shot by a skinhead while he was returning home after attending an inter-cultural friendship event organized at a nightclub in St. Petersburg, Russia. The young man had been actively involved in an NGO called African Unity and had participated in the organization of inter-cultural festivals. The alleged assailant screamed racist slogans, and the alleged murder weapon was found nearby with a swastika and an inscription reading “white power”. The alleged murderer was arrested by the police, and the prosecutor declared that the murder had a “racial character”.³⁴⁸
- On 16 April, a 19-year-old student described by friends as an anti-fascist activist was attacked by a group of young men in southern Moscow as he and a friend headed for a punk concert. He was stabbed in the chest and died before an ambulance arrived. Investigators found in the apartment of three of the suspects nationalist literature, leaflets, and video recordings of similar attacks. Allegedly, the suspects are linked with neo-Nazi groups.³⁴⁹
- On 16 May, a young anti-racist activist was stabbed on the street next to his home in Warsaw with a 30-centimeter-long knife. The perpetrator had been following him and kicked him when he fell on the ground, shouting threats to kill him on the basis of his alleged “leftist” political beliefs. The victim was taken to the hospital in critical condition. In the course of the investigation, the Polish authorities arrested a group of seven people with connections to the Redwatch website, the Polish branch of the Blood and Honour network, one of whom was the alleged assailant.³⁵⁰
- On 18 May, a leading trade unionist involved in anti-racist activities was attacked at his home in front of his two daughters in Merseyside, United Kingdom. The victim had received death threats by neo-Nazi groups for many years and believed they were responsible for the attack.³⁵¹

As the cases reported below reveal, potential targets are especially **vulnerable** when attending or on their way to or from **public events promoting tolerance and non-discrimination**. The year 2006 was marked by a series of incidents taking place during marches or pride events organized to raise awareness of the situation of LGBT communities:

³⁴⁸ “Anti-Racism: A Risk to Life and Limb”, *Searchlight Magazine*, June 2006, <<http://www.icare.to/article.php?id=3892&lang=en>>.

³⁴⁹ “Barometer of Democracy”, *Demos*, No. 47, 10-16 April 2006, <<http://www.demos-center.ru/projects/649C353/6AF8CAF/1146065681>>; “European Court Slams Russia for Chechen’s ‘Disappearance’”, *Bigotry Monitor*, Vol. 6, No. 28, 4 August 2006, <<http://www.fsmonitor.com/stories/080406BM.shtml>>.

³⁵⁰ Case reported in “Hate Crimes: 2007 Survey”, *Human Rights First*, *op. cit.*, note 4, p. 35, and in “Poland: Democracy and the Challenge of Extremism”, *Anti-Defamation League*, September 2006, <<http://www.adl.org/international/PolandDemocracyandExtremism.pdf>>.

³⁵¹ Anindya Bhattacharyya, “Nazi-inspired racist attacks in Merseyside and Barking”, *SocialistWorkeronline*, <https://www.socialistworker.co.uk/article.php?article_id=8901>.

- Incidents were reported in Krakow on 29 April,³⁵² in Tallinn on 12 August,³⁵³ in Moscow on 27 May,³⁵⁴ and in Riga on 22 July.³⁵⁵ In all cases, a group of people supporting equality of rights and tolerance for LGBT people were attacked by members of right-wing extremist groups, nationalist groups, or orthodox groups who threw stones, tomatoes, excrement, and other objects at them and verbally assaulted them. In some instances, official events had been banned by the authorities, and the failure of the police to intervene in an adequate manner was reported.
- Another remarkable series of incidents took place during Tolerance Week in the Russian Federation. Tolerance Week encompassed a series of events such as concerts, meetings, exhibitions, and discussions that took place from 9 to 16 November throughout the country. These events were organized by NGOs, in some cities in collaboration with municipal authorities, and they were aimed at promoting mutual respect and understanding. From 5 to 19 November, the SOVA Centre for Information and Analysis recorded in Moscow, St. Petersburg, Vologda, and Voronezh at least nine attacks on people resulting in 20 casualties, including two deaths and seven hospitalizations. Fifteen victims were identified as representatives of youth anti-fascist subcultures or activists of anti-fascist organizations.³⁵⁶

There were incidents involving **destruction of property**, such as:

- On 16 September in Berlin, an alleged right-wing extremist group demolished the entry hall of a youth centre and left stickers of the extreme right-wing party NDP. The leaders of the centre declared that the incident was one of “a series of attacks of neo-Nazis on youth centres in Berlin Pankow that explicitly condemn and address racism, anti-Semitism and right-extremism”.³⁵⁷
- In Malta, on 13 March, seven cars belonging to the Catholic Church’s Jesuit community (the EUMC/FRA³⁵⁸ focal point highly involved in migrant issues) were destroyed by fire. On 3 May, the front door of the house of the editor of the Maltese Weekly *Malta Today* was set alight shortly after its publication of a major editorial denouncing racism.³⁵⁹ It appears that the perpe-

³⁵² “Clashes erupt at Poland gay march”, ILGA Europe, <http://www.ilga-europe.org/europe/guide/country_by_country/poland/clashes_erupt_at_poland_gay_march>; “Poland and Latvia: Lesbian, Gay, Bisexual and Transgender Rights in Poland and Latvia”, Amnesty International, November 2006, <<http://web.amnesty.org/library/Index/ENGEUR010192006>>.

³⁵³ See the chapter on Estonia in *Amnesty International Report 2007*, Amnesty International, *op. cit.*, note 104, p. 114, <<http://thereport.amnesty.org/eng/Regions/Europe-and-Central-Asia/Estonia>>; “Poland and Latvia”, Amnesty International, *ibid.*

³⁵⁴ For more information, see “Moscow Pride”, ILGA Europe, *op. cit.*, note 338; “Pride and Violence”, Human Rights Watch, *op. cit.*, note 338. Also see “Minorities Under Siege”, Human Rights First, *op. cit.*, note 315, p. 22.

³⁵⁵ For more information on this case, see “Riga Pride 2006”, ILGA Europe, *op. cit.*, note 334.

³⁵⁶ “‘Tolerance Week’ as a Cause for Racist Violence”, SOVA Centre for Information and Analysis, 23 November 2006, <<http://xeno.sova-center.ru/6BA2468/6BB41EE/84D55B6>>.

³⁵⁷ “Chronik rechtsextremer Gewalt”, Mut Gegen Rechte Gewalt, September 2006, <<http://www.mut-gegen-rechte-gewalt.de/artikel.php?id=82&kat=82&artikelid=2729>>.

³⁵⁸ On 1 March 2007, the European Union Agency for Fundamental Rights (FRA) succeeded the European Monitoring Centre on Racism and Xenophobia (EUMC).

³⁵⁹ See “Malta: Attacks against anti-racists must end”, Amnesty International, <<http://web.amnesty.org/library/Index/ENGEUR330012006?open&of=ENG-MLT>>; “Hate Crimes: 2007 Survey”, Hate Crimes First, *op. cit.*, note 4; “ENAR Malta condemns renewed violence against JRS-Malta”, European Network Against Racism, April 2006, <<http://www.enar-eu.org/en/national/malta/index.shtml>>.

trators of these cases of violence and intimidation were clearly targeting specific organizations and individuals who were combating racism and discrimination.

While reports on the situation of human rights defenders³⁶⁰ deplore the absence of adequate response to hate-motivated violence committed against human rights defenders, threats are not always taken seriously by the police and therefore adequate protection is not always guaranteed. Despite evidence of hate-based motivation, perpetrators are frequently prosecuted for lesser offences of “hooliganism”. It appears that the specific patterns of hate-motivated crimes and incidents are not always acknowledged by the authorities. However, it is important to underline that, in all mentioned cases, the police carried out an investigation and in the majority of cases arrested alleged perpetrators, who were subsequently put on trial.

- After the failed attempt to bomb the apartment of an anti-fascist activist in Moscow in December, the district prosecutor’s office opened a criminal investigation on the basis of Art. 213 (2) of the Russian Criminal Code (hooliganism that is dangerous to society). Reportedly, three young men belonging to a neo-Nazi group are suspected. The case is still being prosecuted.³⁶¹
- After a Senegalese student was shot dead on 7 April in St Petersburg, a criminal investigation was immediately opened under Art. 105 (2) of the Criminal Code (murder motivated by racial hatred) and an arrest warrant for a suspect was issued. According to an Amnesty International report published in November 2006, the case was still at the stage of preliminary investigation.³⁶²
- The trial of the alleged perpetrators of an attack on a 20-year-old anti-fascist activist and his friend in St. Petersburg on 13 November 2005 commenced on 23 May 2006. During the attack, a group of 10 young men are alleged to have stabbed the two victims. One of the victims later died from his wounds.³⁶³ All seven people on trial were accused of hooliganism and incitement to ethnic hatred, but only one of them was also charged with murder. The alleged organizer of the crime remains on the wanted list, and a separate case has been initiated against him. This case is also still under prosecution.
- After the attack on the young anti-racist activist in Warsaw on 16 May, and following co-operation between the Polish authorities, the FBI, and NGOs such as Reporters without Borders and the Anti-Defamation League, the website of the Polish branch of Redwatch, which was hosted on a server based in the US state of Arizona, was closed down in July. Arrests were

³⁶⁰ *Steadfast in Protest*, *op. cit.*, note 335; “Hate Crimes: 2007 Survey”, Hate Crimes First, *op. cit.*, note 4.

³⁶¹ “An attempted murder of an antifascist activist in Moscow”, SOVA Centre for Information and Analysis, 25 December 2006, <<http://xeno.sova-center.ru/6BA2468/6BB41EE/877BBC2>>.

³⁶² “Russian Federation—Investigation and prosecution of the racist murder of Lamsar Samba Sell”, Amnesty International, November 2006, <<http://web.amnesty.org/library/print/ENGEUR460592006>>; *Searchlight Magazine*, *op. cit.*, note 348.

³⁶³ “Kacharava murder trial starts in St. Petersburg”, SOVA Centre for Information and Analysis, 23 May 2006, <<http://xeno.sova-center.ru/6BA2468/6BB41EE/93C0F8A>>.

made later in 2006.³⁶⁴ Furthermore, a special unit combating neo-fascist activities was established within the police.³⁶⁵

- In Malta, the authorities condemned violent manifestations of intolerance,³⁶⁶ and the Criminal Code was amended in 2006 to introduce harsher penalties for racially or religiously motivated offences.³⁶⁷ Nevertheless, the investigation is still under way, and there have been no prosecutions in connection with these acts.

Public Discourse: Media and Political Rhetoric

In addition to violent attacks on people and property, hate-motivated incidents may also take the form of incitement to criminal acts in the media or on the Internet. OSCE Ministerial Council Decision No. 10/05 emphasized “the need for consistently and unequivocally speaking out against acts and manifestations of hate, particularly in political discourse”.³⁶⁸ The same Decision called on participating States to consider developing “concrete measures which do not endanger freedom of information and expression, in order to counter xenophobic stereotypes, intolerance and discrimination in the media and to encourage programmes to educate children and youth about prejudice or bias they may encounter in the media or on the Internet”.³⁶⁹

The issue of public discourse was also highlighted in Ministerial Decision No. 13/06 under which the Ministerial Council “deplore[d] racist, xenophobic and discriminatory public discourse, and stresse[d] that political representatives can play a positive role in the overall promotion of mutual respect and understanding and have a significant impact in defusing tensions within societies, by speaking out against hate-motivated acts and incidents”.³⁷⁰ The same Decision recognized “the essential role that the free and independent media can play in democratic societies and the strong influence it can have in countering or exacerbating misperceptions, prejudices”.³⁷¹

Racist and xenophobic discourse often consists of derogatory remarks or generalizations concerning national minorities and other distinct groups, and some legal systems punish such discourse as defamation or incitement. The European Commission on Racism and Intolerance (ECRI), in its periodic country reports, regularly examines the treatment of minorities in the media, while highlighting the role of both self-regulatory media bodies and media complaints procedures.

³⁶⁴ See the chapter on Poland in “International Religious Freedom Report 2006”, US Department of State, <<http://www.state.gov/g/drl/rls/irf/2006/71400.htm>>.

³⁶⁵ “Annual Report of the United States Commission on International Religious Freedom”, US Commission on International Religious Freedom, May 2006, <<http://www.uscirf.gov/countries/publications/currentreport/2006annualRpt.pdf>>.

³⁶⁶ Matthew Vella, “Gonzi—new development zones ‘transparent’”, *Malta Today* website, 21 May 2006, <<http://www.maltatoday.com.mt/2006/05/21/t3.html>>.

³⁶⁷ See the chapter on Malta in “2006 Country Reports on Human Rights Practices”, US Department of State, <<http://www.state.gov/g/drl/rls/hrrpt/2006/78827.htm>>.

³⁶⁸ See MC DEC 10/05 at <<http://tandis.odihr.pl/index.php?p=qu-os,dec>>.

³⁶⁹ *Ibid.*

³⁷⁰ See MC DEC 13/06 at <<http://tandis.odihr.pl/index.php?p=qu-os,dec>>.

³⁷¹ *Ibid.*

- ECRI's "Third Report on Cyprus" noted that some print media continued to cover "incidents involving members of minority groups in a sensational way", while often mentioning the ethnic origin of people "when not relevant to the media report".³⁷²

In November 2006, the Director of the European Union Monitoring Centre on Racism and Xenophobia (EUMC), Dr. Beate Winkler, spoke of "the tremendous positive power of public discourse when supporting equality, diversity and the respect of human rights". This is a counterpoint to the "destructive power of racist speech and types of discourses that influence people's beliefs, emotions and perceptions".³⁷³ "Freedom of speech is not negotiable", she added, but has limits established in international and national law. In order to respond to and influence public discourse, information is required on racist expression, in particular in the media and in the language of political life.

Media reports that portray members of minorities in a persistently negative light and disseminate biased information that perpetuates stereotypes and prejudice contribute to further societal discrimination and marginalization. When racist discourse is intended to propagate racist views or instigate racist acts, it is often punishable under laws barring incitement to hatred based on race, religion, or national origin. Increasingly in many states, hate-motivated discourse often serves to dehumanize individuals, perpetuate stereotypes, and create a climate in which racist violence may flourish.

Electoral campaigns in which political leaders exploit the xenophobic fears and latent racism of the electorate through speeches or slogans provide the backdrop to racist violence. When government officials at any level engage in racist speech, their statements have greater potential to do harm, and accordingly both legal and political sanctions are available with which to respond.³⁷⁴

Racism and xenophobia in the media and in statements of political parties and leaders are subject to national and international legal constraints on racist discourse, as well as to political norms. Expulsion of political parties from regional groupings of political parties is one potential sanction, as are restrictions on the involvement of states in inter-governmental organizations when political parties that espouse racist doctrine are represented in government. In its General Policy Recommendation No. 7, ECRI encourages the adoption of legal provisions allowing for the withdrawal of public financing for political parties that promote racism.³⁷⁵

³⁷² "Third Report on Cyprus", European Commission against Racism and Intolerance, adopted on 16 December 2005, made public on 16 May 2006, ECRI(2006)17, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/cyprus/Cyprus%20third%20report%20-%20cri06-17.pdf>.

³⁷³ "The recording and monitoring of racist expression: the challenges ahead", speech by Beate Winkler, Director of the EUMC, at the ECRI Expert Seminar on combating racism while respecting freedom of expression, Strasbourg, 16-17 November 2006, <http://fra.europa.eu/fra/material/pub/general/Dir_Speech_ecri_16112006_en.pdf>.

³⁷⁴ "The use of racist, antisemitic and xenophobic elements in political discourse", European Commission against Racism and Intolerance, presented at the high-level panel meeting on the occasion of the International Day for the Elimination of Racial Discrimination, March 2005, <http://www.coe.int/t/e/human_rights/ecri/1-ECRI/4-Relations_with_civil_society/1-Programme_of_action/14-Public_Presentation_Paris_2005/actes%2021%20March%202005_en.pdf>.

³⁷⁵ "General policy recommendation No. 7 on national legislation to combat racism and racial discrimination", European Commission against Racism and Intolerance, para. 16 (and para. 36 of the Explanatory Memorandum), <http://www.coe.int/t/e/human_rights/ecri/1-ecri/3-general_themes/1-policy_recommendations/recommendation_n7/3-Recommendation_7.asp#TopOfPage>.

In 2006, national and European leaders spoke out against racist discourse in political life in response to incidents of racist violence of particular gravity. They frequently spoke in concert with civil society organizations.

- In Belgium, in response to the shootings of 11 May, the former president of the European Parliament, Josep Borrell, said the succession of attacks “shows that the step from xenophobic talk to crime is, unfortunately, possible”. And Prime Minister Guy Verhofstadt said, “Everyone in our country has to realize what a climate of intolerance can lead to.”³⁷⁶
- The day after the shootings, the Belgian Movement against Racism, Anti-Semitism, and Xenophobia (MRAX) declared that: “This violence does not come from nowhere. It is the result of years of ambiguous or openly racist discourse, which aims to make ‘foreigners’ responsible for individual frustrations and social misery.” MRAX also expressed its concern about the continued public financing of extreme-right-wing parties in Belgium, such as Vlaams Belang (Flemish Interest), which it said encouraged the stigmatization of ethnic minorities in Belgium.³⁷⁷

Tensions rose between Slovakia and Hungary following the entry into the ruling coalition of the Slovak National Party (SNS) in June, a party whose head, Jan Slota, has been widely associated with anti-Hungarian and anti-Roma statements.³⁷⁸ On 31 August, the President of the Parliamentary Assembly of the Council of Europe (PACE), René van der Linden, expressed concern at threats and insults against the Hungarian minority in Slovakia, welcoming the Slovak authorities’ condemnation of extremist acts, but calling on them also “to condemn all instances of hate speech, in accordance with the obligations of a member State of the Council of Europe to protect the rights of national minorities”.³⁷⁹ On 6 September, the Slovak Parliament adopted a common declaration condemning all manifestations of extremism and intolerance.³⁸⁰

- In its “Third report on Slovenia”, ECRI expressed serious concern at “the use of racist, xenophobic and otherwise intolerant political discourse in Slovenia”, noting that the situation had deteriorated since its previous report: “Although exponents of some political parties have been particularly active in resorting to this type of propaganda, racist and xenophobic political speech is reported to have become more generalised and to have been used also by politicians exercising important functions at national level.”³⁸¹
- Portugal’s Commission for Equality and Combating Racial Discrimination has repeatedly spoken out against media manipulation of inaccurate and biased information to increase xenophobia, in particular in reporting on crime, and in April 2006 challenged the “excessive number

³⁷⁶ “Belgium’s Surge in Hate Crime: A Link Between Xenophobic Sentiment and Criminal Action?”, About.com, <<http://racereactions.about.com/b/a/257446.htm>>.

³⁷⁷ “Europe must act to address the reality of racism in its societies”, European Network Against Racism press release, 16 May 2006, citing an MRAX press release of 12 May 2006.

³⁷⁸ Communications to the ODHR from the Permanent Mission of Slovakia to the OSCE, 10 and 16 July 2007.

³⁷⁹ “PACE president responds to xenophobic and intolerant incidents in Slovakia”, Council of Europe press release, 31 August 2006, <[https://wcd.coe.int/ViewDoc.jsp?Ref=PR478\(2006\)&Sector=secDC&Language=lanEnglish&Ver=original&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE](https://wcd.coe.int/ViewDoc.jsp?Ref=PR478(2006)&Sector=secDC&Language=lanEnglish&Ver=original&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE)>.

³⁸⁰ Communication to the ODHR from the Permanent Mission of Slovakia to the OSCE, 10 July 2007.

³⁸¹ “Third report on Slovenia”, European Commission against Racism and Intolerance, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/slovenia/slovenia_cbc_3.asp#P419_70881>.

of cases" in which nationality, ethnic origin, religion, or legal status were given, "serving no other purpose than stigmatising certain groups and increasing prejudices".³⁸²

The intersection of racist discourse on the Internet and racist violence was a theme that received increasing attention in 2006, including the use of the Internet to identify particular individuals as targets for violence and to disseminate their personal information.

- In September, Belgian authorities announced the arrest of 17 suspected members of the group Blood, Soil, Honour and Fidelity, including 11 active soldiers. The group was reportedly associated with the international movement Blood and Honour, a group that has been reported to advocate racism and intolerance both through the Internet and through the direct action of violent attacks.³⁸³ The federal prosecutor's office issued a statement describing the group as mainly "soldiers and people with an extreme right ideology who clearly express themselves through racism, xenophobia, Holocaust denial, anti-Semitism and neo-Nazism".³⁸⁴ In a series of raids in Flanders, police reportedly seized explosives, firearms, ammunition, detonators, neo-Nazi propaganda, and gas masks.³⁸⁵
- Explicit instructions for racist attacks on particular individuals in Russia were found on the websites of skinhead groups throughout the year.³⁸⁶ Some 150 active racist and extremist sites were reportedly maintained on Runet.ru, an Internet portal.³⁸⁷
- Instructions for racist, anti-Semitic, and homophobic violence were found on a Redwatch website hosted in the United States that was maintained by a right-wing organization in Poland. Redwatch posted the names, addresses, and telephone numbers of representatives of Jewish, anti-racism, and left-wing organizations and encouraged violence against them. In June, Polish police arrested two individuals for ties to the website and charged eight others with collaborating on the site. Polish authorities also asked the United States for help in closing down the website. Following the arrests and prosecutions, the site was closed down.³⁸⁸ In addition to the Polish site, Redwatch sites were also available for the United Kingdom and Germany.³⁸⁹

³⁸² "Third report on Portugal", European Commission against Racism and Intolerance, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/portugal/portugal_eng_cbc_3.asp#P354_68013>.

³⁸³ Nicholas Watt, "Belgian neo-Nazis in 'terror plot'", *The Guardian* website, 8 September 2006, <http://www.guardian.co.uk/international/story/0,,1867379,00.html#article_continue>; "2 more arrested in a Belgian neo-Nazi terror plot", *International Herald Tribune* website, as compiled from reports by Reuters and Agence France Presse, 8 September 2006, <<http://www.ihf.com/articles/2006/09/08/news/neo.php>>.

³⁸⁴ *Ibid.*

³⁸⁵ *Ibid.*

³⁸⁶ The UN special rapporteur on contemporary forms of racism points to the "resurgence of racist violence among Neonazi groups". See "Updated study submitted to the Sixty-second session of the Commission on Human Rights", UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 18 January 2006, p. 7, <<http://daccessdds.un.org/doc/UNDOC/GEN/G06/104/33/PDF/G0610433.pdf?OpenElement>>.

³⁸⁷ BBC Monitoring on 8 September 2006, original source: Ekho Moskvyy radio, in Russian, 8 September 2006.

³⁸⁸ Communication from the Department of Denominations and National Minorities of the Polish Ministry of Interior Affairs and Administration to the ODIHR, 11 September 2006. Also see "Polish Police Make Four Arrests in Swoop for Fascist Group", BBC Monitoring, 1 June 2006.

³⁸⁹ In July, the Polish authorities continued to investigate and make arrests. In the same month, the site reappeared on the Internet. As of September, the website contained primarily anti-Semitic, racist, and homophobic articles and statements. Also see "Zarzuty dla wspóltwórców strony 'Krew i Honor'", *Gazeta Wyborcza*, 7 July 2006, and "Polish Neo-Nazi Website in USA up again after Previous Closure after FBI Request", BBC Monitoring, 13 July 2006.

- On 18 May, a local campaigner against racism and fascism was attacked in front of his two daughters in Merseyside, United Kingdom. A man attacked the victim with a knife, cutting his arms, wrists, and face, nearly blinding him. The victim's name and address had been published on right-wing extremist websites, and the attack followed a series of death threats.³⁹⁰

Racist discourse also found enormous resonance through the medium of sport, notably in professional football, where a racist culture of chants and harassment of players of non-European or minority origin frequently translated into racist violence. Chanting was often accompanied by the throwing of projectiles—from bottles to bananas—to give force to racist speech. Football clubs have increasingly faced fines for the racist behaviour of fans and may also face the loss of government subsidies.

- On 26 August, fans of the Khazar-Lankaran football club harassed a goalkeeper of the Baku club who was of Senegalese origin by chanting racist slogans and throwing objects onto the pitch during a national championship match. The Disciplinary Committee of the Association of Football Federations of Azerbaijan reportedly fined the club the equivalent of 9,000 euros for the incident.³⁹¹
- In December, Paris Mayor Bertrand Delanoë demanded that the football club Paris St. Germain take effective measures to combat violence, under the threat of withholding the city's 2.3-million-euro annual subsidy.³⁹² In the wake of the lethal incident at Paris St. Germain, the head of the French Football Federation, Jean-Pierre Escalettes, spoke out on the need to "step up the fight against violence and racism, to wipe out this scourge that destroys the values of sport".³⁹³
- In October, the heads of the German Football Federation and German Football League agreed to create a task force to fight football racism and violence. Federation President Theo Zwanziger said, "It is clear that this phenomenon of violence is being experienced more strongly in the regional leagues (third division) and the lower leagues", and both leagues promised improvements in security at lower-league grounds.³⁹⁴ In a television interview, Zwanziger urged managers to accept that growth in acceptance of foreign players needed to be encouraged from the top, with more openness to foreign-born Germans in head offices.³⁹⁵ The agreement came in the aftermath of a weekend of football violence when 23 police officers and over 60 fans were injured, with four police officers hospitalized.

³⁹⁰ "Union boss slashed in face", icLiverpool.co.uk, as reported by Neil Hodgson of *Liverpool Echo*, 19 May 2006, <http://icliverpool.icnetwork.co.uk/0100news/0100regionalnews/tm_objectid=17103277&method=full&siteid=50061-name_page.html>.

³⁹¹ "Information on Hate Motivated Incidents", report sent to the ODIHR by the Youth League for Intercultural Cooperation (Azerbaijan) on 18 May 2007.

³⁹² "Paris mayor threatens to stop funding PSG", ESPN.com, as reported by Reuters, 6 December 2006.

³⁹³ "Chirac condemns football violence", BBC News, *op. cit.*, note 90.

³⁹⁴ "Germans set up task force against hooliganism", Expatica News, as reported by Deutsche Presse-Agentur, 31 October 2006, <http://www.expatica.com/actual/article.asp?channel_id=2&story_id=34080>.

³⁹⁵ "Rising Racism in Stadiums: Germany Gets Serious about Football Violence", Spiegel Online, 1 November 2006, <<http://www.spiegel.de/international/0,1518,445903,00.html>>.

- In Turkey, the Turkish Football Federation adopted new regulations in August that allow large fines against clubs that fail to curb fans' racist or violent behaviour, as well as 3-point penalties.³⁹⁶

While a significant number of government officials and political leaders have shown strong leadership by speaking out against offensive and discriminatory portrayals of different communities, expressions of intolerance in mainstream political rhetoric have continued to take place in many OSCE states.

On 15 June, the European Parliament issued a resolution on the increase in racist and homophobic violence in Europe, condemning racist and homophobic attacks, while urging EU members to fulfil their anti-discrimination commitments. The resolution urges the agreement of a long-postponed framework decision on combating racism and xenophobia, and expresses regret "that several Member States are experiencing rising support for extremist parties and groups with a clear xenophobic, racist, anti-Semitic and homophobic agenda". The Framework Decision was still pending at the end of the year. Steps proposed to combat racism and xenophobia include campaigns and projects to be launched by states, "in particular in the media and the schools, to promote cultural diversity". The European Parliament also encouraged member states to consider withdrawing public subsidies for political parties that do not abide with fundamental human rights principles.³⁹⁷

The British All-Party Parliamentary Group Against Antisemitism defines **anti-Semitic public discourse** as "the widespread change in mood and tone when Jews are discussed, whether in print or broadcast, at universities, or in public or social settings".³⁹⁸ One example of this is comparing Israel with the National Socialist regime.

- In July, the leader of the Socialist Party in the Netherlands compared terrorists in the Middle East to the actions of the Dutch resistance against the Nazi occupiers during World War II. The politician eventually apologized for his comments.³⁹⁹
- In the same context, a member of the British Parliament described Israel's warfare as "grimly reminiscent of the Nazi atrocity on the Jewish quarter of Warsaw".⁴⁰⁰

Some members of the Jewish community, representatives of NGOs committed to fighting against anti-Semitism, and many others perceive such equations and the use of Holocaust imagery to criticize Israel as offensive and anti-Semitic, because they feel that double standards are being applied to Jews and non-Jews, as well as to Israel and other countries and/or governments. In an-

³⁹⁶ Serkan Akcan, "Turkish Football Federation Introduces New Series of Penalties", *Today's Zaman* website, 8 August 2007, <<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=35506>>.

³⁹⁷ European Parliament, *op. cit.*, note 331.

³⁹⁸ All-Party Parliamentary Group Against Antisemitism, *op. cit.*, note 180.

³⁹⁹ "Marijnissen vergelijkt verzet met terreur Midden-Oosten", *De Telegraaf* website, 22 July 2006, <http://www.telegraaf.nl/binnenland/46959011/Marijnissen_vergelijkt_verzet_met_terreur_Midden-Oosten.html>; also see European Jewish Congress, *op. cit.*, note 119, p. 33.

⁴⁰⁰ House of Commons, Publications and Records, 25 July 2006, Column 717, <<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060725/debtext/60725-1062.htm>>; Stephen Roth Institute, *op. cit.*, note 107, p. 16.

other incident, in January, the Swedish chancellor of justice halted an investigation into the sale of tapes containing violently anti-Semitic sermons, including calls for the killing of Jews, given at the Grand Mosque in Stockholm. He said the sermons “should be judged differently, and be considered allowed, because they are used by one side in a continuing profound conflict, where battle cries and invectives are part of everyday occurrences in the rhetoric that surround the Middle East conflict”.⁴⁰¹

Tendencies to relate Israel to the Nazi regime, statements suggesting that the conflict in the Middle East justifies anti-Semitism, and the rising number of anti-Semitic incidents in schools point to a mainstreaming of anti-Semitic attitudes. Anti-Semitism has thus become more than a characteristic of the radical right and of neo-Nazi movements, involving instead actors and institutions that stand at the very centre of their respective societies.

- In May, a motion was passed at the annual conference of a higher-education union in the United Kingdom, calling upon members to boycott all Israeli academics. The motion criticized “Israeli apartheid policies” and invited members “to consider their responsibility for ensuring equity and non-discrimination in contacts with Israeli institutions or individuals and to consider the appropriateness of a boycott”. The UK All-Party Parliamentary Inquiry noted that, even though the motivations of the boycotters may not in themselves be anti-Semitic, they might have a discriminatory effect on Jewish academics and students, as well as on Jewish-studies institutes. The Inquiry concluded “that calls to boycott contact with academics working in Israel are an assault on academic freedom and intellectual exchange”, and it was also noted “that Jewish students feel disproportionately threatened in British universities as a result of anti-Semitic activities which vary from campus to campus”.⁴⁰²
- In Ukraine, the government responded to the anti-Semitic discourse, statements questioning Israel’s right to exist, and Holocaust denial that were propagated by the Inter-Regional Academy of Personnel Management (MAUP), a private university with thousands of students. In 2006, the MAUP continued to distribute anti-Semitic literature in the form of pamphlets, magazines, and books, while also organizing meetings on issues such as the alleged Zionist control of the world.⁴⁰³ In January, authorities in Ukraine called the actions of this institution unlawful, and proclaimed that there was no place for any form of anti-Semitism or xenophobia. Foreign Minister Borys Tarasyuk condemned the MAUP for promoting anti-Semitism and Holocaust denial. The Ukrainian Ministry of Education also asked law enforcement agencies to investigate whether the university’s activity was subject to prosecution. The university has, however, continued to spread anti-Semitic discourse. In March, the blood libel was revived

⁴⁰¹ Information provided to the ODIHR by the Anti-Defamation League, “Advancing the Fight Against Anti-Semitism in the Osce Region: Education and Law Enforcement Model Programs”, Commission for Security and Cooperation in Europe briefing, 9 May 2006, <http://www.adl.org/osce/osce_advancing.asp>; also see “The Radical Reinterpretation of Incitement against Jews by the Chancellor of Justice in Sweden”, European Jewish Press, 3 April 2006, <<http://www.ejpress.org/article/voices/7164>>. In the 2004 Berlin Declaration, OSCE participating States declared “unambiguously that international developments or political issues, including those in Israel or elsewhere in the Middle East, never justify anti-Semitism”.

⁴⁰² All-Party Parliamentary Group Against Antisemitism, *op. cit.*, note 180.

⁴⁰³ Information provided to the ODIHR by Tkuma; also see “Ukraine University of Hate”, Anti-Defamation League, 3 November 2006, <http://www.adl.org/main_Anti_Semitism_International/maup_ukraine.htm>; “Antisemitism”, Human Rights First, *op. cit.*, note 107, p. 16.

when MAUP leaders paid their respects at the grave of a Christian boy whose death had, in 1911, led to the false conviction of a Jew. In October, Holocaust-denier and former Ku Klux Klan leader David Duke lectured at the university at an event marking the publication of a Russian-language edition of his book *The Jewish Question Through the Eyes of an American*. In October, the Ukrainian Government intensified its measures against the MAUP, denying official recognition of more than 4,655 diplomas and threatening to close regional MAUP offices.⁴⁰⁴

- In March, Poland's Radio Maryja, which reaches an audience of approximately 3 million people, broadcast a programme in which its commentator accused Jews of having initiated a "Holocaust industry" and of sneaking "up behind us to try to oblige our Government to pay them extortion money".⁴⁰⁵ Responding to the accusation of anti-Semitism, the director of Radio Maryja apologized for the anti-Jewish claims made by one of its journalists.⁴⁰⁶ The Permanent Mission of the Holy See to the OSCE informed the ODIHR about a decision that "limits the space of action by the radio and brings it more strictly under the supervision of the Polish Bishops".⁴⁰⁷ In April, Archbishop Jozef Kowalczyk proposed to bring Radio Maryja under the control of the Polish Episcopate. In June, a Programming Council for the Radio was created by the Polish Episcopate.⁴⁰⁸

Further to such mainstreaming of anti-Semitic sentiment, anti-Semitism continues to be a crucial element of different forms of extremism. In this respect, the Internet and the mass media were important sources and instruments for spreading anti-Semitic images and views in 2006, ranging from subtle remarks to vivid and explicit expressions of anti-Semitism, including Holocaust denial.

- Hezbollah's TV station, Al Manar, can be received via satellite in some OSCE participating States. Al Manar reportedly broadcasts talk shows where the alleged Jewish conspiracy aimed at world supremacy is analysed.⁴⁰⁹ Features and films broadcast also include drastic images of Jews slaughtering pagan children and other imagery closely resembling the anti-Semitic propaganda of the National Socialist regime. The station has been banned from the European satellite network by the EU. However, it can still be received through some Arab satellite providers, notably in Germany.⁴¹⁰

⁴⁰⁴ "Ukraine acts against controversial school", Jewish Telegraphic Agency, 5 October 2006.

⁴⁰⁵ "Michalkiewicz umorzony", Forum Znak, 29 August 2006, <<http://www.forum-znak.org.pl/index.php?t=wyzdarzenia&id=4447>>; "Anti-semitism live", *The Guardian* website, 5 June 2006, <<http://www.guardian.co.uk/elsewhere/journalist/story/0,,1790870,00.html>>.

⁴⁰⁶ In August 2006, a Polish prosecutor dropped the case of Radio Maryja's anti-Semitic programme on the grounds that the statements by the commentator did not aim to insult or offend Jewish people. See *ibid.* Also see "Poland: Democracy and the Challenge of Extremism", Anti-Defamation League, 12 September 2006, <http://www.adl.org/main_International_Affairs/poland_challenge_of_extremism.htm>.

⁴⁰⁷ Communication of 4 September 2006 from the Permanent Mission of the Holy See to the OSCE.

⁴⁰⁸ "Poland", Anti-Defamation League, *op. cit.*, note 406, p. 16.

⁴⁰⁹ "Antijüdische Hetze auf Hisbollah-TV", *Der Tagesspiegel*, 19 July 2006; also see "Hass als Sendeauftrag", *Frankfurter Allgemeine Zeitung*, 24 February 2007. The ODIHR was informed that the OSCE Chairman-in-Office's Personal Representative on Combating Anti-Semitism, Prof. Gert Weisskirchen, had started to pursue this issue within the German Parliament.

⁴¹⁰ *Ibid.*

While observers have noted a “noticeable decline in denial activity” following the prosecution and imprisonment of some well-known Holocaust deniers in Europe,⁴¹¹ extremist parties and movements have adopted some of their rhetoric.

- In February, an Italian member of the European Parliament, the secretary-general of the fascist Tricolore Party, said in an interview that he had no way of confirming or denying whether gas chambers were used during the Holocaust. Carlo Azeglio Ciampi, Italy’s president at the time, immediately denounced the politician’s statement.
- The German Ministry of the Interior reported that members of the neo-Nazi movement have publicly expressed their solidarity with the Government of Iran and its anti-Semitic agitation. On 24 August, for example, 50 extremists gathered under the motto “No peace with the friends of Israel! Solidarity with Iran!”⁴¹²
- Equally, in the Russian Federation, the Russian National Union rallied in front of the Iranian Embassy to express solidarity with Iran’s anti-Israel and anti-Jewish policies.⁴¹³ Other politicians have continued to propagate an anti-Semitic worldview. Two members of the Russian Parliament on 29 April addressed a gathering organized by the Union of Russian People in St. Petersburg and stated: “Today, our country is ruled by a Jewish mafia”, adding that the media, as allegedly controlled by the Jews, deliberately distorts information.⁴¹⁴

Concerning **anti-Muslim discourse**, negative stereotypes of Muslims and Islam, expressions of hostility, and general use of inaccurate or biased language have been used frequently in both the media and political discourse.⁴¹⁵ Intolerant rhetoric against Muslims is no longer confined to the fringe media or to far-right political parties but is increasingly found within the mainstream of the political spectrum and the media.

The beginning of 2006 was overshadowed by events related to the publication of caricatures of the Prophet Muhammad in the Danish newspaper *Jyllands-Posten* and the re-publication of the caricatures in several other newspapers throughout the OSCE region. Although the caricatures were initially interpreted as a test of freedom of expression and freedom of the press, this explanation overlooks the specific backdrop against which *Jyllands-Posten* decided to solicit and publish the cartoons.⁴¹⁶ The caricature case underscored the increased need for dialogue between communities.

⁴¹¹ Rafael Medoff and Alex Grobman, “Holocaust Denial: A Global Survey—2006”, <<http://www.wymaninstitute.org/articles/HolocaustDenial2006.pdf>>.

⁴¹² *Verfassungsschutzbericht 2006*, *op. cit.*, note 110.

⁴¹³ “Antisemitism”, Human Rights First, *op. cit.*, note 107, p. 18, citing the SOVA Centre for Information and Analysis.

⁴¹⁴ “Two Duma Members Make Antisemitic Speeches”, *Bigotry Monitor*, Vol. 6, No. 18, 12 May 2006, <<http://www.fsmonitor.com/stories/051206BM.shtml>>.

⁴¹⁵ “Intolerance and Discrimination in the EU: Developments since September 11”, International Helsinki Federation for Human Rights, March 2005, <http://www.ihf-hr.org/viewbinary/viewdocument.php?doc_id=6237>; “The use of racist, antisemitic and xenophobic elements in political discourse”, European Commission against Racism and Intolerance, *op. cit.*, note 374; also see “Report of OSCE-ODIHR Roundtable: The Representation of Muslims in Public Discourse”, OSCE/ODIHR, May 2006, <http://www.osce.org/documents/odihr/2006/05/22829_en.pdf>.

⁴¹⁶ In its “Third report on Denmark”, the European Commission against Racism and Intolerance “notes with deep concern that ... the climate in Denmark has worsened since its second report and that there is a pervasive atmosphere of

As anti-Muslim rhetoric has become increasingly legitimized and acceptable, it has moved from the far right of the political spectrum to the mainstream. More often than not, anti-Muslim discourse makes reference to terrorism, violence, and oppression; the use of terminology such as “Islamic terrorist” or “Islamofascism” in 2006 continued to perpetuate the association of terrorism with Islam. While the terminology has been identified by many as raising sensitivities, some countries have pointed out that there is no consensus among the OSCE participating States to categorize the terminology as wrong, harmful, or irresponsible.⁴¹⁷ Anti-Muslim sentiment in political discourse is also driven by, and reflective of, powerful anti-immigrant sentiment. As a direct spin-off of both anti-Muslim and anti-immigrant sentiment, the debate on integration and multiculturalism has shifted visibly from tolerance and accommodation of diversity to one of assimilation and/or exclusion.

- On 15 February, the Russian newspaper *Literaturnaya gazeta* published an interview with a leader of the Eurasia movement, Aleksandr Dugin, who declared that “All Muslims should be exiled from Russia”.⁴¹⁸
- Sacramento Mayor Ken Murray made a series of anti-Muslim remarks at a 9/11 commemoration, stating that “Either the Judeo-Christian philosophy will survive or the Islamic philosophy will survive”, and claiming that Shia Muslims “believe it’s acceptable to lie, cheat, steal and kill as long as it ultimately glorifies Allah”. He also stated, “Folks, they’re not like us”, drawing a distinction between the “mainstream” and Shia Muslims, who he called “wing nuts”.⁴¹⁹
- Virginia Congressman Virgil Goode stated in a letter to a constituent in late 2006 that the election of Muslim Keith Ellison to the House of Representatives endangered “the values and traditional US beliefs” and called for a ban on the immigration of Muslims to prevent the election of more Muslims to the Congress.⁴²⁰ In recent interviews, Goode has also stated that he is in favor of decreasing legal immigration to the United States and that he wants to do away

intolerance and xenophobia against refugees, asylum seekers, as well as minority groups and Muslims in particular. The media, together with politicians play a major role in creating this atmosphere.” See “Third report on Denmark”, European Commission against Racism and Intolerance, adopted on 16 December 2005, made public on 16 May 2006, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/denmark/Denmark%20third%20report%20-%20cri06-18.pdf>. The Danish Government did not share the opinion of ECRI. The Danish Government’s comments can be found in the annex to the report. In its response to the ODIHR, the Permanent Mission of Denmark to the OSCE referred to the concluding observations on Denmark of the UN Committee on the Elimination of Racial Discrimination (see <<http://www.ambnewdelhi.um.dk/NR/rdonlyres/60362A9D-C045-4843-9C9C-6A13476D9399/0/CONCLUDINGOBSERVATIONS.pdf>>) at its examination of Denmark’s 16th and 17th periodic reports on the situation regarding the so-called cartoon case: the Committee noted “the refusal by the Public Prosecutor to initiate court proceedings in some cases, including the case of the publication of some cartoons associating Islam with terrorism”. Communication from the Mission of Denmark to the OSCE, the International Atomic Energy Agency, and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, 12 September 2006.

⁴¹⁷ Communication to the ODIHR from the Permanent Mission of the United States of America to the OSCE, 9 July 2007.

⁴¹⁸ See the SOVA Centre for Information and Analysis, <www.xeno.sova-center.ru>. Information received through communication in preparation of this report.

⁴¹⁹ “Mayor’s ‘Anti-Muslim’ Remarks Offend Advocacy Group”, CNSNews.com, 12 September 2006, <<http://www.cnsnews.com/Culture/Archive/200609/CUL20060912c.html>>.

⁴²⁰ “Islamophobia Reaches Congress”, IslamOnline.net, 21 December 2006, <http://www.islamonline.net/servlet/Satellite?c=Article_C&cid=1165994096421&pagename=Zone-English-News/NWELayout>.

with diversity immigrant visas, which may allow people “not from European countries” or from “some terrorist states” to enter the United States.⁴²¹

- In April, Philippe de Villiers, head of the anti-immigrant Movement for France party, launched his presidential campaign by denouncing what he called the Islamization of the country and declaring Islam incompatible with France’s secular values. He also alleged in a book that Paris’s Charles de Gaulle Airport was endangered by Islamist radicals who he said had infiltrated the ground staff there.⁴²²
- During the 2006 parliamentary election campaign in Austria, two parties, the Alliance for Austria’s Future (BZÖ) and the Freedom Party (FPÖ), made prominent use of anti-immigrant and xenophobic statements. BZÖ election posters displayed across Vienna and other cities called for a 30 per cent reduction of the number of immigrants in the country, while FPÖ placards featured slogans accusing asylum seekers and migrants of undermining social security, scorned those who did not speak German properly, and depicted Islam as a danger to the “Austrian home”.⁴²³
- A new immigration test was introduced in the German state of Baden Württemberg. The so-called loyalty test posed several questions to determine citizenship applicants’ loyalty to the German constitution and to Western values. The test, which played upon stereotypes of Muslims and the Islamic faith, has since been discontinued.⁴²⁴
- In May, German Interior Minister Wolfgang Schäuble declared that “Germany has been threatened for years by Islamist terrorism, and this threat is undiminished”,⁴²⁵ and that, “It is undeniable that the greatest threat to life and limb comes from Islamist terrorism”,⁴²⁶ a sentiment echoed by the leader of the Christian Social Union, Edmund Stoiber. Minister Schäuble also declared that “the number of Islamists is not the same thing as the number of potential terrorists, but Islamists have a vision of state order that we do not share We do not want terrorists, but we also do not want Islamists. Instead, we want [Muslims to have a] passion for this country We must insist that Muslims in Germany identify with the constitution.”⁴²⁷
- During the October parliamentary elections in Austria, the Austrian Freedom Party widely distributed as part of its campaign literature pictures of four Muslim women in headscarves, accompanied by a xenophobic caption. The photos of the women were obtained and disseminated without their permission. In January, a court fined the Freedom Party 7,500 euros.⁴²⁸

⁴²¹ “Ellison: Lawmaker has ‘a lot to learn about Islam’”, CNN.com, 21 December 2006, <<http://www.cnn.com/2006/POLITICS/12/21/quran.congress/index.html>>.

⁴²² “French Presidential Hopeful Decries ‘Islamization of France’”, IslamOnline.net, 24 April 2006, <<http://www.islamonline.net/English/News/2006-04/24/article01.shtml>>.

⁴²³ See the chapter on Austria in *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68, p. 21.

⁴²⁴ “A German State Quizzes Muslim Immigrants on Jews, Gays and Swim Lessons”, Spiegel Online, 31 January 2006, <<http://www.spiegel.de/international/0,1518,397482,00.html>>.

⁴²⁵ “Islam and Identity in Germany”, International Crisis Group, Europe Report No. 181, 14 March 2007, p. 12, <http://www.crisisgroup.org/library/documents/europe/181_islam_in_germany.doc>.

⁴²⁶ *Ibid.*

⁴²⁷ *Ibid.*

⁴²⁸ “Austrian Freedom party fined for using images of Muslim women in campaign”, Arabia.pl, 11 January 2007, <<http://www.arabia.pl/english/content/view/333/9>>.

- Filip Dewinter, leader of Belgium's Flemish Interest, appealed to Jewish voters to join forces against radical Islam, describing Antwerp's large Jewish community as natural partners "against the main enemy of the moment, the radical Islamic fundamentalism".⁴²⁹

Experts commenting on a Washington Post-ABC News poll published in March 2006⁴³⁰ stated that "attitudes about Islam are fuelled in part by political statements and media reports that focus almost solely on the actions of Muslim extremists". A similar opinion poll by YouGov in the United Kingdom found that 66 per cent of people draw most if not all their information about Islam and Muslim communities from the media. The results of these polls highlight the need for public education about Islam and the Muslim community's stance on a number of issues. In several cases in 2006, the apprehension of suspects in relation to alleged terrorist activity (such as the attacks of 11 September 2001; the Madrid and London bombings in 2005; and other events, including the murder of Theo van Gogh in the Netherlands in 2004) and use of anti-Muslim elements in political statements motivated expressions of anti-Muslim bias.

According to an editorial in *The Independent*, local campaign groups documented a surge in attacks against Muslims in the United Kingdom following controversial remarks by ministers about Muslim veils.⁴³¹ The rise in verbal and physical assaults impacted Muslim women in particular—the editorial noted six attacks on Muslim women in the immediate aftermath of comments made by Jack Straw, who was leader of the House of Commons at the time, on 5 October on the veil as "a visible statement of separation".

- On 6 October, a Muslim woman in her 20s had her *hijab*, or headscarf, pulled off her head and thrown to the ground by a young white man while at a train station in east London; a young Muslim girl wearing a veil in Mr. Straw's Blackburn constituency was allegedly confronted by three youths, one of whom threw a newspaper at her and shouted, "Jack has told you to take off your veil"; a Muslim woman had her veil torn from her face by a white man who uttered racial abuse as she waited at a bus stop in Liverpool; a Turkish student wearing a *hijab* was verbally abused outside a supermarket in Kent by a middle-aged white woman who told her she hated her being in Britain and wanted her to leave.
- On 9-10 October, a Muslim woman wearing a veil was getting off a bus when she was verbally harassed by a passenger about her veil; a Muslim woman wearing a *hijab* reported that, when she got on the London Underground, two men standing next to her deliberately started discussing their support for a ban on veils. In a separate news report,⁴³² the BBC documented an attack against a woman wearing a *burkha*. The woman was spat at and abused by a father and his two sons during a train journey. The men admitted to religiously aggravated assault and causing harassment, alarm, or distress and to using religiously aggravated threatening,

⁴²⁹ "Far-right party calls for Jews to join war on Islam", *ENAR Weekly Mail* 64, 13 October 2006, <http://www.enar-eu.org/en/wmail/WM64_EN.pdf>.

⁴³⁰ "United States: negative perception of Islam increasing", ReligionScope, as reported by Indo-Asian News Service, 6 March 2006, <http://religion.info/english/articles/article_230.shtml>.

⁴³¹ "Attacks on Muslims rise after veils row", *The Independent* website, 14 October 2006, <<http://news.independent.co.uk/uk/crime/article1870842.ece>>.

⁴³² "Father and sons spat at Muslim", BBC News website, 9 October 2006, <http://news.bbc.co.uk/2/hi/uk_news/england/london/6035815.stm>.

abusive, or insulting words or behaviour. The British National Party has also sought to exploit the issue and has sent out anti-Islam leaflets that include a photograph of a veiled Muslim woman. The Muslim Safety Forum, the Muslim Council of Britain, and the London Muslim Centre, based in Whitechapel, east London, have all reported abusive racial e-mails since the veil issue was raised.⁴³³

The Independent also documented the following incidents in the immediate aftermath of political statements made by the UK home secretary, John Reid, who declared that extremist Muslim “bullies” must be faced down.⁴³⁴

- Two days after those comments, the Jamia Masjid mosque in Preston was attacked by a gang of white and black youths, who threw bricks at cars while 100 Muslims, attending mosque for Ramadan, worshipped inside;
- The following day, Falkirk’s Islamic centre was set on fire, causing £10,000 damage;
- Within 24 hours of that incident, a dairy owned by a Muslim family in Windsor also came under siege. Groups of up to 30 people attacked the Medina Dairy, which was also allegedly firebombed;
- A family in the town of Teesside was targeted after vandals daubed graffiti on their home. Slogans, including the words “kill Muslims” and “terrorists live here”, were painted on the walls and doors. Police condemned the attack.

A roundtable meeting organized by the ODIHR on 9 May on the topic of the representation of Muslims in public discourse resulted in several recommendations regarding strategies for Muslim communities, the media, and political leaders to co-operate in ensuring accurate and non-discriminatory portrayals of Muslim communities.⁴³⁵

Regarding the experience of **Roma and Sinti**, the following cases illustrate the existence of **racist discourse** by local and national authorities, parliamentarians, and other political leaders towards Roma across the OSCE region:

- A racist anti-Roma statement was made by Bulgarian parliamentarian Dimitar Stoyanov, a member of the far-right extremist party Ataka, towards Livia Jaroka, a Roma member of the European Parliament, at a session of the European Parliament at which he participated as the Bulgarian EU observer. In his statement, Mr. Stoyanov announced that: “In my country, there are tens of thousands [of] gypsy girls way more beautiful than this honourable one. In fact, if you’re in the right place [at] the right time, you even can buy one (around 12-13 years old) to be your loving wife. The best of them are very expensive—up to 5,000 euros a piece, wow!”⁴³⁶

⁴³³ “Attacks on Muslims”, *The Independent*, *op. cit.*, note 431.

⁴³⁴ *Ibid.*

⁴³⁵ “Report of OSCE-ODIHR Roundtable”, OSCE/ODIHR, *op. cit.*, note 415.

⁴³⁶ “Offenses to Livia Jaroka, MEP, by a Bulgarian officer”, Dosta!, 24 October 2006, <<http://dosta.org/?q=node/104>>.

- On 14 November, the mayor of the Ovcha Kupel district of Sofia, Bulgaria, responded to measures to relocate a Roma community into his district by reportedly declaring that Roma “cannot live among [Bulgarian] citizens A Roma settlement near living quarters is ten times more harmful than a garbage bin.” No government response to the statement was reported.⁴³⁷

The media and political discourse have also served to incite hatred towards **religious minorities**. They create a negative image of representatives of non-traditional religious communities, using inaccurate information, biased and offensive language, and misinterpreted information.

- In the Russian Federation, the television programme “Vesti” on the Rossiya channel broadcast documentaries on the Evangelical Churches of New Life in Ekaterinburg and Word of Life in Novosibirsk, where adherents were compared with terrorists and portrayed as a threat to national security.⁴³⁸
- In Uzbekistan, on state television, Protestants and Jehovah’s Witnesses were accused of “turning people into zombies and driving them into psychiatric hospitals”. This reportedly incited intolerant attitudes towards them.⁴³⁹

Media and political discourse have served to heighten hostility and intolerance, as well as to incite violence against **LGBT communities** in some cases. The main trend that could be identified in 2006 was that leading politicians and public figures, sometimes in positions dealing with anti-discrimination, protecting human rights, and promoting tolerance, were among those engaging in intolerant discourse towards LGBTs.

- In Poland, the deputy head of the League of Polish Families (a party currently represented in government), Wojciech Wierzejski, accused homosexuals of ties to criminal and pedophile circles and of “spreading deviant attitudes among young people”. He encouraged the use of force during the annual Equality March in Warsaw: “If deviants begin to demonstrate, they should be hit with batons.”⁴⁴⁰
- In France, a politician from the governing UMP party, Mr. Christian Vanneste, stated that “homosexual behaviour endangers the survival of humanity” and that “heterosexuality is morally superior to homosexuality”. A court in Lille ruled that Vanneste had to pay a fine of 3,000 eu-

⁴³⁷ “Helsinki Committees Denounce Anti-Minority Rhetoric and Discrimination in Bulgaria”, International Helsinki Federation for Human Rights, 21 November 2006, <<http://www.bghelsinki.org/obektiv/2007/138/138-04.pdf>>; also see the chapter on Bulgaria in *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68.

⁴³⁸ “Katanie po pomoyam. Kak i dlya chego fabrikuetsya dezinformatsiya ob ‘oranzhevykh’ sektakh na telekanale ‘Rossiya’”, Credo.ru, 4 October 2006, <<http://www.portal-credo.ru/site/print.php?act=news&id=47813>>; “Novosibirskie pyatidesyatniki kak ob”ekt yazyka vrazhdy”, SOVA Centre for Information and Analysis, 4 October, 2006, <<http://xeno.sova-center.ru/213716E/213988B/80B9AA0?print=on>>.

⁴³⁹ Felix Corley, “Prime-time state TV incites intolerance of religious minorities and religious freedom”, Forum 18 News Service, 19 December 2006, <http://www.forum18.org/Archive.php?article_id=890>.

⁴⁴⁰ “Wierzejski o gejach: zlać ich pałami!”, *Gazeta Wyborcza* website, 11 May 2006, <<http://miasta.gazeta.pl/warszawa/1,74679,3337662.html>>; Marcin Sobczyk, “Gay Rights in Poland Cause New Political Storm”, *Warsaw Independent*, 16 May 2006.

ros plus 3,000 euros in damages to each of the three gay organizations that took him to court. Mr. Vanneste has appealed the verdict.

- In Latvia, the Latvian delegation to the Parliamentary Assembly of the OSCE included a member of parliament who was one of the main initiators of the homophobic campaign during the first LGBT Pride March in Riga, saying that “we cannot hide in the bushes while all possible skunks and faggots are walking on the streets”.⁴⁴¹
- In Georgia, the head of the Parliamentary Committee on Human Rights and Civil Integration stated in an interview that “a mass change of sexual orientation could be more harmful than our youth embarking on the road to organized crime”.⁴⁴²
- In the Russian Federation, on 24 May 2006, the Ryazan regional assembly adopted an amendment to a local act, making “public actions oriented towards propaganda of homosexuality (male and female) among minors” an administrative offence.⁴⁴³
- There were also positive examples. During the UK National Anti-bullying Week (20-25 November), the Liberal Democrats addressed homophobic bullying. Speaking on a video published on YouTube, the Liberal Democrat education spokesperson discussed the unique aspects of homophobic bullying and called on people to support the Liberal Democrat campaign against it.⁴⁴⁴

⁴⁴¹ “Turlā apvainojumi citādajiem atgādinot nacistu valodu”, *Diena*, 30 May 2006.

⁴⁴² “Homophobic statements by public officials in Georgia”, Inclusive Foundation, 2006, p. 4, <<http://www.ilga-europe.org/content/download/8014/48865/file/Homophobic%20statements%20by%20public%20officials%20in%20Georgia%20%20final.doc>>.

⁴⁴³ “Any public actions oriented to propaganda of homosexuality (male and female) among minors shall result in an administrative penalty to be imposed in the amount of 15 to 20 minimum monthly wages for individuals, 20 to 40 minimum monthly wages for officials, and 100 to 200 minimum monthly wages for legal entities.”

⁴⁴⁴ “Help stop homophobic bullying”, Liberal Democrats website, <<http://www.libdems.org.uk/campaigns/stop-homophobic-bullying.html>>.

PART II

Hate Crimes and Incidents: Identifying Challenges

The hate-motivated incidents and responses summarized in Part I highlight the types of challenges that relevant authorities in participating States face in their effort to combat hate. The ODIHR has identified four main areas that require special attention:

- The need for effective law enforcement responses;
- The importance of adequate data collection;
- The need for appropriate legislation and its effective implementation; and
- The need for protection of human rights defenders.

This part of the report focuses on some key aspects of these areas and provides selected examples to demonstrate existing challenges and gaps.

The Data Deficit

Despite repeated commitments in decisions of the Ministerial Council in 2005⁴⁴⁵ and 2006⁴⁴⁶ requiring OSCE participating States to improve their collection of hate-crime statistics and information, there remains, in many states, a lack of publicly available data that is comprehensive in scope and that includes a detailed overview of crimes committed based on different bias grounds. The European Network Against Racism has stated that “underreporting and lack of data remain two of the critical impediments to the effectiveness of [hate crime legislation]”.⁴⁴⁷ Comprehensive data also provides legislators and policy makers with the necessary knowledge about the nature and distribution of hate crimes so that criminal-justice and community resources can be most effectively employed in order to respond to patterns of hate crime. All participants of the high-level inter-agency meeting held between the ODIHR, ECRI, the EUMC, and the UNCERD in September 2004 stressed the importance of data in effecting change and the need to ensure that data is collected to support and advance the implementation of standards and policies. The importance of accurate, comprehensive, and comparable data, as well as of solid methodologies for data collection, segregation, and analysis, was reiterated by the participants at the Tolerance Implementation Meeting “Addressing the Hate Crime Data Deficit”, held on 9-10 November in Vienna.

⁴⁴⁵ OSCE Ministerial Council, Decision No. 10/05, “Tolerance and Non-discrimination: Promoting Mutual Respect and Understanding”, Ljubljana, 6 December 2005, <http://www.osce.org/documents/mcs/2005/12/17441_en.pdf>.

⁴⁴⁶ OSCE Ministerial Council, Decision No. 13/06, “Combating Intolerance and Discrimination and Promoting Mutual Respect and Understanding”, Brussels, 5 December 2006, <http://www.osce.org/documents/mcs/2006/12/22565_en.pdf>.

⁴⁴⁷ “Racism in Europe: ENAR Shadow Report 2005”, European Network Against Racism, p. 28, <http://www.enar-eu.org/en/publication/shadow_reports/europe2005_EN.pdf>.

As concluded in the ODIHR's report *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives*,⁴⁴⁸ one of the problems surrounding the collection and interpretation of official hate-crimes data relates to differences in the classification of hate-motivated incidents across participating States within existing legislative frameworks. At present, there is a wide divergence among states with respect to the scope of acts that are addressed and classified as hate-motivated crimes and incidents: among the 51 participating States that submitted information to the ODIHR, 40 provided quantifiable information or raw statistics pertaining to hate crimes and violent manifestations of racism, xenophobia, anti-Semitism, and intolerance (see Annex 2). Indeed, in some states, such as France, objections to such data collection are based on constitutional restrictions. Thus, while useful data is available for trends in general racist and anti-Semitic crimes, it can only be of limited use. Several states (including Cyprus, Monaco, and Turkey) informed the ODIHR that no statistics on hate crimes were available. Cyprus and Monaco informed the ODIHR that they did not collect statistics due to the fact that there were "no reported hate crimes incidents" within their respective jurisdictions. Liechtenstein reported to the ODIHR that a research programme aimed at evaluating the existing data collection on racism and discrimination was in progress.

Hate-crimes statistics are necessary in order to determine which groups are increasingly vulnerable, and collection and analysis of such statistics enable governments to develop policy responses and allocate necessary resources in order to respond effectively to hate crimes and incidents. It is therefore important that hate-crime statistics be disaggregated by:

- a) **Bias motivation:** to determine who the victims of hate crimes are;
- b) **Offence type:** to assess the gravity of offences and whether they were conducted against people or property;
- c) **Official follow-up and outcome:** to ensure that the outcome of reported hate crimes, such as prosecutions and sentencing, is clear.⁴⁴⁹

The majority of the participating States provided hate-crime statistics without disaggregating the numbers according to the different bias categories. A significant number of states provided statistics in relation to *racially motivated* incidents only. Other states provided information and statistics on incidents motivated by xenophobia, ethnicity, or national origin. The difference in classification of bias categories is wide-ranging across OSCE states, and this is particularly true in relation to racially motivated violence and incidents. For some states, so-called racially motivated hate crimes and incidents include those acts motivated by bias on the grounds of religion, ethnicity, and national origin, whereas other states separate some of these categories.

A number of states provided information and statistics on hate crimes resulting from religious bias. Again, a wide divergence was seen among states in relation to the classification of this category. Whereas some states provided statistics specifically in reference to anti-Semitic offences, other states capture anti-Semitic crimes *within* the category of religious bias.

⁴⁴⁸ *Combating Hate Crimes in the OSCE Region*, OSCE/ODIHR, *op. cit.*, note 315.

⁴⁴⁹ *Ibid.*

Few states collect statistics on hate crimes motivated by *other forms of intolerance*, including those on the basis of sexual orientation or disability. Incidents motivated by bias against people with disabilities were even more heavily under-represented in the official statistics submitted.

Overall, it appears that many states work within a limited definition of hate crimes and incidents, focusing primarily on those incidents motivated by racial or ethnic bias. Many states also submitted total figures for hate crimes, without providing a breakdown of the statistics according to bias category, for instance the proportion of incidents resulting from racial, as opposed to religious or gender, bias. Data on hate crimes should be able to demonstrate how offences are distributed across the different bias categories in order to identify which individuals and groups are most at risk. In this respect, the information and statistics provided were inadequate and suggest that this is a potential area for improvement.

A limited number of states provided information on the perpetrators of hate crimes, such as whether the perpetrator was part of an organized hate group and/or a repeat offender. This aspect of data collection is important for criminal intelligence and for the purposes of monitoring and surveillance, as well as for targeting resources and outreach to potential or actual perpetrators. In addition, the information enables participating States or international organizations to tailor appropriate *prevention* campaigns, as well as education and training on hate crimes.

In addition, many states did not provide sufficient data in relation to the *outcome* of cases pertaining to hate crimes or other violent manifestations of intolerance, such as prosecution, length of sentences, and other penalties. Very few states provided comprehensive public reports on their official hate-crime statistics or links to websites where such information is available.

It must also be noted that, in terms of data, information on hate crimes targeting Muslims tends to be particularly under-recorded and under-reported. This is exacerbated by the growing level of distrust of law enforcement authorities and the criminal-justice system by Muslim communities, particularly in light of the fight against terrorism. An analysis of official hate-crime statistics submitted to the ODIHR by OSCE participating States in response to a series of Notes Verbales in 2004 and 2005 showed that, while some states do record hate crimes motivated by racism and/or anti-Semitism, there is a lack of official data on religiously motivated crimes in general, and on anti-Muslim hate crimes in particular. Currently, only the United States and the United Kingdom publish criminal-justice data that specifically identifies Muslims as a victim of hate crime or aggravated offences. Unofficial data is also largely unavailable since only a limited number of NGOs currently monitor, record, and report publicly on incidents motivated by anti-Muslim bias. The risk is that the full extent of hate crimes against Muslims remains obscured.

As pointed out before, hate-motivated incidents and hate crimes against LGBTs are underreported and under-documented in official statistics. In order to bridge the gap between data and information submitted by participating States on the one hand and NGOs on the other hand, more research and data collection are needed. This has also been noted by the European Parliament, which has stated that “there is a lack of statistical data on racism, xenophobia, anti-Semitism

and homophobia in the Member States, and notably on violence and discrimination related to these phenomena".⁴⁵⁰

It is in this respect an interesting sign that NGOs in, among others, Serbia and Croatia report an increased willingness and courage on the side of the LGBT community to report violent incidents. This may partly be explained by the fact that online reporting (Croatia, Serbia) and third-party reporting systems are used (e.g., Victim Support in the United Kingdom).⁴⁵¹ However, this should not be seen as diminishing the need for participating States to put reporting mechanisms in place.

Another initiative to bridge the data deficit is ILGA Europe's support to a number of NGO pilot projects for collecting information on hate-motivated incidents and crimes against LGBTs and hate speech.⁴⁵² In addition, a forthcoming ILGA handbook should facilitate the monitoring of violence and incidents motivated by hate and homophobia. The purpose of the book is to provide a methodology to document and report homophobic violence in a systematic and factual manner. It also presents the institutions to which homophobic violence and incidents can be reported.

The Need for Strengthened Legislation and Implementation

Legislation dealing with hate crime can take many different forms. Broadly, there are three approaches available to states. First, acts already recognized as crimes fall into a new category because they are committed with hate-based motivation. This is what is most often meant when hate-crime laws are discussed. This is the least common approach; in the United States, these are civil rights violations under federal law, and in the United Kingdom certain forms of assault, harassment, and property damage, if committed with hate-based motivation, become a different category of offence.

The second approach is the most common, where sentence-enhancement laws allow a convicted person to be sentenced to a higher penalty due to the motivation underlying the crime. In many jurisdictions, however, this is not enshrined in the law but is left to the discretion of judges. This approach is problematic, because, in the absence of other measures, it is impossible to gauge how often and how appropriately the sentence enhancement is applied.

Third, some hate-crime laws make no amendments to the criminal law, but require administrative agencies to collect hate-crime statistics.

While some states use a combination of these approaches, all states recognize certain factors as increasing the seriousness of a crime: the use of extreme levels of violence, crimes against children and vulnerable adults, premeditated crimes, crimes committed by groups or by perpetrators with a previous history of committing similar offences. In too many hate-crime cases, as illustrated by the cases in this report, not only is the motivation not treated as aggravating the seriousness of

⁴⁵⁰ European Parliament, *op. cit.*, note 331.

⁴⁵¹ See the Victim Support website at <http://www.victimsupport.org/vs_england_wales/index.php>.

⁴⁵² ILGA Europe has set up a Small Pilot Human Rights Violations Documentation Fund in order to increase the quantity and quality of data on, among others, hate crimes and hate speech. LGBT organizations from Croatia, Hungary, Latvia, Lithuania, Poland, and Serbia have been among the funded NGOs. This initiative has significantly increased the quantity and quality of data on homo- and transphobic incidents.

the crime, but state agents fail to treat the crimes with due gravity despite the presence of many other aggravating factors.

Furthermore, it can be observed that OSCE states include different bias grounds in hate-crime legislation. Whereas some states have a broad definition, others have a narrow definition, and still others have an open-ended definition, using phrasing such as “or any other ground”.⁴⁵³

Four states include disability as a bias type in hate-crime legislation, and 10 states reported that they include sexual orientation as bias grounds and/or an aggravating circumstance within their national hate-crime legislation. Croatia was one of the latest countries to include sexual orientation as a bias ground in hate-crime legislation.⁴⁵⁴ As mentioned earlier, Estonia’s Criminal Code was amended, and the scope of Art. 152 was broadened to include the bias grounds of sexual orientation.⁴⁵⁵ In addition, the Latvian Government proposed adding “other forms of intolerance” to Art. 78 of the Criminal Code, which prohibits “incitement to national or ethnic hatred, and restrictions of the rights of an individual on the grounds of his race or national origin”.⁴⁵⁶

As concluded in the ODIHR’s report *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives*, most participating States have well-developed provisions to respond to hate-motivated crime, with implementation remaining the biggest challenge. In response to OSCE Ministerial Council Decision No. 4/03,⁴⁵⁷ which commits participating States to “inform the ODIHR about existing legislation regarding crimes fuelled by intolerance and discrimination”, the majority of participating States provided information relating to relevant legislation, including acts defined as criminal offences under national penal codes, and commitments to relevant international conventions (see Annex 2). The information submitted by participating States is available at www.legislationline.org and is currently being updated and expanded.

Overall, the situation can be summarized as follows:

- Only the United States and the United Kingdom have enacted hate-crime legislation that creates specific categories of offences based on motivation;
- Some states, e.g., Germany, Canada, and Slovakia, recognize as a crime speech inciting violence against others if is motivated by various forms of intolerance. While criminal law provides no separate category of offences for other hate-motivated acts, such states generally have sentence-enhancement laws;
- The commission of any crime with an ethnic, racial, religious, or other similar motive constitutes a general aggravating factor for sentencing purposes in the criminal codes of 21 countries. This type of provision is often referred to as sentence enhancement. Some countries, e.g., Germany and Greece, do not explicitly prescribe increased sentences for hate motivation, but such

⁴⁵³ For example, Slovakia uses “other similar hatred”, Lithuania “other”, Canada “other motivations”.

⁴⁵⁴ Another example is Northern Ireland, which, as of June, started to record hate crimes against transsexuals and transvestites. For more information, see <<http://www.psn.police.uk>>.

⁴⁵⁵ Although this is not a hate-crime provision, it is an important signifier because it criminalizes discriminatory conduct motivated by similar biases.

⁴⁵⁶ Communication to the ODIHR from the Permanent Representation of Latvia to the OSCE, 31 August 2006. It should be noted, however, that, according to the Latvian Centre for Human Rights, this amendment was retracted by the Ministry of Justice in February 2007 after protests by religious leaders and anti-LGBT organizations.

⁴⁵⁷ OSCE Ministerial Council, Decision No. 4/03, “Tolerance and Non-discrimination”, Maastricht, 2 December 2003, <http://www.osce.org/documents/mcs/2006/06/19330_en.pdf>.

motives can constitute aggravating factors for sentencing under the general rules on aggravating factors;

- A number of countries (e.g., Albania, Bosnia and Herzegovina, Estonia, Kazakhstan, and the Russian Federation) have constitutional guarantees of equality, and legislation provides for criminal sanctions in case those guarantees are violated.

The Need for Effective Law Enforcement Responses

Law enforcement officers are the primary and initial point of contact for many victims of hate crime. Being on the front lines, it is the police officer who responds to, and interacts with, the victim first. In terms of recording hate crimes, it is critical for police officers to understand:

- How hate-motivated crimes differ from similar crimes that are not motivated by bias and to take such reports seriously; and
- How police/victim interaction can influence whether victims report hate crimes or not (due to fear of police, embarrassment, or concern that the incident will not be taken seriously).

In some OSCE states, hate-motivated violence and vandalism are not properly investigated and, due to a lack of knowledge and experience in the investigation of hate crimes, law enforcement authorities often identify such acts as hooliganism. Inadequate responses on the part of law enforcement agencies may create an atmosphere of impunity and thus encourage more hate-motivated crimes.⁴⁵⁸

As concluded in the ODIHR's report *Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives*,⁴⁵⁹ training for law enforcement officials and clear guidelines regarding the most effective and appropriate way to respond to bias-motivated crime can greatly increase positive interaction between police and victims and encourage reporting by victims of hate crime. Suggestions for improved reporting include training for front-line officers, the implementation of outreach programmes to improve police-community relations, and training in providing referrals for victim assistance and protection.

It is also important to note specific challenges encountered by **Roma** in their relations with police. In recent years, there has been an increased number of reports that, in addition to widespread unwarranted stops and searches of people perceived to be Roma, police use unnecessary force and even resort to practices that in many cases have been qualified as inhuman and degrading treatment, or even torture. A report by the Council of Europe's high commissioner for human rights states that there has been a recent surge in the number of complaints before the European Court of Human Rights alleging violence against Roma individuals at the hands of police. An increase in the number of complaints may also be due to more effective legal representation of

⁴⁵⁸ In response to increased racist violence in the Russian Federation, President Vladimir Putin stated at a meeting of top Interior Ministry officials on 17 February that a lack of effective police response had encouraged extremist groups to grow bolder, and he criticized law enforcement structures for "failing to take efficient and systematic efforts" to deal with a surge in racist attacks.

⁴⁵⁹ *Combating Hate Crimes in the OSCE Region*, OSCE/ODIHR, *op. cit.*, note 315.

Roma or better advocacy, as well as “insufficient action by law-enforcement officials in cases of violence against the Roma”.⁴⁶⁰

In addition, Romani women are often afraid to complain to the police in case of domestic violence, as police officers allegedly often respond with further racial abuse. According to the European Roma Rights Centre’s shadow report on the former Yugoslav Republic of Macedonia, presented to the United Nations Committee on the Elimination of Discrimination against Women (CEDAW), of 34 cases in which Romani women reportedly informed the police of domestic violence, in 20 cases, or 59 per cent, the women stated that the police subjected them to racial prejudice and degrading treatment. In only five out of 34 reported cases (15 per cent) did the police actually intervene (which usually simply meant a verbal warning for the perpetrators). When a 43-year-old woman from Stip sought police assistance after having been beaten by a member of her family, the police official she turned to reportedly stated: “You Gypsies fight among yourselves all the time. You have to solve your problems among yourselves.”⁴⁶¹

Challenges Faced by Human Rights Defenders

In many states of the OSCE region, violent groups have grown in number and are increasingly interconnected and organized beyond national borders, therefore constituting a higher risk for human rights defenders. In this regard, the Internet plays an important role as a tool to convey messages of intolerance, to co-ordinate violent activities, and to recruit new adherents.⁴⁶² The relationship between hate speech on the Internet and hate-motivated violence has not been investigated in a comprehensive manner, but numerous cases strengthen the assumption that there is a link under specific circumstances. In particular, websites, such as Redwatch, that contain so-called hit lists that provide photographs and contact details of activists in order to incite people to murder them, as well as the details of their relatives, are especially suspicious.

- Since 2004, the number of extremist websites posting hit lists has been on the rise.⁴⁶³ Websites containing hit lists such as www.stromfront.org, www.skadi.net, and www.bhpoland.org continued to be monitored by the International Network Against Cyber Hate in 2006 in several countries within the OSCE area, e.g., the Netherlands, Poland, the Russian Federation, and Spain.
- The contact details of the young Polish activist stabbed on 16 May, as well as of the British activist attacked on 18 May, were posted on the Polish and UK pages, respectively, of the Redwatch website. The UK website showed photographs of anti-racist activists—many taken

⁴⁶⁰ “Final Report by Mr Alvaro Gil-Robles, Commissioner for Human Rights, on the Human Rights Situation of the Roma, Sinti and Travellers in Europe”, Council of Europe, Office of the Commissioner for Human Rights, 15 February 2006, para. 79, <<https://wcd.coe.int/ViewDoc.jsp?id=962605&BackColorInternet=99B5AD&BackColorIntranet=FABF45&BackColorLogged=FFC679>>.

⁴⁶¹ “Shadow Report on the Situation of Romani Women in Macedonia”, European Roma Rights Centre, Roma Centre of Skopje, and Network Women’s Program, October–November 2005, <http://www.soros.org/initiatives/women/articles_publications/publications/macedonia_20051101/nwp_20060303.pdf>

⁴⁶² *INACH—Annual Report 2005* (Netherlands: International Network Against Cyber Hate, 2006), <<http://www.inach.net/content/INACH-annual-report-2005.pdf>>.

⁴⁶³ *Ibid.*

during protests against the British National Party—alongside the slogan: “Remember places, traitors’ faces, they’ll all pay for their crimes.”⁴⁶⁴

While right-wing extremist groups, supremacists, or nationalists are traditionally the authors of inflammatory discourse, there seems to be a worrying trend in mainstream media, as well as in the discourse of public leaders.⁴⁶⁵ Inflammatory speeches, smear campaigns, and defamation threaten and discredit activists. Human rights defenders have been compared with criminals or qualified as traitors or terrorists on grounds of national security, religious belief, cultural specificity, or ethnic origin.⁴⁶⁶

The increase of hate crimes and incidents targeting human rights defenders is occurring in a context where legislation and administrative measures, and their implementation, have become increasingly restrictive towards civil society active in the human dimension. In this regard, it can be assumed that these restrictive measures have consequences on the behaviour of perpetrators, as well as on law enforcement authorities.

In 2006, a number of OSCE states enacted and enforced laws curtailing the legitimate exercise of fundamental rights such as the freedoms of opinion, association, and assembly. New laws and administrative measures on registration and regulation of the activities of NGOs were used to harass human rights defenders and limit the scope of their activities. In the same spirit, the right to exercise freedom of assembly was infringed on several occasions throughout the region, especially through the interdiction of equality marches or similar awareness-raising events on the situation of LGBT people. Finally, the enactment of legislation on extremism and similar measures aimed at strengthening counter-terrorism strategies allowed authorities to harass and close down non-governmental organizations for their alleged connections with terrorists and to prosecute the individuals working in those organizations on issues related to counter-terrorism measures. Apart from the direct consequences related to the application of the legislation, the stigmatization of human rights defenders in some cases contributed to the creation of a climate of mistrust and even of hostility within the general population.

⁴⁶⁴ “Nazi-inspired racist attacks”, SocialistWorkeronline, *op. cit.*, note 351; Matthew Taylor, “Web of hate”, *The Guardian* website, 6 October 2006, <<http://www.guardian.co.uk/farright/story/0,,1887102,00.html>>.

⁴⁶⁵ See ECRI Declaration on the use of racist, anti-Semitic and xenophobic elements in political discourse, adopted on 17 March 2005, <http://www.coe.int/T/E/Human_Rights/Ecri/1-ECRI/4-Relations_with_civil_society/1-Programme_of_action/14-Public_Presentation_Paris_2005/Declaration%20eng.asp>; “The use of racist, antisemitic and xenophobic elements in political discourse”, European Commission against Racism and Intolerance, *op. cit.*, note 374; Charter of European Political Parties for a Non-Racist Society, September 2003, <[http://assembly.coe.int/Documents/Working-Docs/doc03/ASInf\(2003\)8_E.pdf](http://assembly.coe.int/Documents/Working-Docs/doc03/ASInf(2003)8_E.pdf)>; also see the Bucharest Declaration by the OSCE Chairman-in-Office in June 2007, which:

“Note[d] with deep concern racist, xenophobic and discriminatory public discourse. Stress[ed] that political representatives can play a positive role in the overall promotion of mutual respect and understanding and have a significant impact in defusing tensions within societies by speaking out against hate-motivated acts and incidents, while continuing to respect the freedom of expression ...

“Acknowledge[d] the essential role that national parliaments play in the enactment of the necessary legislation as well as serving as a forum for national debate, and the work done by the Parliamentary Assembly of the OSCE in raising awareness in the implementation of the existing OSCE commitments in the field of tolerance and non discrimination”.

⁴⁶⁶ “Promotion and Protection of Human Rights: Human rights defenders”, report submitted by the Special Representative of the Secretary-General on human rights defenders, Hina Jilani, 26 January 2001; *Steadfast in Protest*, *op. cit.*, note 335; *Amnesty International Report 2007*, Amnesty International, *op. cit.*, note 104.

PART III

Effective Responses and Practical Measures to Prevent and Combat Hate

While hate-motivated incidents and crimes continue to pose a challenge to human security and dignity, the ODIHR observed positive developments in some participating States' efforts to combat these phenomena. Following the examples given in Part I of this report, particularly notable progress can be identified in the following areas:

- Ensuring the implementation and effectiveness of legislation;
- Strengthening law enforcement authorities' response to hate crimes;
- Addressing negative discourse in the media;
- Strengthening educational programmes to combat anti-Semitism; and
- Increasing the role played by specialized bodies in combating hate crimes.

Public commitments by political authorities at the highest level to take action against racist violence also contributed to efforts to prevent and combat hate as expressions of political will that legislation to combat these crimes be enforced.

Ensuring the Implementation and Effectiveness of Legislation

Measures to improve implementation of hate-crimes provisions in criminal law have also contributed to achieving some progress.

- Canada's Federal Court in July sentenced a man to nine months' imprisonment for defying a court order to stop racist Internet postings that were described as "vicious and dehumanizing". In April, the Canadian Human Rights Tribunal had fined him for messages that included calls for the forced expulsion of non-Caucasian people, and threats of violence.⁴⁶⁷
- In Latvia, 14 cases of incitement to hatred based on race or national origin or ethnicity (under Section 78 of the Criminal Code) were initiated. These mainly involved allegations of racist discourse on the Internet, as well as in print media.⁴⁶⁸
- In the Russian Federation, public prosecutors presented evidence of bias as an aggravating circumstance in an increasing number of cases and sought enhanced penalties for violent hate crimes. The SOVA Centre reported that in 2006 there were 33 convictions (involving no fewer

⁴⁶⁷ "Racist Web Postings Land White Supremacist in Jail", ICARE, as reported in *The Star Phoenix*, 14 July 2006, <[http://www.icare.to/news.php?en/2006-07#RACIST%20WEB%20POSTINGS%20LAND%20WHITE%20SUPREMACIST%20IN%20JAIL\(Canada\)](http://www.icare.to/news.php?en/2006-07#RACIST%20WEB%20POSTINGS%20LAND%20WHITE%20SUPREMACIST%20IN%20JAIL(Canada))>.

⁴⁶⁸ See the chapter on Latvia in *Human Rights in the OSCE Region*, International Helsinki Federation for Human Rights, *op. cit.*, note 68.

than 109 defendants) in which hate-crime provisions were applied. This was up considerably from figures in 2005 (17 convictions involving 56 defendants) and 2004 (nine convictions involving 26 defendants), suggesting that prosecutors have become slightly more inclined to use these provisions.⁴⁶⁹

In some countries, civil society organizations can initiate legal proceedings in response to racist and xenophobic political discourse. National specialized anti-racism bodies can also play a key role in initiating such proceedings, either on their own authority or in concert with civil society organizations.

- On 18 April, Daniel Féret, the founder and president of the Belgian National Front Party and a member of the Brussels Regional Parliament, was sentenced to 250 hours of community service and barred from running for political office for 10 years for incitement to racial hatred. The case had been brought as a civil action by the League for Human Rights and the Movement against Racism, Anti-Semitism and Xenophobia, along with the independent statutory body the Centre for Equal Opportunities and the Fight against Racism.⁴⁷⁰
- On 4 August, in Bulgaria, a Sofia court ruled that statements concerning minorities by Volen Siderov, a member of parliament and leader of the Ataka political party, constituted harassment and discrimination. The court condemned Siderov's characterization of minorities and ordered him to refrain from making similar statements in the future. The ruling was based on Bulgaria's anti-discrimination law and concerned the first of eight cases brought as civil actions by the Citizens Against Hatred coalition, a broad civil society alliance organized and led by the Bulgarian Helsinki Committee and supported by the European Roma Rights Centre.⁴⁷¹

In response to increased racist violence, some OSCE participating States undertook efforts to strengthen legislation to combat hate crime:

- During the reporting period, Estonia's Criminal Code (Art. 151, Incitement to Social Hatred; Art. 152, Violation of Equality) was amended. Art. 151 punishes activities that publicly incite hatred or violence on the basis of nationality, race, colour, sex, language, origin, religion, political opinion, or financial or social status, while Art. 152 punishes unlawful discrimination. The latter article was broadened to include discrimination on the grounds of sexual orientation. The amended code limits police investigation to cases where damage was caused or people's lives, health, or property threatened. Before the amendment to the code, the police had the power to initiate procedures when incitement to hate in public or on the Internet was motivated by hatred or racism.⁴⁷²

⁴⁶⁹ "Radical nationalism in Russia and efforts to counteract it in 2006", SOVA Centre for Information and Analysis, 22 May 2007, <<http://xeno.sova-center.ru/6BA2468/6BB4208/93A572E>>.

⁴⁷⁰ See the chapter on Belgium in *Human Rights in the OSCE Region: Europe, Central Asia and North America—Report 2006 (Events of 2005)*, International Helsinki Federation for Human Rights.

⁴⁷¹ "Bulgarian Court condemns political hate speech", Bulgarian Helsinki Committee, 5 August 2006, <<http://www.bghelsinki.org/index.php?module=news&lg=en&id=540>>.

⁴⁷² Information provided to the ODIHR by the Legal Information Centre for Human Rights, Estonia.

- In response to extensive racial violence in the Russian Federation in 2006, the Duma Committee on Civil, Criminal, Commercial and Procedural Legislation developed a draft law amending the current legal provisions in order to increase monitoring of, and tougher punishment for, dissemination of extremist materials, including through the Internet. The law was signed by the president after little public discussion. NGOs are worried that the “broad definition of extremism could be applied at the discretion of prosecutors to restrict the actions of many lawful and non-violent organisations”.⁴⁷³

Croatia, Latvia, and Malta made legislative changes in 2006 that introduced the concept of crimes motivated by hate.

- In June, Croatia’s Criminal Code was amended, introducing a definition of hate crime: “Hate crime shall refer to every criminal act contained in this Law, committed out of hatred against a person due to his/her race, skin colour, gender, sexual orientation, language, religion, political or other belief, national or social origin, property, birth, education, social position, age, health status or other characteristics.”⁴⁷⁴ This was a welcome recognition of the need to combat hate crime, as NGOs and international organizations had earlier complained that crimes motivated by ethnic, religious, gender, and sexual orientation were often not penalized seriously enough. However, although a definition of hate crime now exists, there is ambiguity as to how it can be applied. According to one interpretation, it only applies to Art. 91⁴⁷⁵ of the Criminal Code, whereby a person convicted of murder must be penalized more severely if motivated by hate. Concerns have been expressed about the manner in which hate crime was inserted into the Code and the fact that this could lead to difficulties in its application for prosecutors, including by the deputy president of the Zagreb County Court.⁴⁷⁶ The Croatian authorities have requested the support of the ODIHR to bring together Croatian prosecutors and judges with their counterparts in other states in order to discuss ways to ensure effective implementation of the legislation.
- In August, the Parliament of Malta approved the Criminal Code (Amendment) Act 2006.⁴⁷⁷ Consequently, when any offence is proved to have been racially or religiously motivated, the punishment shall be increased by one or two degrees. Racial and religious aggravation is defined as hostile motivation, or hostility demonstrated by words or actions, towards the victim because of his or her membership of a racial or religious group. A racial group is a group of people defined by race, colour, nationality (including citizenship), or ethnic or national origins. The term *membership* includes perceived membership of a group, and also association with such a group. The term *religious group* has been defined to include non-believers.

⁴⁷³ Communication from Human Rights First to the ODIHR, 23 August 2006.

⁴⁷⁴ Art. 36 of the Croatian Criminal Code.

⁴⁷⁵ Art. 91, point 6, of the Criminal Code previously read: “Whoever kills another person out of ruthless revenge or other extremely low motive will be sentenced” It now reads: “Whoever kills another person out of ruthless revenge, hate or other extremely low motives will be sentenced”

⁴⁷⁶ See the chapter on Croatia in “2006 Country Reports on Human Rights Practices”, US Department of State, 6 March 2007, <<http://www.state.gov/g/drl/rls/hrrpt/2006/78806.htm>>.

⁴⁷⁷ Malta’s Criminal Code (Amendment) Act of 2006, <<http://www.doi.gov.mt/EN/parliamentacts/2006/ActXVI.pdf>>.

- In October, the Latvian Parliament adopted a number of amendments to its criminal law, including a provision that stipulates that racist motivation is one of 14 aggravating factors.⁴⁷⁸

Strengthening Law Enforcement Authorities' Response to Hate Crime

Several positive examples of how law enforcement agencies can respond to challenges related to hate-motivated violence were identified during 2006:

- In Poland, police assigned officers to support efforts to combat neo-fascist activities. The Polish Ministry of Interior is also implementing the ODIHR's Law Enforcement Officer Programme on Combating Hate Crime. Also, by June, a special unit had been established at Polish Police Headquarters to monitor and investigate potential threats to ethnic and religious minorities in Poland.⁴⁷⁹
- In Croatia, the Ministry of Interior and the Ministry of Foreign Affairs and European Integration implemented the ODIHR's Law Enforcement Officer Programme on Combating Hate Crime.
- In Serbia, after discussions between the OSCE and various minority groups, it was determined that there was a need for improved relations between those communities and the police service. A group of high-ranking police officers learned about policing in diverse communities in the United Kingdom. A project on diversity and minorities was developed by the OSCE in partnership with the Serbian Ministry of Interior that will include a series of roundtables and training for all officers.⁴⁸⁰ The Ministry of Interior is also in the process of implementing the ODIHR's Law Enforcement Officer Programme on Combating Hate Crime.
- In the Czech Republic, a working group on far-right extremist crimes was established by the minister of interior and the head of police in November 2005. The working group drafted an "Official Statement Regarding the Interpretation of Sections of the Criminal Code Concerning Offences Committed by Extremists, and the Problems in Proving Such Crimes" for the use of police experts on extremism, prosecutors, and judges. It contains methods of community and minority policing and aims to instil and maintain a high level of professionalism among police and specifically in their work with foreigners, minorities, and marginalized people.⁴⁸¹ Subsequently, the Supreme Public Prosecutor's Office suggested that the Supreme Court issue an opinion regarding the interpretation of Section 260 of the Czech Criminal Code. A harmonizing opinion was issued by the Supreme Court on 13 December.⁴⁸²

⁴⁷⁸ "EUMC Bulletin", European Monitoring Centre on Racism and Xenophobia, No. 5, November/December 2006, <http://eumc.europa.eu/eumc/index.php?fuseaction=content.dsp_cat_content&catid=4434e55adcab7&contentid=456ff6aba37c8>.

⁴⁷⁹ Communication to the ODIHR from the Mission of Poland to the OSCE, 8 June 2006.

⁴⁸⁰ OSCE Mission to Serbia, Community Policing Programme, Law Enforcement Department.

⁴⁸¹ Communication to the ODIHR from the Permanent Mission of the Czech Republic to the OSCE, 8 September 2006.

⁴⁸² Information provided by the Ministry of Interior of the Czech Republic to the ODIHR, 10 July 2007. Further details can be found in the Ministry of Interior report "Information on the Issue of Extremism in the Czech Republic in 2006", which was published 2007 and is available at <<http://www.mvcr.cz/dokument/2007/extrem06en.pdf>>.

- With the objective of improving the enforcement of criminal law, the public prosecutor of the Netherlands has issued sentencing guidelines on discrimination and hate-motivated crimes in recent years that describe what is expected of the police and the public prosecution concerning enforcement of the Dutch law against discrimination. An evaluation process of these guidelines was prepared before the summer of 2006 that entails consultation with NGOs working on racism in the Netherlands.⁴⁸³ Also, as an ongoing measure, public prosecutors in the Netherlands hold bi-annual conference days on issues related to anti-Semitism, hate speech on the Internet, etc., in an attempt to improve the expertise of prosecutors dealing with hate crime. Specific national expertise centres on discrimination and hate crime have been established for this purpose.⁴⁸⁴
- Through the ODIHR's Police and Roma Programme, the Government of Romania agreed on a memorandum of understanding with the OSCE and Romani CRISS, a Roma NGO, to implement a strategic initiative on Roma and policing in Romania. A systematic assessment of progress and problems in relations between Roma and the police was carried out by the Institute of Crime Prevention, in co-operation with OSCE experts and Romani CRISS.
- In early 2006, a new independent authority for investigating allegations and complaints within the police was established in Cyprus. The members of the body were appointed by the president after an amateur video showing police brutality was made public. The body is in charge of monitoring misconduct within the police force, including brutality by police forces against migrants.⁴⁸⁵
- In Finland, a comprehensive official report entitled "Monitoring of Discrimination in Finland—A Proposal"⁴⁸⁶ recommended that the police and prosecution improve their recording of crimes motivated by bias, and also note the grounds for the bias motivation.
- In Ireland, a joint partnership initiative between the police and the Gay and Lesbian Equality Network was launched in June, addressing hate-motivated incidents and crimes against LGBT people. The "Be Proud, Be Safe" campaign includes specially trained gay police liaison officers who work with LGBT people who have been victims of hate-motivated incidents during a weekly drop-in session at the Dublin-based gay community centre.
- In Kosovo, some members of the Kosovo Police Service who ridiculed a gay man who tried to report a hate-motivated incident were disciplined for violating the Police Code of Conduct. They later participated in a training course to improve their sensitivity and awareness of hate-motivated incidents against LGBTs.⁴⁸⁷ Police authorities also announced a plan to establish an

⁴⁸³ "ENAR Shadow Report 2005: Racism in The Netherlands", European Network Against Racism, 2006, <http://www.enar-eu.org/en/national/netherlands/Netherlands_2005.pdf>; information was also provided to the ODIHR by the Netherlands National Bureau against Racial Discrimination.

⁴⁸⁴ Information presented by Astrid Mattijssen of the Netherlands' Ministry of Justice during the EU Seminar on Combating Racism and Xenophobia held in June 2006.

⁴⁸⁵ Information provided to the ODIHR by KISA (Action for Equality, Support, Antiracism) Cyprus.

⁴⁸⁶ "Monitoring of Discrimination in Finland—A Proposal", Finnish Ministry of Labour, p. 11 of the English-language section, <http://www.mol.fi/mol/fi/99_pdf/fi/06_tyoministerio/06_julkaisut/07_julkaisu/thj374.pdf>.

⁴⁸⁷ Letter from GISH Albania (an LGBT organization based in Tirana) to the UNMIK police commissioner, 12 January 2006. Communication from the OSCE Mission in Kosovo to the ODIHR, 14 September 2006.

LGBT community police unit with two focal points in each police station for LGBT community members who have been the victim of a violent attack. A Kosovar LGBT group will be involved in delivering training to police officers on how to deal with cases where the LGBT community has been the target of violence and hate-motivated crime.⁴⁸⁸

- In follow-up to the participation of the Cyprus police in the international project “Multicultural Education for Police Services in Europe” organized by the UNESCO Centre of Catalonia, guidelines prepared by the Catalan delegation to the Transfer Project (a project on multicultural education in police services in Europe) have been incorporated into training programmes at the Cyprus Police Academy.⁴⁸⁹
- In December, the Police Service of Northern Ireland (PSNI) announced that a Polish police officer would be seconded to the PSNI for a six-month period to assist in relations with the Polish immigrant community, which was the object of a series of hate-crime attacks in 2006.⁴⁹⁰
- In France, a module on combating homophobia has been developed for training and raising awareness within the police force.

In response to cases where the Internet played a direct role in inciting criminal acts of violence, police authorities took steps to respond to this phenomenon:

- In July, Polish police arrested the alleged content provider of Redwatch, a website that listed the name and address of a man who was subsequently stabbed by skinheads in Warsaw and that also promoted hatred of Jews and LGBT people.⁴⁹¹

Addressing Negative Media and Political Discourse

This section sets out a number of examples of how different states are responding to hate crimes and violent incidents that are often fuelled by racist, xenophobic, and discriminatory public discourse. The question of how to respect free expression while tackling discourse that creates a climate of fear and intolerance is a difficult one for states to resolve. There is no consensus among OSCE participating States on the issue of criminalization of hate speech. While all states restrict the right to free expression to some degree, the decision as to how to decide where the right ends is approached in different ways. Some states approach it as a balance between competing interests in society. Others take the view that, unless speech amounts to direct and immediate incitement to violence (so-called fighting words), no legal restrictions are necessary or appropriate. There is an additional danger that laws to restrict expression may be misused to curb freedom of expression or put limitations on the work of human rights defenders.

⁴⁸⁸ *Ibid*

⁴⁸⁹ Communication to the ODIHR from the Permanent Mission of the Republic of Cyprus to the OSCE, 21 May 2007.

⁴⁹⁰ Jonathan McCambridge, “Polish officer being seconded to PSNI to build immigrant links”, *Belfast Telegraph* website, 6 December 2006, <<http://www.belfasttelegraph.co.uk/incoming/article2047814.ece>>.

⁴⁹¹ “International Religious Freedom Report 2006”, US Department of State, <<http://www.state.gov/g/drl/rls/irf/2006/71400.htm>>.

Despite a rise in hate-motivated and intolerant public discourse, some examples of positive political leadership and media responsibility can also be observed in the OSCE region. Responses range from public statements to legal action in those participating States where there are legal limitations to the freedom of speech.

- In the United Kingdom, the British Council worked with a local Muslim community-based organization to develop a media guide on British Muslims. The guide provides information and resources relating to Muslim communities in Britain in order to contribute to informed and balanced reporting on issues relating to Muslims and Islam. Another successful example of collaboration and partnership between the government, an NGO, and a specialized body can be seen in the case of the publication *Reporting diversity: How journalists can contribute to community cohesion*, which was developed by the Society of Editors and Media Trust and funded by the UK Home Office.
- In July, the French Government banned the radical group La Tribu KA, which had organized an anti-Semitic rally in Paris in May. At the time of the rally, then-Interior Minister Sarkozy had called for the banning of the group's website on the grounds of incitement of hatred or violence.⁴⁹²
- The Ministry of Justice of the Netherlands informed the ODIHR about two court sentences that were issued with respect to offensive and discriminatory films and websites. On 25 January, the creator of a website was fined 1,000 euros because articles published on his website contained insulting statements about Jews and homosexuals.⁴⁹³ On 24 May, the maker of a commercial film that contained images of gas chambers and concentration-camp inmates was sentenced to 40 hours' community service.⁴⁹⁴ Complaints had been received at the Dutch Complaints Bureau for Discrimination on the Internet.⁴⁹⁵
- In January, authorities in Ukraine called the actions of the Inter-Regional Academy of Personnel Management unlawful, and proclaimed that there was no place for any form of anti-Semitism or xenophobia in Ukraine. Unfortunately, despite these statements, the university has continued its anti-Semitic discourse and the distribution of anti-Semitic literature.
- A number of successful developments have emerged that serve to create an image of Roma people detached from old stereotypes. The accession of 10 new countries to the European Union has raised public awareness of the plight of the Roma. While many media outlets ran

⁴⁹² Communication of the Council of Ministers of 26 July 2006, <http://www.elysee.fr/elysee/elysee.fr/francais/salle_de_presse/communiqués_du_conseil_des_ministres/2006/juillet/communique_du_conseil_des_ministres_du_26_07_2006.57212.html>; also see "Sarkozy veut poursuivre 'La Tribu KA'", *Le Nouvel Observateur* website, 30 May 2006, <<http://archquo.nouvelobs.com/cgi/articles?ad=societe/20060530.OBS9545.html&host=http://permanent.nouvelobs.com>>.

⁴⁹³ Information from the Ministry of Justice of the Netherlands to the ODIHR, 31 May 2007.

⁴⁹⁴ *Ibid.*

⁴⁹⁵ With respect to the reported cases in France and the Netherlands, the Mission of the United States of America to the OSCE noted that: "While the United States condemns racist, anti-Semitic and other bigoted expressions, we do not agree that people should be jailed or organizations banned by governments because of the content of their statements absent a showing of direct incitement to violence." Communication from the Mission of the United States of America to the OSCE, *op. cit.*, note 417.

sensationalized stories⁴⁹⁶ in 2006, other print, radio, and television coverage attempted to promote awareness of the wider Roma community's predicament. The following programmes and projects have attempted to tackle the root causes of the non-involvement of Roma in mainstream mass media.

- o The Dzeno Association in the Czech Republic provides a media outlet for both Roma and non-Roma journalists. The organization has recorded and reported on the nature of Roma news coverage in the Czech mainstream media since 1989. The association publishes a magazine dealing with Roma social and cultural issues and is also responsible for the radio station Radio Rota, which broadcasts in Romani, Czech, and English. Dzeno also runs training programmes for Roma journalists through the INTRINSIC project and co-operates with other Roma press centres in the region, including in Slovakia and Hungary;⁴⁹⁷
- o In Hungary, the Roma Press Centre has been instrumental in creating a forum for Roma and non-Roma journalists to access information regarding Roma issues. The Press Centre provides balanced coverage of Roma affairs to the Hungarian mainstream print media, with the goal of increasing public awareness. In an effort to influence social discourse on issues confronted by Roma communities, the Press Centre writes articles and features that are published in national dailies. In 1998, in co-operation with the Centre for Independent Journalism, the Press Centre launched an intensive one-year internship programme for young Roma journalists;⁴⁹⁸
- o The Human Rights Project based in Bulgaria lobbies radio and television stations to include shows reported by Romani journalists on socio-cultural issues. After years of denied access to mainstream media, Romani journalists are slowly beginning to participate as equals with non-Romani journalists in the broadcasting of television and radio programmes. As the research director of the Human Rights Project pointed out: "Over the past several years, our work with the media has brought about, if not a critical change with regard to Roma, at least an alternative to the culture which perceives Roma as so distant that it would be unthinkable for one of their kind to be in the TV studio, or in the radio studio or behind the computer typing their article for the next day's edition."⁴⁹⁹
- In Latvia, on 17 May (International Day against Homophobia), the special assignments minister for social integration released a statement calling for the principle of equal treatment and non-discrimination to be applied to all people, including LGBTs. The foreign minister also appealed to the public to treat each other with understanding and to combat racism, homophobia, and anti-Semitism.

⁴⁹⁶ For instance, since 2004, many UK dailies and magazines have run stories with sensationalized headlines like "The Coming Hordes", raising alarm bells that, once countries with large Roma populations acceded to the EU, the Roma would migrate in vast numbers—an unsubstantiated and false assumption.

⁴⁹⁷ Dzeno Association, <<http://www.dzeno.cz>>.

⁴⁹⁸ Roma Press Centre, <<http://www.romapage.hu>>.

⁴⁹⁹ Rumyan Russinov, "Campaigning for Romani media in Bulgaria", *Roma Rights Quarterly*, Vol. 4, 1999, <<http://www.errc.org/cikk.php?cikk=1134>>.

- In honour of the United Nations' International Day for the Elimination of Racial Discrimination, the Canadian Jewish Congress (CJC) launched a new initiative, Stop Internet Hate, on 21 March to fight hate on the Web. The CJC website now has a link for anyone wishing to report what they believe may be a website with hateful content. This new initiative is an attempt to both educate and empower everyone who uses the Internet to recognize and report websites that promote hate.
- In response to anti-Semitic incidents in June, the Association of Catholic Journalists in Croatia issued a press release condemning violence and intolerance and calling on journalists to raise their voices and defend victims of intolerance.⁵⁰⁰
- The Government of Portugal summoned Iran's ambassador to Lisbon in February after he had claimed in an interview that it would have taken the National Socialist regime 15 years to burn the corpses of six million people. Portuguese Foreign Minister Diogo Freitas do Amaral made clear that this was an unacceptable distortion of history, offending humanity's collective conscience.⁵⁰¹
- With a view to addressing anti-Semitism on campus, the US Commission on Civil Rights recommended that the Education Department run a campaign to inform Jewish students of their right to be free of harassment and of the fact that its Office of Postsecondary Education collects data on anti-Semitic and other hate crimes at universities.⁵⁰² In response, the Commission launched a public education campaign to end campus anti-Semitism. It provides information to parents and students on how to address anti-Semitism at public elementary and secondary schools.⁵⁰³
- The Permanent Mission of the Principality of Andorra to the OSCE has informed the ODIHR about a practical initiative aimed at alerting the public about any form of anti-Semitism. To this end, a cycle of conferences and a cinema series on the Holocaust were organized.⁵⁰⁴
- In the wake of commemorating the Nazi massacre of more than 100,000 people, most of them Jews, in Babi Yar on 29 and 30 September 1941, Ukrainian authorities, together with the World Holocaust Forum and Yad Vashem, organized a forum on xenophobia and anti-Semitism.⁵⁰⁵ The ODIHR was informed that Ukraine has observed this remembrance day since 1991.⁵⁰⁶ When opening an exhibition dedicated to the 65th anniversary of the Babi Yar tragedy, President Viktor Yushchenko warned against xenophobia and said that there was "no

⁵⁰⁰ "Latest Anti-Semitic Incidents", The Coordination Forum for Countering Antisemitism, *op. cit.*, note 232.

⁵⁰¹ "Portugal summons Iran envoy over Holocaust remarks", *The Washington Post*, 15 February 2006.

⁵⁰² "Findings and Recommendations of the United States Commission on Civil Rights Regarding Campus Anti-Semitism", United States Commission on Civil Rights, 3 April 2006, <<http://www.usccr.gov/pubs/050306FRUSCCRRCAS.pdf>>.

⁵⁰³ "Public Education Campaign to End Campus Anti-Semitism", United States Commission on Civil Rights, <<http://www.eusccr.com>>.

⁵⁰⁴ Communication to the ODIHR from the Permanent Mission of the Principality of Andorra to the OSCE, 24 July 2006.

⁵⁰⁵ See the official website of the president of Ukraine, "President speaks at Babi Yar forum", 27 September 2007, <http://www.president.gov.ua/en/news/data/1_10603.html>.

⁵⁰⁶ Communication from the Permanent Mission of Ukraine to the International Organizations in Vienna, 3 August 2006.

place for hatred and intolerance in a country where freedom and democracy are present".⁵⁰⁷ In December, two members of the Ukrainian Parliament complained about the availability and sale of anti-Semitic literature, including *The Protocols of the Elders of Zion*, in the parliament building, which led to an investigation and the removal of this literature.⁵⁰⁸

Prevention of, and Response to, Hate-Motivated Incidents at Sporting Events

A number of measures to combat racist violence in football were taken in 2006, including banning disruptive fans, cancelling games, fining football clubs for racist behaviour by their teams and fans, and threatening to withdraw local government funding. FIFA, the world football governing body, in March announced a series of new penalties for racist actions by players and officials, including fines and suspensions for five matches, and stadium bans for offending fans. The measures, in advance of the World Cup in Germany, followed a series of incidents in which players of African origin and other minority players had been taunted with racist chants and physically assaulted.⁵⁰⁹

Football clubs, players, and coaches, in co-operation with FIFA, undertook activities to prevent racist incidents from occurring during the World Cup held in Germany in June. The Polish national team posed for a photo wearing T-shirts with the slogan "Let's kick racism out of the stadium". A hotline to report racist incidents was installed during the World Cup, and 35,000 anti-racism brochures were distributed at the opening match.⁵¹⁰ FIFA, the German Government, the EUMC, and others co-ordinated declarations against racism made by the captains of all teams before the quarter-final matches. A banner reading "Say no to racism" was displayed on the football field before all the matches.⁵¹¹

In addition to the efforts by organizations such as FARE (Football against Racism in Europe) that organize campaigns against racism, with sponsorship from football clubs, measures were taken in 2006 both by governments and by the ruling bodies of professional football both to teach tolerance and to provide harsh sanctions against clubs and fans responsible for racist behaviour.

- In Germany, the Berlin Football Association permanently barred a referee who did nothing to prevent the chanting of anti-Semitic slogans during an amateur match between TuS Makkabi and VSG Altglienicke on 26 September. In addition, the Association handed down a number of punishments to VSG Altglienicke. This measure was introduced against the background of the German Soccer Association's policy of handing out severe punishments for racist abuse.⁵¹²

⁵⁰⁷ "Ukraine, Israel Leaders Commemorate Anniversary of WWII Massacre", BBC Monitoring, 27 September 2006, original source: Interfax-Ukraine news agency, Kyiv, in Russian, 26 September 2006.

⁵⁰⁸ "Antisemitic Literature No Longer On Sale Inside Ukrainian Parliament Building", FsuMonitor.Com, 14 December 2007, <<http://www.fsumonitor.com/stories/121406Ukraine.shtml>>.

⁵⁰⁹ Jere Longman, "World Cup plans anti-racism defense", *International Herald Tribune* website, 4 June 2006, <<http://www.ihf.com/articles/2006/06/04/sports/racism.php>>.

⁵¹⁰ "FARE und die FIFA präsentieren ein Programm zur Weltmeisterschaft", Football against Racism in Europe, 12 June 2006, <<http://www.vidc.org/fairplay/news/fairplay.htm>>.

⁵¹¹ Delegation of Germany, statement at the 616th plenary meeting of the OSCE Permanent Council, 29 June 2006.

⁵¹² "German Soccer Referee Suspended in Anti-Semitism Incident", Deutsche Welle website, 16 October 2006, <<http://www.dw-world.de/dw/article/0,,2205422,00.html?maca=en-rss-en-all-1573-rdf>>.

- In Romania, in response to the racist behaviour of football supporters and players specifically targeting Roma following a match on 21 May, the Steering Board of the National Council for Combating Discrimination (NCCD) took the initiative to inform the ODIHR that the NCCD had publicly condemned the racist behaviour. At the end of March, the Executive Board of the Romanian Football Federation (FRF) had already issued a decision⁵¹³ outlining that “any player, official or spectator who publicly discriminates or defames another person on account of that person’s race, colour, language, religion or ethnic origin shall be subject to sanctions. The organising club, the perpetrator’s home club or supported club shall bear sanctions also.”⁵¹⁴ The NCCD fined the football teams. In January, Romania adopted Ordinance 11/2006, aimed at preventing and reducing racism in Romanian football stadiums. The ordinance not only bans materials that might incite spectators to racial hatred and xenophobia, but also places responsibility on the organizers of events to prevent such banners or flags from entering stadiums. The legislative act stipulates tough fines and consequences for racist and violent acts by spectators or organizers in stadiums. Hooligans can be banned for a period of six months to three years.
- In the Czech Republic, in order to address hate and violence in stadiums, the Ministry of Interior supports a project called Positive Cheering.⁵¹⁵ The project is focused on young football fans from 10 to 20 years of age with the aim of forming a group based on the principle of positive cheering and to prevent them from joining hooligan gangs.⁵¹⁶
- France adopted a new law on 5 July that reforms the Sports Code by reinforcing measures to combat hate-motivated crimes in sports. It also envisages the creation of a National Consultative Commission on Prevention of Violence during Sporting Events, which will have a mandate to introduce sanctions in case of hate-motivated incidents taking place during sporting events.⁵¹⁷
- The Disciplinary Commission of UEFA fined the former coach of the Croatian football team, Mr. Otto Barić, 5,000 Swiss francs for making homophobic statements.⁵¹⁸ The fine came in response to a petition to UEFA lodged by a Croatian NGO.
- In the United Kingdom, a campaign called Kick Homophobia Out of Football was launched.⁵¹⁹

⁵¹³ Decision No. 2/2006 to supplement the existing Disciplinary Regulation of the FRF, which is in compliance with FIFA Circular No. 1026/23.06.2006 on combating discrimination.

⁵¹⁴ Communication from the Ministry of Justice of Romania to the ODIHR, 5 September 2006.

⁵¹⁵ Communication from the Permanent Mission of the Czech Republic to the OSCE, 8 September 2006, *op. cit.*, note 233.

⁵¹⁶ “Overview of the National Reports for the period 2003-2004 on the implementation of the European Convention on Spectator Violence”, Sports Secretariat of the Council of Europe, 17 May 2005, <<http://www.coe.int/T/DG4/Sport/violence/nationalreport0304.pdf>>.

⁵¹⁷ Communication from the Ministry of Justice of France to the ODIHR, 27 September 2006.

⁵¹⁸ “2006 Annual Report on the Status of Rights of Sexual and Gender Minorities in Croatia”, Astraea Lesbian Foundation for Justice, <http://www.ilga-europe.org/europe/guide/country_by_country/croatia/2006_annual_report_on_the_status_of_rights_of_sexual_and_gender_minorities_in_croatia>.

⁵¹⁹ “Homophobic football fans could be banned”, *Lancashire Evening Post* website, 30 November 2006, <<http://www.lep.co.uk/ViewArticle.aspx?SectionID=73&ArticleID=1906852>>.

Education and Awareness-Raising as a Tool to Combat Intolerance

Schools are not immune to the intolerance that is present in communities. The amount of both physical and emotional abuse in schools tends to be under-reported for a variety of reasons: (1) there is no mechanism in place for students to report incidents; (2) students feel their complaints will not be taken seriously; (3) students feel that teachers and other school staff will only make matters worse; (4) students feel that tensions and conflicts among students can be dealt with without involving outsiders; (5) teachers downplay the seriousness of incidents; (6) teachers do not feel it is their responsibility to deal with incidents in school—it is their duty to teach; (7) teachers and staff feel that problems will eventually go away if they are ignored; (8) principals and other staff do not want the school to gain a reputation that it is not doing its job to create a safe learning environment; (9) principals and staff have a vested interest in projecting to parents and the community that they are professionals and that the school has no serious problems.

All of the foregoing points to the need for professional development of teachers, principals, and staff so that they can more effectively deal with expressions of intolerance in schools. More specifically, professional development can serve to: (1) provide teachers and other staff with the knowledge, attitudes, and skills necessary to help them identify expressions of intolerance and to effectively confront them; (2) show students that teachers can indeed effectively deal with such incidents, thereby increasing the likelihood that students will communicate with them about these; (3) provide teachers with the resources and tools to promote education for mutual respect and understanding in the classroom and in the school as a whole; and (4) help create a school ethos that does not ignore or downplay incidents of intolerance but instead confronts them and promotes a climate of communication and respect in the school.

In a number of commitments, OSCE participating States identify education “as a means for preventing and responding to all forms of intolerance and discrimination, as well as for promoting integration and respecting diversity”.⁵²⁰ Since adopting these commitments, several OSCE states have undertaken specific measures to change prejudicial and racist attitudes among young people, to intensify their efforts to promote commemoration of the Holocaust, and to develop educational programmes and tools to combat anti-Semitism.

- A number of countries—such as Sweden,⁵²¹ Slovenia, and Norway⁵²²—have taken proactive steps to tackle the problem of exclusion, discrimination, and hate crimes in society in the long term by developing and implementing national action plans on diversity education.
- Practical tools on diversity education can be found in Germany, where the nationwide project “Learning & Living Democracy”⁵²³ is being implemented. Students are taught about extremist

⁵²⁰ OSCE, Cordoba Declaration, 2005, <http://www.osce.org/documents/cio/2005/06/15109_en.pdf>.

⁵²¹ Act Prohibiting Discrimination and Other Degrading Treatment of Children and School Students: <<http://www.sweden.gov.se/sb/d/5822/a/64475;jsessionid=aO5iVwZmABc6>>.

⁵²² “Manifesto against Bullying—2005-2007: binding cooperation for an improved learning and childhood environment”, Norwegian Directorate for Education and Training, <http://www.utdanningsdirektoratet.no/upload/Brosjyrer/manifest_mot_mobbing_tiltaksplan_2005_2007_engelsk.pdf>.

⁵²³ “Learning & Living Democracy”, Commission for Educational Planning and the Promotion of Research, <http://www.blk-demokratie.de/fileadmin/public/dokumente/BLK_Demokratie_engl.pdf>.

right-wing groups and their political philosophy, and how this can threaten democracy. This is combined with action projects that involve teachers, students, parents, neighbourhood organizations, and NGOs. Such examples should be considered as models for developments in other countries.

- Countries whose history has included periods of tension and conflicts with neighbouring countries, or between ethnic or linguistic groups, are looking for practical tools for handling such situations in a sensitive and constructive manner instead of promoting stereotyping of certain ethnic groups or neighbouring countries. The Irish Education for Reconciliation Project provides an example of how sensitive issues can be successfully approached in conflict areas.⁵²⁴
- In Scandinavian countries, as well as in the Netherlands and France, teachers receive professional training in conflict mediation and violence prevention to deal with conflict between students of different backgrounds.
- More than half of the OSCE participating States include components on diversity education within their systems of professional development or in-service training for teachers, which is an important precondition for implementation of national strategies to combat intolerance in the school system. Ireland has established teacher-support teams made up of teachers with expertise in certain areas of diversity education, who provide both in-school and regional training and support to teachers in relation to content and methodologies.⁵²⁵
- The majority of the participating States co-operate with NGOs to implement projects on diversity education. This includes both teacher training and implementation of extracurricular activities in schools. A number of countries have developed practical tools for assessing diversity education. Evaluation mechanisms on the social progress made by students, as used in Sweden, might provide a model for other countries.
- Thirty-nine out of 56 participating States commemorate the victims of the Holocaust. Thirty-three countries have designated special Holocaust memorial days. Bosnia and Herzegovina and Turkey established such memorial days just recently (see Annex 3).
- On 27 January, the OSCE Chairman-in-Office launched guidelines called "Preparing Holocaust Memorial Days: Suggestions for Educators".⁵²⁶ These suggestions for educators on the commemoration of Holocaust memorial days were developed in close co-operation between the ODIHR; Yad Vashem, Israel; and experts from 12 participating States. Belgium, Croatia, Greece, Hungary, Italy, Serbia, and Switzerland have translated the guidelines into their respective national languages. The ODIHR and Yad Vashem record several hundred downloads of each of the 13 language versions per month. Croatia, Hungary, and Italy have posted the guidelines on the websites of their Ministries of Education, and Croatia and Hungary have disseminated them to schools in their countries.

⁵²⁴ See the website of the Education for Reconciliation Project at <<http://www.reconciliation.ie>>.

⁵²⁵ Civic Social & Political Education, <<http://cspe.slss.ie>>.

⁵²⁶ "Preparing Holocaust Memorial Days: Suggestions for Educators", OSCE/ODIHR, January 2006, <<http://www.osce.org/odihr/20104.html>>.

- France's Ministry of National Education has been implementing educational measures to combat racism, anti-Semitism, and, more broadly, communalism. Working relations have been set up between the Representative Council of Jewish Institutions in France (CRIF) and the Ministry both at the national and local levels. The Ministry informs the CRIF on a regular basis on all measures taken to improve the general context.
- Various anti-bullying programmes in schools, while attentive to discrimination based on race, ethnicity, or religion, tend to overlook the vulnerability of LGBT students. Interviews with teachers in the United Kingdom show that, while parents tend to support initiatives to reduce bullying and other forms of violence based on racism, they are much less willing to support initiatives that might confront homophobia. This has been partly attributed to negative parental attitudes towards the LGBT community.⁵²⁷ There have been positive examples of addressing homophobia in an educational setting in the United Kingdom, where Ofsted (the inspection agency for schools) has recommended that: "Schools should make sure that values relevant to education about sex and relationships are consistently adhered to within the school so that, for example, homophobic attitudes do not go unchallenged."⁵²⁸ Also in the United Kingdom, the Department for Children, Schools and Families provides numerous links to pages that offer evidence and advice about homophobia.⁵²⁹
- In Canada, students in some high schools have started so-called gay-straight alliances. These are high-school student clubs that consist of both LGBT and heterosexual students. The students work together to educate their peers and also to provide a support community for LGBT students.⁵³⁰ Another effective model in Western Europe and some parts of Canada and the United States that has been shown to reduce homophobic attitudes is the gay panel discussion.⁵³¹ Lesbian and gay volunteer groups are invited to schools for panel discussions with students, who are free to ask any question they like.

Another innovative tool for educators is country-specific teaching material on historical and contemporary anti-Semitism. In co-operation with the Anne Frank House and national experts, the ODIHR developed teaching materials on anti-Semitism for, so far, seven participating States, drawing on both general and national examples in all of these states. The states participating in the pilot project are: Croatia, Denmark, Germany, Lithuania, the Netherlands, Poland, and Ukraine. This ready-to-use material provides detailed information, graphics, and assignments for students. It comes in three parts and will be accompanied by a teacher's guide. Part 1 is on the history of anti-Semitism, Part 2 on contemporary forms of anti-Semitism, and Part 3 relates anti-Semitism

⁵²⁷ For an analysis of this situation in the United Kingdom, see Debbie Epstein and Sarah O'Flynn, "Confronting homophobia in UK schools: taking a back seat to multicultural and anti-racist education", in L. van Dijk and B. van Driel (eds.), *Challenging Homophobia: Teaching about Sexual Diversity* (London: Trentham, 2007).

⁵²⁸ "Sex and Relationships: A report from the Office of Her Majesty's Chief Inspector of Schools", Her Majesty's Chief Inspector of Schools, 2002, p. 43.

⁵²⁹ Department for Children, Schools and Families, <<http://www.dfes.gov.uk/search/results/kbsearch?qt=homophobia&sc=dfes&ha=1>>.

⁵³⁰ See, for example, D. Lund, "Challenging homophobia in conservative Canada: forming Alberta's first Gay/Straight Alliance", in van Dijk and van Driel, *Challenging Homophobia*, *op. cit.*, note 527.

⁵³¹ See, for example, the website of Empowerment Lifestyle Services, <<http://www.empower-ls.com/?newlang=eng>>; in Canada, see the website of Gris Montreal, <<http://www.gris.ca>>.

to other forms of discrimination.⁵³² While this material is now being used in the respective countries, another phase has been launched with a view to adapting the materials for the Russian Federation, Slovakia, and Spain.

The Role of Specialized Bodies on Discrimination and Hate Crime

A majority of OSCE countries have specialized human rights or ombudsman institutions tackling human rights violations in general.⁵³³ However, their mandate and capacity to cover discriminatory incidents and hate crimes vary considerably. The European Union Directive on Race Equality⁵³⁴ establishes a legal requirement to create a specialized institution on racism within all member states of the EU in order to offer assistance to victims of discrimination, to conduct independent surveys concerning discrimination, and to publish reports on racism and discrimination. As of June, fewer than 20 EU member states had established the required specialized body to comply with this Directive. However, there is a general trend by states also beyond the EU to create such bodies. While the majority of these bodies now cover all grounds of discrimination, approximately one-third of the specialized institutions specifically deal with racism within their mandate.⁵³⁵

The following examples illustrate the types of specialized institutions: some are general human rights or ombudsmen institutions with broad mandates, while others are specifically tasked to deal with racism, xenophobia, and discrimination:

- In Belgium, the Centre for Equal Opportunities and Opposition to Racism offers support to hate-crime victims and acts as a joint plaintiff for victims in court. In June, the German Parliament adopted new anti-discrimination legislation based on the EU Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (2000/43). Art. 25 of this new law provides for the establishment of a federal body on non-discrimination.⁵³⁶
- In Italy, the National Office against Racial Discrimination published its first annual report in early 2006 covering 2005.⁵³⁷ In 2006, Bulgaria's Commission for Protection against Discrimination submitted its annual report (for the period 2005 to March 2006) to the Parliament, reporting that 194 incidents of intolerance and hate were registered with the Commission. The

⁵³² See the ODIHR factsheet "Teaching Materials on Anti-Semitism" for more information, <http://www.osce.org/odihhr/item_11_20672.html>. Sample teaching material is available at <http://www.osce.org/odihhr/item_11_23875.html>.

⁵³³ See the OMBUDSMAN Information Network at <http://www.anticorruption.bg/ombudsman/eng/readnews.php?id=3059&lang=en&t_style=te&l_style=default>.

⁵³⁴ Art. 13 of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

⁵³⁵ See "Examples of Good Practices: Specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level", European Commission against Racism and Intolerance, January 2006, <http://www.coe.int/T/E/human_rights/Ecri/1-ECRI/3-General_themes/2-Examples_of_good_practices/1-Specialised_Bodies/ecri06-5%20Good%20practices%20specialised%20bodies%202005.pdf>.

⁵³⁶ *Bundesgesetzblatt Jahrgang 2006*, Part 1, No. 39, 17 August 2006, pp. 1897-1910, <<http://217.160.60.235/BGBL/bgb11f/bgb1106s1897.pdf#search=%22Bundesgesetzblatt%20Jahrgang%202006%20Teil%20I%20Nr.%2039%20AGG%22>>.

⁵³⁷ *Un anno di attività contro la discriminazione razziale: Rapporto 2005* (Rome: Ministro per le Pari Opportunità, 2005), <http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/Services/Pubblicazioni/rapporto%20unrar%202005.pdf>.

Commission monitors incidents of discrimination and provides decision-makers and the public with data on such incidents.⁵³⁸

- In France, the High Authority to Fight Discrimination and to Promote Equality—an independent collegial administrative authority founded as part of the French Social Cohesion Plan—is responsible for providing information and guidance to the general public on issues pertaining to discrimination, offering support to victims, and promoting good practices in the area of combating discrimination. It also receives individual complaints (a total of 4,058 complaints were received in 2006) and takes appropriate action.⁵³⁹
- Finland’s ombudsman for minorities is seeking to develop regional and local advisory services for victims of discrimination and hate crime. During the second half of 2006, regional consultative meetings took place, and a proposal was published in November. The process led to the commencement of a pilot project for providing these services and for reporting on hate crime and discrimination towards the end of 2006.⁵⁴⁰
- In Cyprus, the Cyprus Equality Body (CEB) consists of two separate authorities: the Cyprus Anti-discrimination Body and the Equality Authority. Under its mandate, the CEB deals with all grounds of discrimination. Its activities include conducting surveys concerning discrimination; publishing reports; reviewing existing laws to ensure that they are free of discriminatory content; handling claims regarding discrimination in access to social services, education, and health care; providing assistance to victims, etc.⁵⁴¹ In addition, the CEB has the power to issue orders or impose fines against the guilty parties.
- The public defender (ombudsman) of Georgia, while mandated to deal with a wide range of rights, established the Tolerance Centre to address the issues of racism, xenophobia, and discrimination, including looking into hate-motivated incidents. Among various initiatives, the Centre initiated, in the autumn of 2006, a football tournament called the Tolerance Cup for teams from Georgia’s religious communities. The public defender also created the Council of Ethnic Minorities, which has started working on a two-volume encyclopedia on Georgia’s ethnic and religious diversity.⁵⁴²

The Equality Act 2006 extended anti-discrimination law in the United Kingdom, in particular concerning discrimination on the basis of age, religion, belief, or sexual orientation, and established the Commission for Equality and Human Rights. This new body will begin its work in October 2007 and take on the functions of the Equal Opportunities Commission and the Disability Rights Commission, and, by April 2009, the Commission for Racial Equality.⁵⁴³

⁵³⁸ Communication to the ODIHR from the Permanent Mission of the Republic of Bulgaria to the OSCE, 23 August 2006.

⁵³⁹ Information provided by the Ministry of Foreign Affairs of France to the ODIHR, 28 June 2007.

⁵⁴⁰ Information provided by the Ministries of Interior and of Labour of Finland to the ODIHR, 16 May 2007.

⁵⁴¹ Communication to the ODIHR from the Permanent Mission of the Republic of Cyprus to the OSCE, 21 May 2007.

⁵⁴² “Public defender’s (Ombudsman’s) Office of Georgia and the Principal Directions of its Activities”, background paper distributed at the Supplementary Human Dimension Meeting on Protection and Promotion of Human Rights: Responsibilities and Effective Remedies, Vienna, 12-13 July 2007.

⁵⁴³ United Kingdom, Equality Act 2006, Chapter 3, Part 1, “The Commission for Equality and Human Rights”, <http://www.opsi.gov.uk/acts/acts2006/ukpga_20060003_en.pdf>; “Commission for Equality and Human Rights—CEHR”, Liberty, <<http://www.liberty-human-rights.org.uk/issues/6-equality/cehr/index.shtml>>.

While many institutions and specialized bodies dealing with discrimination have been established throughout the OSCE region, there remains a need to strengthen these bodies in order to specifically deal with cases of hate incidents or to establish such bodies in cases where no such body exists. In strengthening and developing specialized bodies, it is recommended that OSCE participating States take inspiration from international standards such as the EU Directive, ECRI,⁵⁴⁴ or the UN Paris Principles.⁵⁴⁵ ECRI's general policy recommendation No. 2 on specialised bodies to combat racism, xenophobia, antisemitism and intolerance outlines that specialized institutions should have the mandate to monitor the content and effect of legislation and to advise legislative and executive authorities. They should not only provide aid and assistance to victims but should also have recourse to the courts and have the power to obtain evidence and information on cases brought to their attention.

Beyond permanent structures, a number of countries have established working groups or units to tackle discrimination or hate crimes in specific areas. In 1999, the US State Department established the Office of the Special Envoy for Holocaust Issues, and, in May 2006, a special envoy for monitoring and combating anti-Semitism was appointed by the secretary of state. In Germany, the Federal Foreign Office established a new working unit that is responsible for relations with Jewish organizations, anti-Semitism issues, and Holocaust remembrance.

In September, German Interior Minister Wolfgang Schäuble convened a conference on Islam with a view to initiate a long-term dialogue between the government and Germany's Muslim community. Fifteen representatives of the government and Germany's regions (*Länder*) and 15 participants representing both the organized and the non-organized Muslim community are involved in this process. With plenary meetings taking place twice a year, three working groups are engaged in regular discussions. The working groups focus on the following issues: society and the consensus on certain values, religious matters and the constitution, the important role of the economy and the media for integration. The government also announced that discussions on the issue of security and extremism would continue.⁵⁴⁶

⁵⁴⁴ "ECRI general policy recommendation No 2: Specialised bodies to combat racism, xenophobia, antisemitism and intolerance at national level", European Commission against Racism, 13 June 1997, <http://www.coe.int/t/e/human_rights/ecri/1-ecri/3-general_themes/1-policy_recommendations/recommendation_n2/1-Recommendation_n%B02.asp#TopOfPage>.

⁵⁴⁵ See the Paris Principles on national institutions for the promotion and protection of human rights, <http://www.info.gov.hk/info/eoc/annex6_e.pdf#search=%22Paris%20Principles%20%22>.

⁵⁴⁶ "Islam ist ein Teil unseres Landes", Regierung online, 28 September 2006, <http://www.bundesregierung.de/nn_774/Content/DE/Artikel/2006/09/2006-09-27-islamkonferenz.html>.

PART IV

The ODIHR's Toolboxes to Combat Hate

In order to support participating States in implementing their commitments related to tolerance and non-discrimination, the ODIHR has, over the last two years, developed tools and networks of experts to provide technical assistance to OSCE states in their efforts to combat hate and intolerance. The following table provides a summary of the ODIHR's toolboxes for OSCE participating States and civil society. The ODIHR hopes that an increasing number of states will utilize these tools. More information can be found on the ODIHR's website at <http://www.osce.org/odihr/20051.html>.

I. Toolbox for OSCE Participating States

Tool	Description	States Using Tool
Law enforcement training	<ul style="list-style-type: none"> • Uses a train-the-trainer approach that is tailored to each target country; • Trains police officers in methods for identifying and investigating hate crimes, as well as skills for sharing intelligence and working with prosecutors and affected communities; • Designed and delivered <i>by</i> police officers <i>for</i> police officers; • Network of law enforcement hate-crime experts from seven OSCE participating States; • Comprehensive training curriculum (including working definitions and a police reporting form template) that states customize to their needs. 	Implementation completed: ⁵⁴⁷ - Spain - Hungary - Croatia Implementation ongoing: - Ukraine - Serbia - Poland Initial interest shown by: - Romania - Russian Federation
Training on policing within Roma communities	Offers a good practice model for systematic assessment and review of current policing policy and practices.	- Russian Federation - Poland - Romania - United Kingdom
Guidelines and assessment of hate-crime data-collection methodologies	Comprehensive report produced (<i>Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives</i>) that identifies gaps and deficiencies in the collection of data and tools, and offers a working definition of hate crime and a police reporting form to support states in their efforts to strengthen data collection and legislation related to hate crime. In November, a first meeting of national focal points on hate crime from each of the 56 OSCE states was organized by the ODIHR.	48 states have nominated national points of contact on hate crime

⁵⁴⁷ Since being piloted, the hate-crime curriculum has been added to the regular training programme for officers studying at the police academies in both Hungary and Spain.

	<p>The meeting provided experts from throughout the region with an opportunity to discuss common strategies and to develop methods for improving the collection of statistics on hate crime.</p> <p>The ODIHR has now identified a group of data experts available to provide support and assistance to participating States in their efforts to strengthen their data-collection methodologies. In mid-June, data experts travelled to Croatia in order to identify areas for possible co-operation and assistance.</p>	
Guidelines and assessment of educational approaches on education on the Holocaust and anti-Semitism	<p>A comprehensive study was produced (<i>Education on the Holocaust and on Anti-Semitism: An Overview and Analysis of Educational Approaches</i>) that evaluates existing approaches and identifies good practices to support future efforts by OSCE participating States and civil society. It also identifies gaps and areas where teaching about the Holocaust and about anti-Semitism needs to be strengthened. With its comprehensive recommendations, it provides a framework for the development of curricula on Holocaust education and on education about anti-Semitism.</p>	
Guidelines for educators on Holocaust commemoration	<p>The document "Preparing Holocaust Memorial Days: Suggestions for Educators" offers suggestions to educators on how to prepare for Holocaust memorial days by identifying and presenting best practices from 12 OSCE participating States. It is available in 13 languages. Developed in co-operation between the ODIHR, Yad Vashem, and education experts from 12 countries: Austria, Croatia, Germany, Hungary, Israel, Lithuania, the Netherlands, Poland, the Russian Federation, Sweden, Ukraine, and the United Kingdom. Available on the ODIHR's website in: Croatian, Dutch, English, French, German, Greek, Hungarian, Italian, Lithuanian, Polish, Russian, Serbian, and Spanish.</p>	<p>Contributed to guidelines:</p> <p>Germany Belgium Poland Switzerland</p> <p>Using tool officially:</p> <p>Italy Croatia Hungary</p>
Educational materials to teach about anti-Semitism	<p>Teaching materials have been developed for seven OSCE participating States. The materials were developed in close co-operation with the Anne Frank House and experts from each of the seven states. Country-specific adaptations, based on the historical and current situation in each country, have been developed and piloted. The materials come in three parts: Part 1 is on the history of anti-Semitism, Part 2 on contemporary forms of anti-Semitism; and Part 3 puts anti-Semitism into perspective with other forms of discrimination. A teacher's guide will accompany the materials. The teaching materials are currently being adapted for three additional participating States.</p>	<p>Materials are available for:</p> <p>Germany Netherlands Ukraine Lithuania Croatia Denmark Poland</p> <p>Materials are being developed for:</p> <p>Russian Federation Spain Slovakia</p>
Recommendations to education authorities on how to strengthen diversity education	<p>A comprehensive assessment report is being developed that includes recommendations concerning curricula development on diversity education, production of school material, definition and implementation of quality standards, national diversity education strategies, as well as pre- and in-service teacher training in the public school sector.</p> <p>A network of experts is available to provide assistance.</p>	Azerbaijan (request for assistance)
Tolerance and Non-Discrimination Information System (TANDIS)	<p>A public website was launched in October 2006 that offers one-point access to:</p> <ul style="list-style-type: none"> • Information received from OSCE states, NGOs, and other organizations; • Country pages providing access to country initiatives, legislation, national specialized bodies, statistics, and other information; 	

	<ul style="list-style-type: none"> • Thematic pages with information related to different key issues; • International standards and instruments; • Information from intergovernmental organizations, including country reports and annual reports. 	
Advisory Panel of Experts on Freedom of Religion or Belief	<ul style="list-style-type: none"> • Provides legislative assistance to participating States preparing or amending legislation pertaining to freedom of religion or belief; • Offers expert opinions on specific infringements of freedom of religion or belief to participating States; • Supports educational and training projects in order to raise awareness about standards on freedom of religion or belief; • Provides support in mediation/conflict prevention. 	In 2006, legislative assistance was provided to five states , and opinions/interventions on cases involving potential violations of religious freedom were offered in three cases .

II. Toolbox for Civil Society

Tool	Description	Users of the Tool
Facilitator's curriculum on hate-motivated violence and network of trainers and experts	Development of: Facilitator's curriculum for civil society on hate-motivated violence; Network of trainers and experts throughout the OSCE region.	Civil society within the region
Consultation mechanisms	Support to states wishing to develop sustainable consultation mechanisms on a local, regional, or national level addressing hate-motivated violence (local and regional authorities, civil society and community representatives, media).	To be determined
Complaints bureaux on hate-motivated violence and hate speech on the Internet	The ODIHR supports NGOs in initiating monitoring activities and establishing complaints bureaux on hate-motivated violence and hate speech on the Internet.	Civil society representatives from Slovakia, the Russian Federation, Poland
NGO meetings and roundtables	The ODIHR hosts and facilitates thematic roundtables and preparatory meetings for NGOs to give civil society representatives the opportunity to draft recommendations for the OSCE and participating States.	Civil society within the OSCE region
Access to relevant NGO information	The ODIHR has a strategic partnership with HURIDOCs ⁵⁴⁸ in order to provide access to findings and reports from human rights NGOs via HuriSearch, which indexes more than 4,500 human rights NGO websites. HuriSearch is an integrated part of the ODIHR's TANDIS (Tolerance and Non-Discrimination Information System) website, http://tandis.odihr.pl .	Civil society within the OSCE region
Support for networks and the creation of coalitions	The ODIHR supports the development of civil society networks and the creation of new coalitions on issues related to the ODIHR's mandate.	Civil society networks within the OSCE region (e.g., UNITED for Intercultural Action, International Network Against Cyber Hate)

⁵⁴⁸ Human Rights Information and Documentation Systems International, <www.huridocs.org>.

ANNEX 1

Selected OSCE Commitments Pertaining to Hate-Motivated Incidents and Crimes

Under MC Decision No. 12/04, the ODIHR is tasked to: “follow closely anti-Semitic incidents” and “incidents motivated by racism, xenophobia, or related intolerance, including against Muslims” and to “report its findings to the Permanent Council and the Human Dimension Implementation Meeting and make these findings public”.

Ministerial Council Decision No. 13/06 tasked the ODIHR to:

- “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”;
- “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”;
- “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”;
- “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”;
- “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.”

These tasks were assigned to the ODIHR in order to enable it to assist the participating States with the implementation of their commitments pertaining to hate-motivated incidents and responses to them. These include the commitments to:

- “[C]ondemn publicly, at the appropriate level and in the appropriate manner, violent acts motivated by discrimination and intolerance” (MC Decision No. 4/03) and “consistently and unequivocally [speak] out against acts and manifestations of hate, particularly in political discourse” (MC Decision 10/05);
- “[Reject] the identification of terrorism and violent extremism with any religion or belief, culture, ethnic group, nationality or race” (MC Decision 10/05);

- “Combat hate crimes which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the internet, and appropriately denounce such crimes publicly when they occur” (MC Decision No. 12/04);
- “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 10/05);
- “[C]ollect 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);
- “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);
- “Strengthen efforts to provide public officials, and in particular law enforcement officers, with appropriate training on responding to and preventing hate crimes, and in this regard, to consider setting up programmes that provide such training, and to consider drawing on ODIHR expertise in this field and to share best practices” (MC Decision 10/05);
- “[P]romote 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);
- “[E]nsure and facilitate the freedom of the individual to profess and practice a religion or belief, alone or in community with others, where necessary through transparent and non-discriminatory laws, regulations, practices and policies” and “to seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief” (MC Decision No. 4/03);
- “[P]romote, 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);
- “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 10/05);

- “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);
- “[P]romote implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area” (MC Decision No. 4/03);
- “[F]acilitate 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);
- “[E]ngage 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).

ANNEX 2

Information Submitted to the ODIHR in the Period 2004-2006: Legislation, Statistics, Practical Initiatives, and Nominated Points of Contact on Combating Hate Crime

TOTAL NUMBER OF PARTICIPATING STATES THAT:

Responded	51	91%
Nominated national point of contact (NPC)	48	86%
Submitted information about legislation (LEG)	46	82%
Submitted information about statistics (STAT)	40	71%
Submitted information about practical initiatives (INIT)	38	68%
Did not respond	5	9%

STATE	DATE OF RESPONSE	LEG	STAT	INIT	NPC	NATIONAL POINT OF CONTACT
Albania	13 April 2004 8 February 2006 2 March 2006 12 September 2006	✓			✓ ✓	Ministry of Interior, General Department of State Police, Section on Protection of Children, Division of Terrorist Acts and Crimes
Andorra	19 September 2005 24 July 2006	✓	✓	✓	✓	Ministry of Foreign Affairs, Culture and Co-operation
Armenia						
Austria	28 April 2004 3 October 2006	✓	✓	✓	✓	Federal Ministry of the Interior, Department II/BVT/2 Federal Ministry of Foreign Affairs, Department I/7
Azerbaijan	17 October 2005 7 March 2006 20 April 2007 9 July 2007*	✓	✓		✓ ✓	Office of the Prosecutor-General of the Republic of Azerbaijan, Department on Monitoring Compliance with Legislation during Investigations, Inquiries and Operational Search Activities by the Ministry of Internal Affairs
Belarus	25 April 2004 11 July 2007*	✓	✓	✓		
Belgium	10 November 2004 8 May 2007	✓	✓ ✓	✓ ✓	✓	Centre for Equal Opportunities and Opposition to Racism
Bosnia and Herzegovina	2 December 2005				✓	Ministry of Security, Department of Organized Crime and Corruption

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STATE	DATE OF RESPONSE	LEG	STAT	INIT	NPC	NATIONAL POINT OF CONTACT
Bulgaria	14 April 2004	✓				Office of the Ombudsman of the Republic of Bulgaria
	30 June 2005		✓			
	9 September 2005				✓	Commission for Protection against Discrimination
	12 September 2005			✓		
	23 August 2006	✓				
Canada	29 June 2004	✓	✓	✓		Department of Canadian Heritage, Multiculturalism and Human Rights Branch
	9 September 2005				✓	
Croatia	9 March 2004	✓	✓	✓		Ministry of Foreign Affairs and European Integration,
	27 April 2004	✓				
	4 July 2005				✓	Department for Human Rights
	25 May 2007	✓	✓			
Cyprus	21 July 2004			✓		Ministry of Justice and Public Order (legislation)
	1 September 2004	✓				Cyprus Police, Office for Combating Discrimination (statistical data and educational programmes for members of the police)
	16 January 2006				✓	
	23 February 2006				✓	
	21 May 2007	✓	✓	✓		
Czech Republic	13 September 2004	✓	✓	✓		Ministry of the Interior
	1 September 2005				✓	Inter-Ministerial Commission for Combating Extremism, Racism and Xenophobia
	8 September 2006	✓	✓	✓		
	17 May 2007	✓	✓	✓		
	11 July 2007*					
Denmark	5 April 2004	✓	✓	✓		Ministry of Justice, Law Department, Criminal Law Division
	31 August 2005				✓	
	12 September 2006	✓				
	9 July 2007*		✓			
Estonia	7 October 2004	✓	✓			Ministry of Justice, Criminal Policies Department
	8 November 2005				✓	
	23 May 2007	✓				
	11 July 2007*					
Finland	11 March 2004	✓	✓	✓		Ministry of the Interior PL 26 (statistics)
	29 November 2005				✓	Ministry of Labour PL 34 (other)
	16 May 2007		✓	✓		
France	12 July 2004	✓	✓	✓		Ministry of Justice, Department of European and International Affairs
	10 August 2005				✓	
	3 August 2006		✓			
	27 September 2006	✓				
Georgia	18 May 2007				✓	Ministry of Justice, International Law Department
Germany	18 March 2004	✓	✓	✓		Federal Ministry of the Interior
	29 June 2004				✓	
	10 September 2004			✓		
Greece	11 October 2004	✓		✓		Ministry of Justice
	5 November 2004	✓				
	8 March 2006				✓	

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STATE	DATE OF RESPONSE	LEG	STAT	INIT	NPC	NATIONAL POINT OF CONTACT
Holy See	22 March 2004 9 November 2004 2 December 2005 4 September 2006 7 September 2006 15 May 2007	✓		✓	✓	Pontifical Council for Justice and Peace
Hungary	15 July 2004 12 October 2005	✓	✓		✓	Ministry of Foreign Affairs, Department of Human Rights and European Organizations
Iceland	26 July 2006				✓	National Commissioner of Police
Ireland	4 November 2004 17 October 2005	✓	✓	✓	✓	National Consultative Committee on Racism and Interculturalism
Italy	24 April 2004 18 November 2004 26 April 2005 17 August 2005 10 October 2005 4 April 2006 27 July 2006 7 August 2006 12 December 2006 6 March 2007	✓	✓ ✓ ✓	✓ ✓	✓	Ministry of the Interior, Department of Public Safety
Kazakhstan	27 July 2004 2 December 2005 26 March 2007	✓ ✓	✓ ✓		✓	The Prosecutor-General's Office Committee on Law, Statistics and Special Registrations
Kyrgyzstan						
Latvia	15 April 2004 31 August 2006	✓	✓	✓	✓	Secretariat of Special Assignments, Minister for Social Integration Latvian National Human Rights Office
Liechtenstein	4 May 2004 12 November 2004 17 November 2005 10 September 2006 4 May 2007 2 July 2007*	✓ ✓	✓ ✓ ✓	✓ ✓	✓	Office for Foreign Affairs, Working Group against Racism, Anti-Semitism and Xenophobia Liechtenstein National Police, Crime Investigation Division
Lithuania	1 April 2004 2 November 2004 16 September 2005 18 May 2007 5 July 2007*	✓ ✓ ✓	✓ ✓ ✓	✓	✓ ✓	Ministry of Foreign Affairs Ministry of the Interior, Analysis and Research Division of the Public Safety Department
Luxembourg	1 April 2004 28 July 2004 18 October 2004 11 November 2004	✓	✓	✓	✓ ✓	Government's Commissioner for Foreigners International Networks for Studies in Technology, Environment, Alternatives, Development
Former Yugoslav Republic of Macedonia	24 February 2006				✓	Ministry of Foreign Affairs, Human Rights Department

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STATE	DATE OF RESPONSE	LEG	STAT	INIT	NPC	NATIONAL POINT OF CONTACT
Malta	5 April 2004 19 July 2004 31 December 2004 2 February 2005 9 September 2005 7 June 2007	✓ ✓	 ✓ ✓ 	✓ ✓ ✓ 	 ✓	General Police Headquarters, Prosecutions Unit
Moldova	14 April 2004 28 April 2007	✓ 	✓ 	 	 ✓	Department of the Prosecutor-General
Monaco	24 November 2004	✓		✓	✓	Department of the Interior, Department of Legal Services
Montenegro	2 September 2004 11 November 2004 8 November 2005	✓ ✓ 	✓ ✓ 	✓ ✓ ✓	 (✓)	
Netherlands	4 August 2004 5 August 2004 1 February 2006 31 May 2007	✓ ✓ 	✓ ✓ 	✓ ✓ ✓	✓ ✓	Foreign Ministry, Security Police Department (temporarily) Netherlands Delegation to the OSCE (temporarily) Ministry of Justice, Directorate-General for Law Enforcement
Norway	1 September 2004 15 September 2005	✓ 	✓ 	✓ 	 ✓	Ministry of Justice and the Police (main contact point) Ministry of Local Government and Regional Development, Department of Integration and Diversity
Poland	1 March 2004 25 August 2005 11 September 2006*	✓ 	✓ 	✓ 	 ✓	Ministry of Interior and Administration, Department of Religion and Ethnic Minorities
Portugal	30 September 2005 11 October 2005 4 May 2006 18 September 2006*	 ✓ 			✓ ✓	Prosecutor-General, Documentation and Comparative Law Office High Commission for Immigration and Ethnic Minorities
Romania	10 March 2004 22 February 2006 5 September 2006 3 May 2007*	✓ ✓ 	 ✓ 	✓ 	 ✓	Ministry of Justice, Department of International Law, Judicial Co-operation, and International Legal Affairs
Russian Federation	24 December 2004 27 December 2005	✓ 	✓ 	✓ 	 ✓	Ministry of Foreign Affairs, Department for Humanitarian Co-operation and Human Rights
San Marino						
Serbia	2 September 2004 11 November 2004 8 November 2005 11 September 2006 11 May 2007 10 July 2007*	✓ ✓ ✓ 	✓ ✓ ✓ 	✓ ✓ ✓ 	 ✓ ✓	Agency for Human and Minority Rights of Serbia

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STATE	DATE OF RESPONSE	LEG	STAT	INIT	NPC	NATIONAL POINT OF CONTACT
Slovak Republic	9 July 2004 28 October 2005 16 May 2007 10 July 2007* 16 July 2007*	✓	✓	✓	✓	Ministry of Interior, Committee for Co-ordination of Anti-Extremism Policy
Slovenia	9 August 2004 9 September 2005 7 February 2006 15 September 2006*	✓		✓	✓ ✓	Ministry of Foreign Affairs, International Organizations and Human Security Division
Spain	November 2004	✓	✓	✓	✓	Permanent Mission of Spain to the OSCE
Sweden	11 June 2004 16 September 2005 12 September 2006 1 June 2007*	✓	✓	✓	✓	Swedish National Council for Crime Prevention
Switzerland	17 March 2004 18 September 2006 11 May 2007*	✓	✓	✓ ✓	✓	Federal Department of the Interior, Service for Combating Racism Federal Commission against Racism Swiss Department of Foreign Affairs, OSCE Section
Tajikistan	14 December 2005				✓	Executive Office of the President, Constitutional Rights Department
Turkey	10 September 2004 13 April 2006 12 July 2007*	✓		✓	✓ ✓	Ministry of Justice, Directorate-General of International Law and External Relations
Turkmenistan						
Ukraine	11 August 2004 3 August 2006 6 November 2006* 5 July 2007*	✓	✓		✓	Ministry of the Interior, Vice President of the National Academy of the Interior of Ukraine
United Kingdom	9 September 2004	✓	✓	✓		
United States	19 April 2004 14 January 2005 12 September 2005 10 July 2007*	✓	✓ ✓	✓	✓	US Mission to the OSCE, Human Dimension Officer
Uzbekistan						

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