



## Comparative Report on Hate Crime Monitoring



With financial support from the Fundamental Rights and  
Citizenship Programme of the European Union



The present report is one of the outcomes of “TOGETHER! Empowering civil society and Law Enforcement Agencies to make hate crime visible”, which is a transnational project co-funded by the Justice Department of the European Commission under the Fundamental Rights and Citizenship Programme.

The project was developed in view of the persistent presence of indications that the situation of hate crime based on racism and xenophobia in Europe was not improving, despite the efforts of EU Member States to combat the phenomenon. In fact, as evidenced during the 2 years of implementation of the project, the situation has worsened all throughout Europe and beyond. At the same time, under-reporting of hate crime based on racism and xenophobia continues to be a significant problem across the EU, which leaves victims unprotected and unsupported, while perpetrators remain free and unpunished.

TOGETHER! is implemented by SOS Racism Gipuzkoa (Spain), coordinator, in cooperation with the following partner NGOs and academic institutions: SOS Racisme Catalunya (Spain), KISA – Action for Equality, Support, Anti-racism (Cyprus), OPU – Organization for Aid to

Refugees (Czech Republic), and Lunaria, CGIL – Department of Immigration and Social Policy and University of Roma Tre (Italy).

The aim of the project is to improve the capacities of Law Enforcement Agencies (LEAs) and Civil Society Organisations (CSOs – NGOs as well as community-based organisations) in making hate crime visible among European society, which is a vital step to tackle hate crime and address related fundamental rights violations.

The specific objectives of the project are:

- To strengthen the capacity of LEAs and CSOs to identify and report hate crime and to interact with victims;
- To improve data collection on hate crime by creating and implementing standard methodologies and tools for data collection aimed at LEAs and CSOs;
- To strengthen networking and collaboration between LEAs and CSOs – at national and international level, in information exchange and follow up on hate crime.

These goals have been designed to be met through the following:

- Development and implementation of a comprehensive training programme on hate crime, addressed to LEAs and CSOs
- Development of a protocol aimed at LEAs and a data-collection tool aimed at NGOs on hate crime reporting
- Promotion of the setting up of mechanisms of information and exchange between CSOs and LEAs in the partner countries
- Elaboration of four national reports and a comparative report on hate crime, based on data collected by CSOs using the data-collection tool
- Organisation of an international conference on the under-reporting of hate crime
- Development of a strategy for the dissemination of the project results

In addition, with the standardisation of knowledge on hate crime among LEAs and CSOs and the standardisation of methodologies for reporting cases of hate crime, the project has a clear added value at EU level. Indeed, the availability of comparable information and data on hate crime will help the competent authorities and agencies of Member States to take decisions and implement the most appropriate measures in the fight against hate crime. Similarly, it will facilitate comparison of the results of these decisions and actions at European level, as well as analysis and exchange of good practices be-

tween actors from different European countries.

More information about the project and its deliverables are available on the project website at [www.togetherproject.eu](http://www.togetherproject.eu).

The comparative report is based on the four country reports<sup>1</sup>purports to provide a comprehensive and comparative account of the situation of hate crime in the four partner countries in relation to their legal framework, structural and institutional set up, measures and actions by governmental and other actors, including civil society and NGOs, to combat and make hate crime visible, both within the framework of the project but also beyond, monitoring of reported hate crimes as well as specific cases of such crimes. The report also includes a section on actions implemented in the framework of the TOGETHER! project in order to improve networking and exchange and to strengthen the capacity of civil society in identifying and monitoring hate crime, as well as a chapter on cases of hate crime. The proposed recommendations aim to contribute to making hate crime more visible and to prevent and combat it more effectively and decisively, and they also address the needs, protection and support of those experiencing hate crime.

<sup>1</sup> The country report on Cyprus, the Czech Republic, Italy and Spain are available on the project website at: [www.togetherproject.eu](http://www.togetherproject.eu).



## Chapter 1. Making hate crime visible in the partner countries: the state of the art

### What is hate crime?

The rising incidence of hate crime and the increase of measures and actions as well as actors engaging in its prevention and combating, both at EU and member-state level, notwithstanding, there is no universal, accurate and comprehensive definition of what actually constitutes a hate crime. In view of this situation, the project partners have adopted a definition that is closer to their understanding and experiences/realities on the ground. This is the definition of hate crime developed by the Office for Democratic Institutions and Human Rights (ODIHR), the human rights institution of the Organisation for Security and Cooperation in Europe (OSCE). According to the OSCE definition:

A hate crime is any criminal act motivated by bias or prejudice towards particular groups of people. To be considered a hate crime, the offence must meet two criteria: First, the act must constitute an offence under criminal law and, second, the act must have been motivated by bias.

Bias motivations can be broadly defined as pre-conceived negative opinions, stereotypical assumptions, intolerance or hatred directed to a particular group that shares a common and protected characteristic, such as “race”, ethnic origin, migratory background, colour, religion, language, nationality, gender identity, sexual orientation, age, disability, health status, including mental health, or any other fundamental characteristic.

Hate crimes can include threats, property damage, assault, bodily harm, murder or any other criminal offence committed with a bias motivation. Hate crimes do not only affect individuals from specific groups. People or property merely associated with – or even perceived to be a member of – a group that shares a protected characteristic, such as anti-racist activists and human rights defenders, community centres or

places of worship, can also be targets of hate crimes.

### I. The regulatory framework

On the basis of the definition of hate crime adopted by the project, the relevant legal framework of the four partner countries has been found to be lacking, to a varying extent, in providing the tools for the comprehensive and effective definition, prevention, identification and punishment of hate crimes. In Cyprus and Spain, there is no specific and comprehensive legislation addressing or defining hate crime per se. In the Czech Republic, where hate crimes are prosecuted under different sections of the Criminal Code, and in Italy, where there is a law dealing specifically with hate crime, there are other serious shortcomings.

In particular, the only major legislation relevant to hate crime in Cyprus is the Combating of Certain Forms and Expressions of Racism and Xenophobia by means of Criminal Law (Law 134(I)/2011), enacted for transposing Council Framework Decision 2008/913/JHA of 28 November 2008. As such, it only criminalises the specific conduct provided in the Framework Decision. In addition, the law establishes that racist and/ or xenophobic motive must be taken into account as an aggravating factor on the imposition of penalties but it does not cover any other protected characteristics, such as homophobia, transphobia, misogyny, ableism and ageism, as an aggravating factor. A 2015 amendment of the Penal Code (Law 87(I)/2015) criminalises the intentional public incitement to violence or hatred directed against a group of persons or a member of such a group defined by sexual orientation or gender identity.

In Spain, which also lacks a specific and comprehensive legal framework on hate crime, the 2015 amendments to the Criminal Code also failed to include discrimination or hate crime. However, some important legal elements were



introduced to combat certain bias-motivated behaviours and manifestations. These amendments include crime activities that encourage, promote or incite, and not just cause hate crimes, directly or indirectly. Nevertheless, the reform of the Criminal Code is deemed by the Spanish partner not to have addressed important omissions and inaccuracies in key items in the fight against hate crimes, as in the case of generic aggravating circumstances on discriminatory grounds, such as socio-economic conditions, which form the basis of aporophobia, age or physical appearance, among others, which limit its application.

In the Czech Republic, hate crimes are prosecuted under the following sections of the Criminal Code: Defamation of nation, race, ethnic or other group of persons, and incitement to hatred towards a group of people or towards disrespect of their rights and freedoms. Such acts qualify as crimes if committed through any public communication network or with another person or as a part of an extremist group. The establishment, support and propagation of a movement leading to the repression of human rights and freedoms as well as expression of sympathy towards such movements are also hate crimes, if these acts are committed through any public communication network, as a part of an organised group, as a member of the army or during a state of emergency or war.

In Italy, the Mancino law (Law 205/1993) makes specific reference to hate crimes as per the adopted project definition, with aggravating circumstances being acts for the purposes of discrimination or ethnic, national, racial or religious hatred, or in order to facilitate, participate or propagate the activity of organisations, associations, movements or groups that have among their aims the same purposes. Propaganda of ideas based on superiority or racial or ethnic hatred or incitement to committing such acts is also punishable by law. While the inclusion of aggravating circumstances is considered by the Italian partners to have strengthened the system of criminal protection against discrimination, the law fails to include the grounds of gender identity and sexual orientation. In ad-

dition, the Penal Code (Art. 403-405) also punishes offences in relation to religion, including violence against ministers, places and objects of worship.

The inadequacies, deficiencies and piecemeal approach of the legislative framework on racial discrimination, racist violence and hate crime in three of the four partner countries<sup>1</sup> are highlighted in detail by the European Commission against Racism and Intolerance (ECRI) of the Council of Europe. Among other recommendations, ECRI reiterates its General Policy Recommendation (GPR) No. 7 to all three countries for including colour, language and citizenship in the grounds of racist behaviour and racial discrimination. Among its other recommendations are the following: To criminalise public incitement to discrimination on the grounds of race, colour, language, religion, citizenship, national or ethnic origins, as well as the public expression, with a racist aim, of an ideology which claims the superiority of, or which depreciates or denigrates, a group of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin, to Cyprus and the Czech Republic. The Czech Republic is also recommended to specifically mention homophobic or transphobic motivation in its relevant Criminal Code section, while Cyprus is recommended to amend the recently amended section of the Penal Code to include defamation and threats on all grounds of discrimination. An important recommendation to the Czech Republic and Italy is to ratify Protocol No. 12 to the European Convention on Human Rights, which both countries have signed, as “ECRI considers ratification of this instrument, which provides for a general prohibition of discrimination, to be vital in combating racism and racial discrimination”. Two important recommendations to Spain in ECRI’s fourth report<sup>2</sup> are that the right to equality before the law is formally granted by the Constitution to all individuals and not just Spanish citizens, and the adoption of new legislation on

1 ECRI’s reports (fifth monitoring cycle) on the Czech Republic, Cyprus and Italy were published on 13 October 2015 and 7 June 2016, respectively. Available at: ECRI’s report (fifth monitoring cycle) on Spain has not as yet been published.

2 ECRI’s fourth report on Spain: <https://goo.gl/btp3qZ>



equal treatment and non-discrimination, taking account of its GPR No. 7 on national legislation to combat racism and racial discrimination.

## II. Data collection and responsible authorities

The piecemeal approach and other weaknesses of the legal framework on hate crime in the four project countries are reflected in the data collection mechanisms and methods, the quality and quantity, the disaggregation and adequacy of the data collected. They also impact on the responsible authorities, their coordination and efficiency for monitoring, identifying, preventing, investigating and punishing such crimes and in the policies and measures in place for the support and protection of hate crime victims.

In Spain, “although there is still much work remains to be done”<sup>3</sup> with regard to the situation of hate crimes and measures to counter them taken by public institutions, some important measures and actions for their investigation and prosecution are in place. These were introduced partly in response to ECRI’s recommendation in its fourth report<sup>4</sup> to, in the absence of accurate data, collect and publish data on

3 Country report - Spain

4 The report, published on 8 February 2011, is available at: [www.coe.int/t/dghl/monitoring/ecri/Country-by-country/country/Spain/ESP-CBC-IV-2011-004-ENG.pdf](http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/country/Spain/ESP-CBC-IV-2011-004-ENG.pdf)

acts of racism and racial discrimination and on the application of the law in force to combat such acts. To this effect, as from 2011, the Spanish government introduced amendments to the Statistical System of Criminality of the Interior Ministry and the Spanish Observatory on Racism and Xenophobia, in order to include crimes motivated by hate and discrimination. This led to the publication in 2014, of the first ministerial report on the development of hate crimes in Spain<sup>5</sup>.

Again in response to recommendations by ECRI, in 2015, the Ministry of Interior developed the “Action Protocol of the Security Forces for hate crimes and behaviours that violate laws on discrimination”. Also, as from 2013, there is a Deputy Prosecutor for Criminal Protection of Equality and Non-Discrimination in each Provincial Prosecutor Office in the country. This is based on the positive experience of the Service for Hate Crimes and Discrimination, which was set up in 2009 at the Barcelona Provincial Prosecution Office, with the aim of providing specialised response to hate crimes. However, as highlighted in the country report, for the effective coordination of these authorities and services and the effectiveness of these measures it is necessary that all services and agencies involved receive specific and continuing training,

5 The 2015 report is available in Spanish at: [www.interior.gob.es/documents/642012/3479677/DELITOS+DE+ODIO+2015](http://www.interior.gob.es/documents/642012/3479677/DELITOS+DE+ODIO+2015)



which will equip them to fight hate crimes and to interact in the right way with the victims, as per the ECRI 2011 report. Training should also be provided to NGOs and other supporting groups, which often lack specific knowledge to correctly identify and report hate crimes but are fundamental in providing information and support to victims. Also essential for the effective and successful implementation of these measures is the availability of resources and political will.

Moreover, in April 2015, the Spanish Parliament passed the 4/2015 Law on Standing of the victims of crime<sup>6</sup>, which establishes the legal status and comprehensive response that the public authorities have to give to the victims of crimes. In its article 23.b, the Law provides that, in the case of victims of hate crimes, the individual needs of the victimized person will have to be evaluated with particular attention, to avoid damages and determine the most appropriate protective measures in these cases. As with other measures and actions, it is deemed necessary that the correct and effective implementation of the provisions of the law will directly depend on the availability of resources and political will.

In the opinion of the Spanish partners, the authorities have not carried out adequate awareness actions targeting the Spanish society in order to make hate crimes visible and to explain the severity of individual and social impact of these crimes, as well as the pain of those who suffer them, and to take on responsibility and encourage the active involvement of the citizenship in the fight against hatred and discrimination.

In its latest report (2016) on Italy, ECRI notes that the country does not have a national, co-ordinated, systematic and transparent system for the collection of data on hate crimes. The public agencies involved in the collection of data are: UNAR (National office against racial discrimination), Oscad (Observatory for the Protection against discriminatory acts), SDI (the database

6 Available in Spanish at: [www.boe.es/boe/dias/2015/04/28/pdfs/BOE-A-2015-4606.pdf](http://www.boe.es/boe/dias/2015/04/28/pdfs/BOE-A-2015-4606.pdf)

of the investigation system used by the police), the Ministry of Justice and ISTAT (National Statistics Institute). Depending on their mandates, each of these bodies collects different data and uses different collection methods and classification systems.

UNAR produces annual official data on discrimination reported to a dedicated toll-free number. The data collected do not refer specifically to hate crimes but to discrimination in general, which includes discriminatory acts or practices that are not punishable by law, and hate speech.

Oscad, instituted in 2010 at the Department of Public Security of the Interior Ministry, receives, through the post and a dedicated fax number, reports of institutions, associations and private citizens, based on the motives included in the definition of hate crime. These reports activate interventions by the State Police or Carabinieri. Oscad is the institutional source of data on hate crimes collected by ODIHR for its annual reports. It also promotes many training and information initiatives addressed to the police (around 1,800 in 2015), on hate crimes and ethnic profiling, discrimination, human rights, rights of LGBT people and good practices to support the victims.

SDI collects data on violations of Law 654/75 and the Mancino Law, but even in this case data are not disaggregated according to the criminal offense and the discriminatory motive, nor do they contain information related to victims. The Ministry of Justice provides data on pending criminal proceedings on racial discrimination but again, these data do not provide information on motives or the categories of victims.

UNAR developed the first National Action Plan against Racism, Xenophobia and Intolerance (2013-2015), with actions to rectify the situation concerning institutional weaknesses in the production of reliable official statistics on hate crimes. In addition, in 2016 a database specifically dedicated to hate crime was established, on the basis of Memorandum of Understanding signed by UNAR and the Ministry of Justice<sup>7</sup>.

7 See ECRI Report, 2016, p. 52

Despite this being a positive initiative in relation to the need to strengthen the entire system of monitoring, prevention and fight against discrimination and racism, it is pointed out that it does not specify the available financial resources to ensure its effective realisation. The same limitation applies to the National Strategy for inclusion of Roma, Sinti and Camminanti 2012-2020, which is largely disregarded four years after its approval. Another significant initiative is the recently established Commission in the Chamber of Deputies, on intolerance, xenophobia, racism and hatred. The Commission, comprising representatives of all parliamentary groups, academics and representatives of some civil society organisations, is tasked with analysing xenophobia, anti-Semitism, Islamophobia, anti-Gypsyism and writing a report, with a focus on the forms of hate speech online.

In the Czech Republic, data on hate crime are partially collected by the Ministry of Interior and published in its annual Report on Extremism<sup>8</sup>. According to the 2015 report, the number of crimes with extremist motives represented 0.07% of all crimes, which is evidently only a limited sample of hate crimes actually committed in the country. The Ministry of Interior also issues a Strategy for Combating Extremism<sup>9</sup> on an annual basis, which sets out main goals and activities in the area for the following year. In addition, the Ministry issues Quarterly Reports on Extremism<sup>10</sup>, with the latest report reflecting the rise of anti-migrant and anti-Islamic movements in the Czech Republic.

Although the authorities have not responded adequately to the rise of hate crime, some efforts have been made in recent years, including the following: An Analysis on Hate Crime<sup>11</sup>,

8 The reports on extremism are available online also in English (with the exception of the latest 2015 report): <http://www.mvcr.cz/mvcren/article/documents-on-the-fight-against-extremism.aspx>

9 <http://www.mvcr.cz/clanek/extremismus-vyrocnizpravy-o-extremismu-a-strategie-boje-protiextremismu.aspx>

10 <http://www.mvcr.cz/clanek/ctvrtletni-zpravy-o-extremismu-odboru-bezpecnostni-politiky-mv.aspx>

11 MAREŠ, Miroslav, Problematika Hate Crime. Zahraniční zkušenosti a možnost aplikace tohoto přístupu v ČR s důrazem na trestné činy z nenávisťi proti cizincům, Brno 2011

issued by the Ministry of Interior in 2011 and conducted by experts, who recommended that hate crimes committed by extremist groups be kept separately. In Iustitia, the leading Czech NGO in the area, criticised the analysis for placing too much focus on extremism rather than on the rise of hate crime conducted by persons not belonging to extremist groups.<sup>12</sup> In 2012, the same Ministry introduced the internet hotline intended for reporting crimes to the police committed on the internet, including hate crimes.<sup>13</sup>

In 2014 the governmental Agency for Social Inclusion launched the Hate Free Culture<sup>14</sup>, the main activities of which include informing the public on hate crime and hate speech, promotion of tolerance and dialogue, campaigning, organisation of and participation in public debates. The Agency has released leaflets for victims, witnesses and confidants of victims of hate crime<sup>15</sup>, with practical information and advice for persons who have experienced hate crime. The initiative has created a Hate Free Zone network of places, such as restaurants, bars, shops, clubs, theatres, etc, that wish to express their openness and tolerance to people from various backgrounds. In April 2016, several of those places - the Czech Centre of the Red Cross, a café and a lingerie shop - were attacked by the opponents of the Hate Free Culture.<sup>16</sup> A month earlier, similar attacks were conducted against a child centre in Pardubice for the owner's support for refugees and against "Klinika" in Prague, a social centre supporting refugees.

The Hate Free Culture initiative also triggered a Memorandum of Cooperation between the Agency for Social Inclusion, the Office of the

12 In Iustitia, Stanovisko In IUSTITIA, o. s. k textu doc. JUDr. PhDr. Miroslava Mareše, Ph.D., Zahraniční zkušenosti a možnost aplikace tohoto přístupu v ČR s důrazem na trestné činy z nenávisťi proti cizincům, 30. 1. 2012, available: <http://www.in-ius.cz/dwn/tz-stanoviska/stanovisko-k-pojeti-hate-crime-aextremismu.pdf>

13 <http://aplikace.policie.cz/hotline/>

14 [www.hatefree.cz](http://www.hatefree.cz)

15 <http://www.hatefree.cz/co-delat-kdyz-uvod>

16 iDnes.cz, Vandalové poničili kavárny či diakonii. Popsali je nenávisťnými nápisy, 24. 4. 2016, [http://zpravy.idnes.cz/vandalove-ponicili-podniky-hate-free-d7h-krimi.aspx?c=A160424\\_144440\\_krimi\\_kvi](http://zpravy.idnes.cz/vandalove-ponicili-podniky-hate-free-d7h-krimi.aspx?c=A160424_144440_krimi_kvi)



Government and the Police Directorate. The cooperation shall include training of police officers to be conducted by In Iustitia. The trainings shall include state as well as municipal police and also the spokesperson of the regional Police Directorate. In 2016, 400 police officers shall be trained within this initiative.<sup>17</sup>

Some NGOs working against hate crime are partly financially supported by state, regional or local governments. The National Centre for Safer Internet operates several web services informing and gathering information about internet hate crime.<sup>18</sup> An internet hotline gathers allegations of online hate crime and the information is directly forwarded to the police. The Centre is financially supported by the Ministry of Interior. The Czech version of the European “No Hate” campaign – Proti nenávisti - is supported by the Ministry of Education. The campaign targets young people and aims at informing about hate speech and hate crime. Three main Czech NGOs provide social and legal counselling, including legal representation, to victims of hate crime: In Iustitia, Czech Helsinki Committee and Poradna pro občanství, občanská a lidská práva. All organisations receive partial funding from the Office of the Government, the Ministries of Interior and Social Affairs or regional and/or local governments.

As with other partner countries, the Czech Republic has failed to respond to ECRI’s recommendation to put in place a single mechanism for collecting disaggregated data on hate crime, including hate speech, and recording the specific bias motivation, as well as the follow-up given by the justice system, and that this data is made available to the public.

In Cyprus, the Office for Combating Discrimination (OCD), set up in 2005, under the Criminal Investigation Office (CIO) of the Police, is tasked with collecting data on hate crime and responsible for monitoring the investigation of complaints and reports submitted to the police on incidents of discrimination. It also cooperates with other stakeholders, governmental in-

stitutions and NGOs.

The OCD keeps a registry of “Incidents and/or Cases of Racial Nature and/or with Racial Motive”, which has been updated and improved, making data available annually and aggregate since 2005, which are also available online, in Greek and English<sup>19</sup>. The improvements were effected in order to comply with ECRI’s recommendations to the Cypriot authorities, in its fourth report and interim follow-up<sup>20</sup>, to improve their Crime Report System so as to ensure the collection and publication of accurate data and statistics on racist and/or xenophobic incidents by the police and to develop its court archiving system to classify cases by subject matter as well and to clearly point to any racist element. Cyprus has not as yet responded to the latter recommendation. As noted by ODIHR in its report for 2014<sup>21</sup>, Cyprus has also failed to report reliable statistics on hate crimes, as noted by ODIHR in its report for 2014.

Police officers investigating hate crimes have very clear instructions (Police Order 3/38, issued by the Chief of Police) to make all efforts to reveal any bias motivation of a crime. However, in the opinion of the Cypriot partner and as the police statistics clearly show, such crimes remain unresolved and/or not registered as such. Police officers’ lack of awareness and allowing their personal prejudices to interfere with their professional conduct can and do hinder reporting and investigation of hate crime incidents.

With the exception of isolated seminars as part of in-service training, there has never been so

19 Cyprus Police, Incidents and/or Cases of Racial Nature and/or with Racial Motive 2005-2015. Last update, March 2016. [http://www.police.gov.cy/police/police.nsf/All/C28D21002D58DE09C2257F930017C3AA/\\$file/Ratsismos%20Agglikos%202005-2015.pdf](http://www.police.gov.cy/police/police.nsf/All/C28D21002D58DE09C2257F930017C3AA/$file/Ratsismos%20Agglikos%202005-2015.pdf)

20 ECRI. ECRI Report on Cyprus (Fourth Monitoring Cycle), 23 March 2011. <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-CbC-IV-2011-020-ENG.pdf>;

ECRI, Conclusions on the Implementation of the Recommendations in Respect of Cyprus Subject To Interim Follow-Up, 19 March 2014. <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/cyprus/CYP-IFU-IV-2014-021-ENG.pdf>

21 OSCE ODIHR. Hate Crime Reporting. <http://hate-crime.osce.org/cyprus>

17 <http://www.hatefree.cz/blo/aktuality/1411-skole-ni-policie>

18 <http://www.ncbi.cz>



far any regular, comprehensive training of the police on hate crime. Workshops, talks and other such events on hate crime have been conducted by NGOs, such as ACCEPT LGB-TI Cyprus and KISA. However, such training is not carried out on a regular basis and it is not obligatory for all police officers, although it addresses police officers of all positions. New police recruits and cadets and members of the CIO have to attend a mandatory special training on xenophobia and racism organised by the Police Academy.

The following independent authorities may facilitate and cooperate with the police for the recording of hate crime incidents, although they do not have a specific recording mechanism of their own.

The Anti-Discrimination Body (ADB) is an independent authority functioning within the framework of the Office of the Commissioner for Administration and Human Rights (Ombudsperson). As of its mandate, which is “combating of racism and discriminations and the promotion of equal treatment with respect to human dignity”<sup>22</sup>, the ADB examines complaints submitted by anybody regarding discrimination and it can also make ex-officio interventions. If a discriminative treatment or practice is

22 [http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page6\\_1\\_en/page6\\_1\\_en?OpenDocument](http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/page6_1_en/page6_1_en?OpenDocument)

affirmed, the ADB has the authority to apply sanctions. Reports on cases are issued and published online, while its annual reports contain data on complaints it receives.

The Commissioner for Children’s Rights receives and examines complaints regarding violations of children’s rights, which may include hate crimes against children, but there are no recorded data available.

The Independent Authority for the Investigation of Allegations and Complaints Against the Police (IAIACAP) investigates complaints against members of the police, including complaints potentially related to hate crimes. However, IAIACAP’s complaint form, available online<sup>23</sup>, does not contain any reference to hate crime or discrimination. There is no available information regarding data on complaints involving possible hate crimes or discrimination by police officers. The only available relevant data in IAIACAP’s annual report concern complaints for violations of human rights by police officers.

NGOs may also report and cooperate with the police for the recording of hate crime incidents but they have no capacity to systematically re-

23 IAIACAP, Έντυπο Υποβολής Παραπόνου [Complaint Form]. [http://www.iaiacap.gov.cy/iaiacap/iaiacap.nsf/DMLcomplain-form\\_gr?OpenForm](http://www.iaiacap.gov.cy/iaiacap/iaiacap.nsf/DMLcomplain-form_gr?OpenForm)



cord such data and provide relevant statistics. In November 2014, KISA set up the Racism and Discrimination Alert (RADIAAlert)<sup>24</sup>, an online mechanism for reporting and recording racist, discriminatory and hate speech incidents. RADIAAlert was initially developed to address the urgent need for supporting and empowering people experiencing racist violence and hate crime in general and also to record and report such incidents in Cyprus. It also aimed to address and challenge rising institutional racism and discrimination, racist attacks and crime against migrants and refugees, particularly in the context of the economic crisis and the ever-rising nationalist, islamophobic and racist public discourse.

On evaluating RADIAAlert, it was established that it was instrumental in recording and reporting incidents of racist violence and hate crime. It was very important that, for the first time ever in Cyprus, people experiencing racist violence and hate crime in general, as well as others (friends or family members or other witnesses, NGOs, migrant, refugee and other groups) were able to report incidents of racist violence and hate crime. However, it was also found that there were difficulties and problems concerning the limited use of the RADIAAlert reporting mechanism by those concerned. The low rate of reporting such incidents online is also due to the fact that migrants and refugees, who are among the most vulnerable to hate crime, are still more familiar with reporting these in a more direct way, i.e. in person or through the phone, to KISA or other organisations, rather than through the indirect and impersonal way of an online reporting mechanism. Through the current project, KISA has effected some changes in order to improve RADIAAlert and develop it to a more user-friendly tool for use in Cyprus and in partner countries to record hate crime in general.

In 2016, in the framework of the project 'Say No to Hate Speech – Young People Empowered,' Aequitas, also an NGO, developed the online platform Say No to Hate Speech. The platform contains general information on hate speech and as from September 2016, it includes online

24 <http://radialert.org/en/home/>



chat services “offering support and information for victims of hate speech through psychoeducation as well as support and information for others such as parents, guardians and friends of victims.”<sup>25</sup>

Irrespective of national particularities and different institutional and structural setups, all four country reports confirm that data collected on hate crime do not correspond to the ever rising incidence of racial violence and hate crime as experienced by victims and as witnessed by communities especially vulnerable to such crimes, such as migrants and refugees, LGBTIQ\* persons, as well as NGOs working in the field. These findings confirm that in their overwhelming majority, estimated by the European Union Agency for Fundamental Rights (FRA) between 80%-90%, hate crimes are under-reported, un-recorded and therefore invisible. As seen above, the magnitude of the problem is documented in the ECRI reports on all four project countries.

25 <http://www.notohatespeech.com/online-platform/>

## Chapter 2. Improving networking for Hate Crimes monitoring: strengths, weaknesses opportunities and threats

The subject-matter of the present section as one of the main objectives of the project is a strong indication of the partners' concern about the situation on hate crime and how best to fight against it and support its victims. This initiative denotes their essential understanding of the necessity for all stakeholders engaged in any way in the field but especially key ones, such as Law Enforcement Agencies (LEAS) and civil society organisations (CSOs), to gather together in order to strengthen the front against hate crimes afflicted on the most vulnerable members and communities but which also poison society as a whole and threaten democracy and fundamental human rights.

To achieve this goal, the project included, among others, the development and implementation of a comprehensive training programme addressed to LEAs and CSOs, with the aim to improve participants' understanding of the definition of hate crime and its dynamics, familiarise them with the national and EU legal context regarding hate crimes, discuss ways of making hate crime visible and official data available, identify obstacles for victims to report, promote a victim-centred approach in dealing with hate crime cases, discuss community – police relations and understand the benefits of cooperation between them, and to train them on methods of recognising, monitoring and reporting hate crime. The development and implementation of the training programme included a Training Manual<sup>1</sup>, with a training methodology, which was subsequently adjusted to each country's situation and particular needs and translated to all four national languages. There was also a 2-day training-of-trainers programme in Prague, in September 2015, in which 12 people from all partners took part, who later acted as trainers in their countries. The whole process was implemented with the support of an external expert and with the input of all partners.

1 The Training Manual is available at <http://www.togetherproject.eu/wp-content/uploads/2015/05/TOGETHER-TRAINING-MANUAL-ENG.pdf>

As there are very few information materials or expertise, significant lack of data and research concerning hate crime in the Czech Republic, in the opinion of the Czech partner, some of the actions of the TOGETHER! project are quite unique and innovative and, therefore, very valuable for effecting sustainable long-term results on the situation of hate crime.

In the last two years, the Czech police implemented the “Hate Crime ... a co na to záko”<sup>2</sup> project, which provided lectures on hate crime to children in the 8th and 9th grade of primary school or the 1st and 2nd grade students of secondary schools. A leaflet under the project summarizes the hate crime provisions in the Czech penal code<sup>3</sup>.

One of the trainings conducted a project expert in cooperation with the Czech Judicial Academy, the first professional training in the country, was addressed to a significant group of state prosecutors as well as people from civil society and the Muslim community in the Czech Republic. OPU are planning to repeat the training for public prosecutors, again in cooperation with the Judicial Academy.

Another training, which was conducted by the second project expert, was a tailored hate crime training session for a group of young people in the region of Cheb with significant Vietnamese population. A third training, also conducted by the above expert, addressed a small group of Muslims in the only Czech mosque in the city of Brno. The Muslim community in the country, especially women wearing head scarfs, has been increasingly targeted by verbal and non-verbal attacks. But Muslims are deeply mistrustful of the police because of the reluctance of the police to investigate complaints and reports of hate crimes. In some reported cases of hate

2 <http://www.policie.cz/clanek/projekty-pk-projekty-prevence-kriminality.aspx>

3 <http://www.policie.cz/SCRIPT/ViewImage.aspx?id=654926&docname=plakat-k-projektu-Hate-crime-%E2%80%A6-a-co-na-to-zakon>



speech and spitting, the police let the victims wait for a long time for an interview and then the investigation brought no results whatsoever. The same attitude was also shown to employees of OPU after receiving several threats for promoting refugees' rights. A significant part of the expert's intervention with the Muslim community therefore focused on practical advice on legal and other tools of defence in cases of hate speech or hate crimes.

The main challenge was and remains cooperation with the state police responsible for investigating hate crimes in the Czech Republic. OPU was not able to identify any coordinator or police expert on hate crime in the headquarters of the Czech police, who actually refused in writing to provide OPU with contact details of responsible officials dealing with hate crimes. As confirmed also by the NGO In Iustitia, the investigation of hate crimes is decentralized and the results depend basically on the knowledge and good will of local police officers receiving the complaints of victims or information on committed hate crime. In the opinion of the Czech partner, the Czech police sometimes tend to turn a blind eye towards criminal acts committed by right-wing extremists or people expressing racist, xenophobic and Islamophobic views in public. It is more than evident that deeper changes would be needed in the education/ training of the police, including the top officials responsible for leading police operations and investigations<sup>4</sup>.

In view of the above, there did not seem to be any coordination mechanism for exchanging information on hate crimes between LEAs and civil society, NGOs or the Ombudswoman. Cooperation with other NGOs ran, as expected, much more smoothly. OPU shared the hate crime reporting form with migrant women active in migrant associations or communities (Vietnamese, Russian and Ukrainian in two cities) and encouraged them to spread the form and information about available legal and social aid in hate crime cases in their com-

4 See Strategie pro práci Policie České republiky ve vztahu k menšinám (pro období let 2015-2017), published by the Ministry of Interior, Odbor bezpečnostní politiky a prevalence kriminality, Prague 2015.

munities. Furthermore, OPU is in contact with In Iustitia providing specialized criminal law defence for victims of hate crime. The first cases of hate crime reported to OPU have been already referred to In Iustitia (a Syrian family's house was targeted by unknown criminals, and a Muslim woman was attacked verbally and spat on in the street in Prague).

As far as other actions connected with hate crime, the large governmental campaign "Hate Free Culture", referred to above in the report, also organises many different cultural actions, posters and promotion on TV. OPU experts also participated in the exchange of experience and knowledge at roundtables focused on crimes against immigrants organised by In Iustitia<sup>5</sup>. OPU was also present at the development and start of the campaign "Jsme to my" (Here we are), which has been coordinated by the Open Society Foundation in Prague with the aim to respond jointly to very high levels of xenophobia and anti-refugee mainstream opinion in the country<sup>6</sup>.

In Cyprus, KISA conducted five training sessions for LEAs, of 8.5 hours each, in April 2016 and one in November 2016. Three of these were conducted in Nicosia and one each in Larnaca and Limassol, with a total number of 55 participants. The fifth training was addressed to members of the Immigration Office and the detention centre for undocumented migrants in Menoya.

The two training sessions, of 8 hours each, for CSOs, were conducted by KISA in May 2016, in Nicosia, with 31 participants. As KISA believes that migrants and refugees as well as members of vulnerable groups in general should have an active role in any activities on issues that concern them, the organisation invited migrant and refugee associations as well as informal groups and active members of the various migrant and refugee communities to the training. In addition, KISA had individual consultations with leading facilitators from the communities in order to ensure the active participation of

5 [www.in-ius.cz/projekty/2016/spravedlnost-bez-rozdilu-fond-nno.html](http://www.in-ius.cz/projekty/2016/spravedlnost-bez-rozdilu-fond-nno.html)

6 [www.facebook.com/JsmeToMy/](https://www.facebook.com/JsmeToMy/)

migrants and refugees in the training sessions. NGOs, migrant and refugee communities, activists, trade unions, and think tanks participated in both sessions. Due to very high interest from English speakers (migrant communities and organisations) as well as Turkish Cypriot organisations, the first session was held in English and the second in Greek. Both of them were held in Nicosia, as all invitees who responded could only make it in Nicosia.

On the basis of the trainers' experience and the feedback received from the participants, (from the evaluation questionnaires completed at the end of each session and the comments/ discussion during the sessions), KISA found that the training of both LEAs and CSOs was particularly successful. Also, the urgent need for further training of LEAs on hate crime was confirmed. The majority of police participants said they either did not know anything or knew very little about the subject before the training and expressed the desire and need of their colleagues to participate in future training sessions. Overall, the training had very positive feedback on the content, subject matter, methods, material distributed and its results. It appeared that the police participants acquired new or developed their knowledge on hate crime, especially in relation to identification, the legal framework, and the importance of recording and investigating hate crimes. In the case of CSOs, many participants gained and/or improved their knowledge on identifying hate crime and also supporting victims of hate crime. The training was particularly informative for the migrant and refugee participants. The training was also successful in improving networking between CSOs.

It is important to note that the trainings also provided the opportunity to strengthen KISA's good cooperation with the Police, especially the OCD. Apparently, the most successful training session was one held in Nicosia, in which a Sergeant of the OCD participated, the interventions of whom throughout the course of this session were particularly supportive and reinforcing the goals of the training. For this reason and in view of this officer's experience also as a police trainer, KISA suggested her active

involvement as a co-trainer in the training session for the Immigration Police, to which the police responded positively.

Concerning other action related to hated speech, for more than 16 years now, KISA has been supporting, through its Migrant and Refugee Centre, victims of hate crime in various ways and especially in claiming their rights. KISA works against any form of discrimination, with focus on anti-racism. It acknowledges that discrimination and hate crime often target people at multiple levels (not only on the basis of their migratory background/ ethnic origin, for example, but also on the basis of their gender and gender identity/ sexual orientation/ disability status/ health status/ age/ class/ political beliefs) and it therefore has an intersectional approach in its action. KISA works from the grass root level in direct communication with communities of vulnerable to discrimination and racism persons and especially migrants and refugees. Its activities towards migrants and refugees who are victims of hate crime include mainly:

- Provision of free information, advice, advocacy, mediation and support services
  - Pro bono legal representation in strategic litigation cases
  - Empowerment and capacity building actions
- KISA's activities towards society in general regarding hate crime include:
- Sensitisation and awareness-raising
  - Active engagement with the mainstream as well as the social media
  - Advocacy and social intervention for legal and structural policy changes

The partners in Italy also consider that the project has offered new opportunities to develop and strengthen relations and exchange of information with civil society and the world of information active in the fight against racism but primarily with institutional actors. Oscan and Unar were contacted to verify the possibility to organize and/or share initiatives for raising awareness and trainings on racist violence. A representative of Oscan and one of UNAR participated as speakers at the conference organized by the Observatory on racism and diversity titled "Understanding and fighting



hate crimes” at the Department of Education Sciences of the University of Roma 3, in order to present to the students the project activities.<sup>7</sup> A representative of UNAR also attended the project Conference on hate crimes organized by CGIL in Milan, in June 2016.

On the other hand, the implementation of training seminars has facilitated the consolidation of a network of civil society, and the enhancement of the knowledge gained by participating in public events and training courses promoted by other organizations, such as in the case of Arci.



The opportunity to experience training specifically dedicated to hate crimes has attracted strong interest from institutional stakeholders as well as CSOs. This is partly due to the lack of initiatives dedicated to racist acts and attitudes that have criminal relevance, promoted in Italy until now.

Between October 2015 and May 2016, 4 training sessions were carried out in Milan, 2 addressed to representatives of CSOs, 2 to LEAs, with 43 and 46 participants, respectively. In the same period, 4 training sessions in Rome and Empoli involved 73 representatives of civil society.

7 <http://host.uniroma3.it/laboratori/osservatoriorazzismo>

Among the main problems observed during training, was the difficulty of many participants to understand the specificity of hate crimes as defined internationally, and to distinguish them from other forms of discrimination and racism. In the sessions for representatives of LEAs, there was more difficulty of the participants to recognize the specific nature and the seriousness of hate crimes. A second issue was the difficulty in accepting, at national level, the clear distinction between hate crime and hate speech. This is probably due to the fact that, unlike what happens in other countries, in Italy the legislation provides for hate speech and racist propaganda specific criminal provisions. Therefore, it is more difficult to share the approach that prevails internationally and that tends not to include hate speech in racist crimes.

Overall the training was a valuable opportunity to consolidate a law enforcement network against racism in the area, and to highlight the importance of a broad partnership, and a systematic and structured interaction, between all the actors involved in support of the victims. This need has unfortunately been confirmed, as we shall see, even from very serious hate crimes occurred in recent months.

The project's international conference was organized in Milan by the CGIL in June 2016. Participants included representatives of national and regional organisations and agencies, such as ECRI, Unar, the Alliance against hatred of the Council of Europe, representatives of the Spanish and Cyprus police, as well as many representatives of European civil society. Also present was a member of Cospe, which is currently organizing training addressed to LEAs and members of the judiciary and has recently published the report on hate speech online “Hate is not an opinion”<sup>8</sup>. At local level, the conference was the result of intense networking activated by the CGIL in Milan with local police and CSOs active in the fight against discrimination, racism and homophobia, with the aim of coordinating the points for legal assistance in the area.

8 [http://www.cospe.org/wp-content/uploads/2016/03/ricerca\\_odiononèopinione.pdf](http://www.cospe.org/wp-content/uploads/2016/03/ricerca_odiononèopinione.pdf)

Other actions relating to hate crime that the Italian partners and other stakeholders engage in include the following: Lunaria's participation in an international festival promoted by Arci in Pozzallo, on 12-15 May 2016, and in an international conference on hate speech, promoted by Arci within the European project PRISM.<sup>9</sup> Media monitoring and training of press operators is carried out by the Charter of Rome (Carta di Roma), founded in 2011 by the National Press Federation, the Association of journalists and some CSOs, including Lunaria. Carta di Roma published its third report “News from borders” on 18 December 2015<sup>10</sup>. In 2015, Lunaria also published the report “Watchdog”<sup>11</sup>, on the parliamentary debate on discrimination and racism.

Lunaria's blog <http://www.cronachediordinariorazzismo.org>, which is the daily monitoring of racism in Italy, is also very important for the promotion of reporting racism cases, declassified to acts of ordinary crimes, as in the case of the attempted murder of Palermo. In other cases, it has been a point of reference to promote initiatives against racism, as it happened after the murder of Emmanuel Chidi Namdi, killed in Fermo on 5 July 2016, when more than 60 associations based in Rome organized a public meeting against racism in the heart of the city. All reports and data produced were delivered to the Parliamentary Commission Against hatred, xenophobia and racism established in the Chamber of Deputies of which Lunaria is part, together with other civil society organizations. In Spain, the training sessions were implemented between from 2015 to April 2016, with a total of 11 training sessions, of 8 hours each, for a total of 300 regional and local police agents, as well as 5 sessions for 76 members of CSOs. The trainings were conducted in the regions of Catalonia and the Basque Country, and had the institutional support and collaboration of the Mossos de Esquadra (Catalan regional Police

9 [http://www.cartadiroma.org/wp-content/uploads/2015/12/Rapporto-2015\\_-cartadiroma\\_EMBARGATO-FINO-AL-15-DICEMBRE-ORE-1030.pdf](http://www.cartadiroma.org/wp-content/uploads/2015/12/Rapporto-2015_-cartadiroma_EMBARGATO-FINO-AL-15-DICEMBRE-ORE-1030.pdf)

10 [http://www.cartadiroma.org/wp-content/uploads/2015/12/Rapporto-2015\\_-cartadiroma\\_EMBARGATO-FINO-AL-15-DICEMBRE-ORE-1030.pdf](http://www.cartadiroma.org/wp-content/uploads/2015/12/Rapporto-2015_-cartadiroma_EMBARGATO-FINO-AL-15-DICEMBRE-ORE-1030.pdf)

11 <http://www.lunaria.org/wp-content/uploads/2015/10/>

force), Ertzaintza (Basque regional Police force), Municipal Police of San Sebastian and Renteria (Basque Country) and the Institute of Public Security of Catalonia. Also, the involvement in the project of the Catalan Association of Local Police Chiefs and Commanders (ACCPOLC) facilitated the organization of training sessions with local police forces of the four provinces of Catalonia<sup>12</sup>. In the Basque Country, the interest and collaboration of the Basque Police and the Emergencies Academy in Arkaute was crucial to the organisation of the training sessions.

More specifically, in Catalonia there were 8 training sessions, with the participation of a total of 196 police officers, from regional and municipal police forces, specialised units and bodies and local police stations. In addition to the institutional support and collaboration referred to above in the organisation of the trainings, the police and other public bodies supported the trainings substantially by participating as trainers. A number of high-ranking public officials, such as the Chief Prosecutor of the Hate Crimes and Discrimination Service from the Provincial Court of Barcelona and the Deputy Prosecutors for the Protection of Equality and Non Discrimination of the provinces of Girona, Lleida and Tarragonaprovincial, the Technical Deputy Director of Biltzen, the Basque Service for Integration and Intercultural Cohabitation of the Department of Employment and Social Policies of the Basque Country, as well as local police officers, including the Chief of the local Police of Fuenlabrada, pioneer in the implementation of a specific Police unit on managing diversity local Police forces. Similarly, members of the General Information Police Station from the Mossos de Esquadra took part in the trainings with civil society representatives in Barcelona, to facilitate interaction and exchange between LEAs and CSOs.

12 The training sessions with agents from the Mossos de Esquadra took place in the Public Security Institute of Catalonia. Local Police agents were trained in the villages of Barcelona, Terrassa, L'Hospitalet de Llobregat, Girona, Lleida and Tarragona, where local police agents from the four provinces of Catalonia took part, to maximize the territorial impact of the training activity.

The implementation of the training programme, together with the analysis of quantitative and qualitative assessment of the training participants, facilitated the identification of elements of greatest interest and usefulness to the police staff, in order to incorporate specific training on the identification and investigation of hate crimes in the mandatory training curricula of the various police bodies. For example, police officers identified the need to deal and analyse real examples of hate crimes comprehensively (i.e. from a legal perspective, research, care for the victims, etc.), or to have protocols and research methodologies, polarization indicators for identifying such crimes and practical suggestions for carrying out the police report on possible cases of hate crimes. In addition, the country reports notes the importance of the participation in the trainings of all police services and ranks, from patrol staff, the offices of attention to citizenship, victim assistance and community relations, as well as the heads of the tours of duty, so that the contents and methodologies learned can be implemented uniformly and across the Police activity.

Similarly, in relation to civil society, there was a clear need to support organizations working to contact potentially vulnerable groups and communities to hate crimes, providing them with knowledge and standardized methodologies for recording information on such evidenced crimes. This represents an essential tool to facilitate the identification and registration of manifestations and hate crimes by these agents, to increase the number of complaints and the information available about these crimes. On the other hand, the importance of promoting opportunities for interaction, training and communication between the Police bodies (including specialized units in the investigation of such crimes) and civil society organizations, to foster mutual recognition as identified strategic agents on this issue, the exchange of information and a deeper understanding of the specific contexts in which Police and the NGOs operate, as well as the different problems and needs faced in the development of their functions, was also pointed as crucial.

In Catalonia, cooperation with specialized provincial prosecutors in hate crimes was further enhanced under the Together! project. Several coordination meetings with prosecutors were held with the Delegate Prosecutors for Criminal Protection of Equality and Non-Discrimination of the provinces of Girona and Tarragona, with the aim of establishing mechanisms for communication with local civil society and specialized entities<sup>13</sup>, about possible cases of identified and/or reported hate crimes.<sup>14</sup>

Working meetings were also held with the Office of the Commissioner for Safety of the City of Barcelona, as well as with the chief of the Local Police of the Municipality to promote the incorporation of the training programme on hate crimes in the mandatory training plan for Police staff, as well as to improve the exchange of information between SOS Racisme Catalunya and the Local Police.

There have also been several meetings in the Basque Country, both with the Ertazaintza and the Basque Police and Emergencies Academy, to coordinate the curricula contents on hate crimes that are part of the training modules required for promotion within the Ertzaintza and local Police. Due to these meetings, the Chief of the Section for Citizens and Public Safety Rights and the Deputy Technical Director of BILTZEN participated in the final international conference of the project, where they presented, as a best practice, the triple approach against hate crimes carried out in the Basque Country, between the Police, the Basque Government and the Basque civil society, in the framework of the Eraberean Network<sup>15</sup>.

<sup>13</sup> It is the case of SOS Racisme Catalunya, that even not having assistance offices for victims of racism and xenophobia in the provinces mentioned, provides comprehensive care at the level of Catalonia

<sup>14</sup> The aim is to replicate the mechanism of regular meetings with civil society organizations, fostered in Barcelona by the Chief Prosecutor of the Service for Hate Crimes and Discrimination, which seeks to facilitate the monitoring and judicial work of criminal procedures for hate crimes

<sup>15</sup> Network launched by the Department of Employment and Social Policies of the Basque Government to fight against discrimination due to racial, ethnic or national origin and to sexual identity and orientation and gender identity. <http://www.gizartelan.ejgv.euskadi.eus/eraberean/r45-contpf/es/>

### Chapter 3. Monitoring hate crime

The phenomenon of under-reporting hate crime is highlighted in all four country reports. More precisely, victims' reluctance to report is linked to the lacking holistic safeguarding mechanisms provided by the official national systems. Victims' fear and lack of confidence in the police, especially by undocumented migrants, fear of retaliation, the scarce appropriate legal, social and psychological mechanisms as well as the hostile cultural, social and political environments towards migrants and refugees, which has resulted in a flawed monitoring system for collecting hate crime data, in which the data collected bears no resemblance to the reality on the ground in Spain, Cyprus, Italy and the Czech Republic. Furthermore, all partner country reports highlight that the data collection mechanisms do not cater for the fact that the communities vulnerable to discrimination, racist violence and hate crime are unlikely to report to the police due to their mistrust of the system. These realities are explored in a comparative manner below, as are similarities and differences.

According to the data of the Ministry of Interior<sup>1</sup> in Spain, in 2015 there were 1328 registered cases, an increase of 3.3% in hate crime compared to 1285 in 2014. The most common reported motives were racism and xenophobia (38%), ideological reasons (23.2%, introduced for the first time in 2015) and disability (17%). Hate crimes due to racism and xenophobia were also reported to be prevalent in Cyprus, Italy and the Czech Republic. The data of the Ministry of Interior show a sharp drop in crimes motivated by sexual orientation or gender identity and anti-Semitism (67.1% and 62.5%, respectively). However, far from indicating a drop in such hate crimes, this significant drop raises questions as to whether the authorities did take any actions to make hate crimes against these particular groups more visible and therefore increase their being reported.

<sup>1</sup> Ministry of Interior, Report on incidents related to hate crimes, 2016. Available in Spanish at: <http://www.interior.gob.es/documents/10180/3066430/Informe+Delitos+de+Oidio+2015.pdf>

Of the 1166 victims of hate crime in the data of the Ministry of Interior, 60% were male and under 40 years old, while 13.5% of victims were underage. It is also interesting to mention that the majority of victims that reported hate crimes were Spanish (73.4%) and only 26.6% were migrants, which is not in keeping with the realities of CSOs working in the field and which receive a much higher number of complaints from these communities than those registered and reported in official data mechanisms – a phenomenon also observed in Cyprus. The most common criminal offenses committed against men were injuries, threats and insults; while in the case of women, there were, in addition, sexual abuses (11% of the total). In relation to the profile of the perpetrators, 87.5% (404) of the 464 persons arrested and accused for hate crimes in 2015 were males, 64.9% (301) were aged under 40 and 60 were underage. In their greater majority, in 80% of the cases (371) the crimes were perpetrated by Spanish nationals and 20% were non-nationals. Of all 1,328 hate crimes incidents, 117 (8.8%) were punishable acts of hate speech.

The reality observed in Spain is similar to that in Italy, in which the most recent official data reflects only a fragment of the severity of the prevalence of hate crimes. The high number of recorded verbally violent cases (615) mirrors the present political, media and cultural debate surrounding migration with many refugees entering Europe, specifically Italy against a backdrop of threats, harassment and racism. Incidents of physical violence (35) were however also recorded, of which 17 were against foreign peddlers, migrant women and asylum seekers and 2 reported physical cases having culminated in the unfortunate death of the victims. In 2015, Lunaria reported 173 cases to the ODIHR.

The Czech Republic reports similar setbacks to Spain, Italy and Cyprus and specifically detailing the limited data that exists on hate crime. According to the country report, this phenomenon is primarily attributed to the fact



that the Ministry of Interior tends to focus on hate crimes committed solely by members of extremist groups, thereby negating the reality that exists outside this confined space. The fact that there is no official quantitative data on the numbers, typology, motives and victims of hate crime makes it difficult to draw comparisons. However, this shortcoming, common to the other three partner countries, correlates with the authorities' inability to devise a monitoring mechanism which conceives the actual realities of hate crime. In the Czech Republic, official data are collected by the police directorate, state prosecution service, courts and the mediation and probation service. The lacking interconnection between these monitoring services is considered to be the main reason for the inconsistencies observed between data compiled by these different services. Biases in local police departments entering the data in the system also serve to contribute towards the distorted results. The only alternative types of data collection on hate crime in the Czech Republic come from the voluntary monitoring provided by the NGO in Iustitia, which collaborates with hate crime victims and provides quantitative and qualitative data reflecting their own reality. It is noted that this situation in the Czech Republic is in keeping with that in Italy, Spain and Cyprus, especially with regards to the fact that the data provided are not only limited but also raise questions as to the extent to which governmental strategies are based on meeting the urgent need to prevent and combat hate crime.

Official data of the police in Cyprus highlight that the majority of hate crimes are of a racist and political nature. However, the majority of complaints regarding hate crimes are submitted by Greek Cypriots and Turkish Cypriots, followed by Greek citizens living in the country. As mentioned above, this is similar to the situation in Spain, which is an indication of the fact that Cypriot nationals are more confident to report being subjected to hate crimes than migrants or refugees. This observation raises concerns over the methodological paradigms used to monitor hate crimes, especially considering that reports from NGOs highlight

that the most vulnerable groups to hate crime in Cyprus are migrants, refugees and Turkish Cypriots. It is also worth mentioning that in Cyprus, most racist crimes are unreported due to fear of arrest, detention and deportation, especially in the case of undocumented migrants and/or asylum seekers whose applications have been rejected. Homophobic/biphobic/transphobic violence is rarely officially reported as many LGBTIQ\*<sup>2</sup> persons fear the stigma associated with revealing their sexual orientation and/or gender identity. Additionally, in Cyprus – again as in the other countries- lack of expertise by the police in appropriately identifying hate crimes coupled with these groups' fragmented relationship with the police serve to hinder the readiness of victims' willingness to report being subjected to hate crimes. Due to the aforementioned reasons, most hate crime incidents go unreported, the reality on the ground remains invisible and, therefore, the causes for hate crime remain ineffectively addressed.

#### ii. The Situation of Racism and Violence

Hate incidents of a verbal and physical nature due to racism are prevalent across all four partner countries. Whilst the numbers reported are not indicative of the severity and frequency of such incidents, especially towards vulnerable minority communities such as migrants, refugees, the Roma and LGBTIQ persons, as well as women, they nevertheless highlight that racism is the most commonly observed motivation of perpetrators of verbal violence (hate speech) or physical violence (hate crime).

In the case of Spain, the data reported by the Ministry of Interior referred to solely criminal and administrative acts and were limited to police reports which served to culminate in criminal trial courts. Additionally, hate crimes motivated by racism and xenophobia recorded in 2015 were monitored through a shared methodology compiled by all organisations that belong to the National Federation of SOS Racismo<sup>3</sup>. These data indicate that, as in the other

<sup>2</sup> LGBTIQ\* stands for Lesbians, Gay, Bisexual, Transgender, Intersex, Queer and other non-heterosexual, and non-binary persons.

<sup>3</sup> The Federation of Associations of SOS Racism in Spain is composed of nine independent organizations settled in



three partner countries, racism and xenophobia take on multiple forms of discriminatory acts and are not confined to assaults, insults or harassment. Of the reported incidents, the majority in Spain were linked to racist conflict and harassment (68%), institutional racism (54%), limited public safety (44%), denial of access to a public service (26%) and employment discrimination (26%)<sup>4</sup>. The data compiled by SOS Racismo further highlighted that physical violence was mainly perpetrated by extreme-right groups as well as by private security company agents. Additionally, racist and xenophobic discrimination were manifested against targeted individuals being denied access to private services. Also important is the fact that police and security forces act as perpetrators by being verbally aggressive, abusing their authority with humiliating or degrading treatment, unjustified arrests, false accusations and biased police reports, in which they attempt to justify incorrect police behaviour. More precisely it consolidates the methodological need for differing forms of reporting mechanisms available as it exemplifies why most cases of abusive behaviour goes unreported- especially if the perpetrators are ironically the system meant to protect individuals from hate crimes.

Similarly to Spain, the police in general and officers of the Immigration police in in particu-

seven autonomous communities (Aragon, Asturias, Catalonia, Galicia, Madrid, Navarre and Basque Country). Every year since 1995, the Federation publishes the report about the situation of racism in Spain. The 2015 edition is available in Spanish at: <http://www.sosracismomadrid.es/web/wp-con%2%ACtent/uploads/2015/06/Informe-Anual-2015-SOS-Racismo.%20pdf>

<sup>4</sup> Source: SOS Racismo: 2016

lar have been reported to exercise ethnic profiling and violence of a racist nature in Cyprus<sup>5</sup>. Furthermore, as noted in the ENAR Shadow Report 2011-2012 on Cyprus, victims of hate crimes have no means to pursue redress or compensation as they are either not informed of their rights or do not have access to legal aid to pursue criminal proceedings<sup>6</sup>. Whilst according to the IACAP's report in 2014, 212 complaints were submitted, 41% of which concerned violations of human rights by police officers with 174 of the complainants being Greek Cypriot, 12 - European nationals, one Turkish Cypriot and 25 migrants<sup>7</sup>, KISA's experience is totally different. For example, in the period between January–October 2015 KISA provided information, support and mediation services to more than 250 people, 199 of whom had experienced discrimination and racial violence in the form of labour exploitation, trafficking, familial discrimination, being denied naturalisation/citizenship with no justifiable explanation and being discriminated against due to being stateless. These cases in one way or another all stemmed from discrimination on the basis of the victims' ethnic origin or nationality. This is confirmed

<sup>5</sup> ENAR. Fact Sheet Briefing – Afrophobia in Cyprus. March 2016. [http://www.enar-eu.org/IMG/pdf/cyprus\\_fact\\_sheet\\_briefing\\_final.pdf](http://www.enar-eu.org/IMG/pdf/cyprus_fact_sheet_briefing_final.pdf)

<sup>6</sup> ENAR. ENAR Shadow Report 2011 -2012: Racism and Related Discriminatory Practices in Cyprus. [http://www.enar-eu.org/IMG/pdf/cyprus\\_-\\_unedited.pdf](http://www.enar-eu.org/IMG/pdf/cyprus_-_unedited.pdf)

<sup>7</sup> IAIACAP. Annual Report 2014. October 2014. [http://www.iaiacap.gov.cy/iaiacap/iaiacap.nsf/All/5506E28A-675DECBAC2257E030037473E/\\$file/%CE%95%CE%9A%CE%98%CE%95%CE%A3%CE%97%20%CE%91%CE%A1%CE%A7%CE%97%CE%A3%202014%20-%20%CE%A4%CE%95%CE%9B%CE%99%CE%9A%CE%9F.pdf?OpenElement](http://www.iaiacap.gov.cy/iaiacap/iaiacap.nsf/All/5506E28A-675DECBAC2257E030037473E/$file/%CE%95%CE%9A%CE%98%CE%95%CE%A3%CE%97%20%CE%91%CE%A1%CE%A7%CE%97%CE%A3%202014%20-%20%CE%A4%CE%95%CE%9B%CE%99%CE%9A%CE%9F.pdf?OpenElement)



by the police data on registered hate crimes in 2014, although on a much smaller scale as they refer only to incidents reported by the police. Moreover, of the 11 incidents reported to the police in 2014, 13 of the 14 accused perpetrators were locals and the motivations for the hate crimes were based on discriminating against the victim's nationality/ethnic origin, religion, community, sexual orientation and colour.

in Italy, the most recent annual reports of ODIHR highlighted that 413 of 596 cases of reported hate crimes were of a racist or ethnic motive. Crimes also varied in form comprising mostly of an 'unspecified' nature but also included assault, property damage, theft, vandalism, threats and murder in some cases. The OSCAD report between the years 2010-2014 reported similar statistics with racism and ethnic motivated crimes prevailing at 61.4%. Furthermore, the Italian report highlighted that migrants, refugees, Roma, women and homosexuals were the groups most affected by hate crimes; primarily of a verbal nature (615 cases reported in 2015)<sup>8</sup>. Surveys analysing Italian citizen's perceptions confirm the trend illustrated in the official data. Whilst Italy presents a similar reality to Spain, Cyprus and the Czech Republic, it is set apart by the fact that official data are accompanied by that of data collected by CSOs. Whilst the CSOs' data are similar in relation to the majority of hate crimes being motivated by racial and ethnic-racial discrimination (e.g. anti-Semitism, perpetuated by the migration movement), the numbers reported by CSOs remain higher than the official data systems.

In the Czech Republic, the rate of hate crimes has remained static over a ten year period as well as the number of perpetrators. As already noted, due to the limited data available, the report of the Ministry of Interior only reported crimes with an extremist motive and police registered 175 crimes in 2015, of which the reported crimes (85) were investigated as the crime of supporting and promoting a movement directed at suppressing human rights and freedoms, also violence and threats towards a group of

people or individuals due to their race, ethnicity, nationality, political opinion or religion (17), and incitement of national and racial hatred (13). An element that highlights the racist and discriminatory acts of violence is the fact that the prosecution has mostly had to deal with varying forms of verbal racist threats and physical attacks, mostly directed towards people of Roma background. The qualitative data provided by the Supreme Public Prosecutor's Service highlights that anti-migrant speech and anti-Islamist videos on Youtube are very prevalent in Czech Republic and as of 2015 the targets of hate crimes are now Muslims and migrants as opposed to solely Roma people – possibly highlighting the xenophobia stemming from the migration movement. Alternative data by the NGO In Iustitia has also served to highlight a similar reality to that Spain, Cyprus and Italy in which most hate crimes go unreported as victims fear perpetrators' retaliation and are unwilling to take on criminal proceedings primarily as a result of them being lengthy as well as victims' lack of confidence in obtaining justice.

Finally, all country reports highlighted deficiencies within the official monitoring systems. Specifically all countries were described to have failed to train police in soft skills when interviewing victims of hate crime, the under-reporting was linked to scarce or nonexistent police training in how to appropriately identify hate crimes as well as an overall lacking holistic monitoring system in which CSO and officials' monitoring systems were not coordinated. These deficiencies all led to the reported data illustrating only a fragment of the severity of the 'on the ground' reality of hate crime in which minorities (migrants, refugees, LGBTIQ, Roma people) are mostly targeted with little effective access to adequate compensation or appropriate criminal proceedings.

## Chapter 4. Cases of Hate Crimes

The manifestations, targets and intensity of discrimination, racist violence and hate crime in the four partner countries are as varied as the socio-economic and political conditions of the societies in which they are committed. Thus, among the cases included in the four country reports, are murders and deaths of migrants and refugees, police violence and profiling, racist attacks and arsons against individuals, families or minorities, religious and cultural events and places, serious physical injuries of Roma, Muslims and LGBTIQ\* persons and groups. Similarly, the responses of the police and other public agencies and authorities are determined by these conditions, while the ability and capacity of NGOs to protect, support and advocate for the victims are, in addition, largely shaped by their funding and stage of their development, which is ultimately an indicator of the democratic processes in place in each country.

Nevertheless, as exemplified by the cases recorded in the country reports, it is established that diverse groups and communities, whether real or perceived to be based on ethnic or racial origin, religion or colour, minority or migration status, sexual orientation or gender identity, disability or age, or any other diversity, are all vulnerable to discriminatory and racist attacks, violence and hate crime. The cases below are but a small sample of these crimes.

### Murder of Mohamed Habassi

On 10 May 2016, in Basilicagoiano, a small community near Parma, Italy, Mohamed Habassi, a 34 year-old from Tunisia, was brutally murdered by six people at a raid of his home, two Italians from Parma (Alessio Alberici and Luca Del Vasto) and four Romanian citizens, hired by the latter. After taking alcohol and cocaine, the six aggressors entered the victim's home, beat him up, tortured and mutilated him to the point of making his body almost unrecognizable. The victim's loud screams brought no intervention and the Carabinieri arrived too late after Habassi's death due to severe loss of blood.

The national media did not pay particular attention to this horrible act of homicide. In Parma, there was demonstration on May 28 by the Antifascist and Antiracist Coordination, set up on the initiative of ANPI, Italy's Partisans Association, and with the participation also of Tunisian migrants. The "Rete Diritti in Casa" (Rights at Home Net) group also issued a press release titled "Dying by being forced out from home: when a life is worth less than a rent". The reason for the murder, according to aggressors' statement, was supposedly his not having paid the rent of the small apartment he rented, owned by Del Vasto's partner. Many online comments on the murder posted on the website of the daily newspaper Il Fatto Quotidiano, emphasise the right to protect private property, almost completely removing the cruelty of this murder.

(Source: newspaper "Il Manifesto")

### Physical violence against 18-year-old Moroccan girl

On 25 April 2015, in Bologna, Italy, the driver of bus number 98 of the public transport company TPER (Trasporto Passeggeri Emilia Romagna), an 18-year old student born in Bologna, of Moroccan origin, was getting off the bus when the driver started the vehicle. When she asked for explanations, the driver insulted her with sexist and racist words and physically





attacked her. The police were notified but did not find the aggressor, who had in the meantime driven away. The victim was taken to the hospital, where it was found that she suffered from abdomen contusion with subcutaneous haemorrhage.

As stated in a press release by the transport company, the driver was suspended on a precautionary basis, while waiting for the results of the inquiry committee set up on the case by the company. The driver was found guilty of injuries, insults and threats, with the aggravating factor of racial discrimination.

(Source: [www.cronachediordinariorazzismo.org](http://www.cronachediordinariorazzismo.org))

### Racist attacks during the 2010 Rainbow Festival

This is the only case ever brought before the Court in Cyprus in relation to incitement to hatred, although it was not recognised as a hate crime, as such. More specifically, on 5 November 2010, extreme right and chauvinist organisations and individuals, including politicians, participating in a racist march against “illegal immigration”, attacked the Rainbow Festival, the largest multicultural antiracist event in Cyprus, which KISA organises annually in cooperation with migrant communities and other NGOs. The police force present at the scene proved incapable of efficiently reacting to the attack and apathetically stood by merely watching. The racist march was held by KEA (Greek Resistance Movement) and other nationalist-chauvinistic groups and in parallel to the Rainbow Festival, with slogans against Turkish Cypriots, Jews and Muslims, refugees and “illegal” migrants, and KISA<sup>1</sup>. The attack included an attempted murder with knife of a Turkish Cypriot musician at the Festival, beating of another Turkish Cypriot musician and assaults against migrants, in many cases with serious bodily injuries, risk to the bodily integrity of many people, including children, and considerable material damages.

1 KISA, KISA under prosecution again: The police “Stood by Us and They Are All Our Children», KEA, 26 March 2011. Available at: <http://kisa.org.cy/kisa-under-prosecution-again-the-police-stood-by-us-and-they-are-all-our-children-%CE%BA%CE%B5%CE%B1/>

Three persons were finally accused, amongst others, for incitement to hatred, as one of their slogans was “axe and fire against KISA’s dogs.” Almost 4 years later, on 19 September 2014, the Larnaca District Court acquitted them, determining that the prosecution did not prove their case and that the slogans used were not related to any protected characteristic under the law, i.e. ethnic or national origin or colour, and that therefore they could not be considered as inciting hatred against a specific group of people.<sup>2</sup>

### Attack by ELAM<sup>3</sup> during the inter-communal event on the “Potentials of the Resolution of the Cyprus Problem and the re-unification of Cyprus”

The attack took place on 26 March 2014, during the inter-communal event on the “Potentials of the Resolution of the Cyprus Problem and the re-unification of Cyprus,” which took place in Limassol. Among others, the Turkish Cypriot politician Mehmet Ali Talat and many other members of the Turkish Cypriot community were participating in the event. Some 100 hundred members of ELAM, lined up in the form of a paramilitary organisation, wearing helmets and bearing cudgels and Greek flags, paraded through the centre of town and walked into the venue of the event. They threw firecrackers and a torch, which was landed besides the US Ambassador in Cyprus and other politicians. The ELAM members attacked a Greek Cypriot photographer and injured another Turkish Cypriot journalist. The Cyprus police were not even present there, while the perpetrators were shouting, abusing and terrorising participants in the event.

2 KISA, Το Επαρχιακό Δικαστήριο Λάρνακας Αθώωσε Τρεις Κατηγορούμενους για Προτροπή και Συμμετοχή σε Πράξεις Ρατσιστικού Μίσους και Ρατσιστικής Βίας [The Larnaca District Court Acquitted Three Persons Accused of Incitement to Racist Hate and Participation in Racist Violence], 24 September 2014. Available at: <http://kisa.org.cy/24-09-2014-%CF%84%CE%BF-%CE%B5%CF%80%CE%B1%CF%81%CF%87%CE%B9%CE%B1%CE%BA%CF%8C-%CE%B4%CE%B9%CE%BA%CE%B1%CF%83%CF%84%CE%AE%CF%81%CE%B9%CE%BF-%CE%B-B%CE%AC%CF%81%CE%BD%CE%B1%CE%BA%CE%B1%CF%82-%CE%B1/>

3 ELAM (Εθνικό Λαϊκό Μέτωπο - National Popular Front) is a far-right neo-Nazi group (self-proclaimed as the Golden Dawn of Cyprus), which has been recognised as a political party and, in the last parliamentary elections in May 2016, got elected to the House of Representatives with two seats.

The police are still prosecuting the suspects of the case, among whom Yeadis Yeadis, ELAM’s spokesman, for “turmoil” and “illegal entrance” but without any reference to hate crime or incitement to xenophobia, racial or any other discrimination.

In the Czech Republic, a participant of the Prague Gay Pride was physically attacked, with repeated punches in the face, by a supporter of a far-right movement. The police refused to investigate the incident.

A migrant of Asian origin was brutally attacked by a teenager and suffered numerous fractures. The incident was reported to the police.

The Brno mosque, which is the only Muslim mosque in the Czech Republic, has been repeatedly targeted by haters. In August 2015, unknown persons broke two windows at the mosque with the iron sticks<sup>4</sup>. Two years ago somebody put pork bones and meat in front of the mosque door<sup>5</sup>.

### Aggression and racist abuse at the airport

Mr S.A., of Nigerian origin and in a regular situation in Spain, works at Barajas airport in Madrid, helping passengers with luggage carts to transport their baggage for free-will tips. One day, he suffered physical and verbal aggression by three people from the Eulen security company, who hit him in the face while he was handcuffed and pushed him, hurting his arms.

Four days later, when Mr S.A. was back helping a passenger with the luggage, he was approached by an airport security guard who told him he could not be there and “to go back to his country”, “You know what happened the other day and I will not let you working here” etc., and attacked him again. S.A. reported both events along with medical records, pictures of the injuries and data from a witness who can testify for the incident. SOS Racismo is following up the case.

4 Lidovky.cz, Vandalové rozbili okna brněnské mešity. Řeší to policie, 18 August 2015

5 iDnes.cz, Před mešitou v Brně někdo vysypal kosti, na kliku pověšil vepřové, 19 December 2013

### Racist discrimination in a real estate agency

Mrs S.O. and Mr C.O. went to a real estate agency to rent an apartment in the town of Lasarte-Oria (San Sebastian). In the process to renting the house, they paid the realtor an advance payment of €700 and also provided other requested documents. When they signed the contract, they made another payment of €1.400 as a deposit for two months’ rent.

Although formally the contract would come into force from the beginning of the month following the signature of the contract, an agreement was reached to facilitate the occupancy of the apartment a few days earlier. Before the agreed date, the real estate agent contacted the couple to inform them that the owner of the property was no longer interested in renting the apartment. As the couple received no adequate explanation as to the reasons of this decision, they asked to speak directly with the owner. When they telephoned the latter, the owner’s father answered, who explained that they did not want to rent the flat to them because both their work contract and residence card were false, as well as because they were black. Mrs S.O. and Mr C.O. were later called by another man, who more or less repeated the above, adding that “they (the couple) have no money to pay the rent and the employment contract is false, because they are black and they work in black (illegally).”

Mrs S.O. and Mr C.O. reported the incident to the department of Ertzaintza (Basque Regional Police) and filed a complaint against the homeowner for an alleged hate crime. The complainants reported to have suffered multiple damages and contractual breach by the landlord. Police inquiries were opened in Court No. 3 of San Sebastian for an alleged offense under Article 512 of the Criminal Code, on the exercise of fundamental rights and public freedoms. The case was filed as it was not established that the owner was the professional who provided the service. The decision was appealed to the High Court, which upheld the decision.

It is an established fact, confirmed by all four country reports but also by many other European and regional bodies and agencies, that the situation regarding discrimination and racism in the four partner countries, as indeed across the whole of the European Union and beyond, is deteriorating alarmingly, especially in view of the large migrant and refugee movements of the last few years and the concomitant rise of far-right, nationalistic-chauvinistic and fascist and neo-Nazi groups and parties. Nevertheless, the corresponding rise of racist and hate crimes does not seem to have received the required attention by governments and competent public institutions, at least not to the same extent.

Thus, despite the fact that Spain has in recent years designed and partly implemented policy measures to combat hate crimes, as a result of the awareness of the authorities about the lack of adequate and effective mechanisms for the prevention, investigation and punishment of hate crimes, and a proper attention to victims, these first steps have not been developed in the framework of a comprehensive national strategy to prevent and combat all forms of hatred, discrimination, racism and xenophobia. Cyprus is even further behind as it has not adopted any policies, mechanisms, plans or even clear guidelines for the prevention, identification, investigation and punishment of hate crimes. The Italian country report reveals perhaps a less bleak picture but, again, one that is characterised by fragmentation of policies and institutions and a resultant muddle of data collection mechanisms. Serious shortcomings and deficiencies are also highlighted in the Czech Republic country report, which draws attention to the impact of the authorities' focus on extremism rather than on hate crime in general, which leads to the country's failure to have a comprehensive picture of the situation and adopt appropriate policies and measures. The absence of comprehensive policies and structures seriously compromises the capacity, efficiency and willingness of the law enforcement agencies and other state authorities to make hate crime visible, to protect and support its

victims and to inform and alert society as to its disastrous effects not only on the victims but on society at large.

The major recommendations of the partners outlined below aim to reverse the situation and enable all agencies and actors involved to face the challenges ahead. A number of recommendations are common and addressed to the authorities of all partner countries, while others more specifically refer to the situation in each partner country.

- Design and implementation of a comprehensive strategy, policies and measures to prevent, identify, investigate and punish all forms of discrimination, racism and hate crime, to address the specific needs and support the victims.

The Italian partners also recommend that the strategies and policies to be put in place be cross-cutting and co-ordinated in order to endure the effectiveness of their implementation, while in relation to the needs of the victims, the Cypriot partner recommends that an intersectional approach be adopted, taking into account especially migrants, refugees, women, LGBTI and disabled persons.

- Improvement of the existing data collection mechanisms or set up of new ones, for the collection of analysis of data on hate crimes.

The differences between the four countries and the needs of each one in relation to their respective data collection mechanisms and the public authority/ies responsible are addressed by all partners with specific recommendations. More particularly, the Spanish partners focus their recommendation on the need of the authorities to encourage quantitative and qualitative studies on different aspects of these crimes, in order to increase knowledge on the subject. The Italian partners' more specific recommendations include: Official data collection systems must be in line with those used internationally, ensuring the inclusion of all necessary classification

categories; use of the official classification system must be also promoted among civil society organisations; the public authorities responsible for data collection and publication must be clearly identified and made known; regular publication of court decisions on the matter. The Cypriot partner's specific recommendation is that the collection of data should be done in partnership with civil society organisations and not only from police records. It also calls for the establishment of clear and independent mechanisms to monitor the use of racial discriminatory practices, such as ethnic profiling, by the police. The specific recommendations of the Czech Republic partner include: broadening of the scope of monitoring and data collection from crimes committed with extremist motives to hate crimes in general and start monitoring hate crimes committed by persons not belonging to extremist groups or not having extremist motives.

- The mandatory training curricular of law enforcing agencies, including frontline police officers, prosecutors, judges, doctors and other professionals involved in hate crimes and the care/support of victims must include specific training on hate crimes

This training is considered by the Cypriot partner as a means of ensuring that victims will be able to report hate crime, while training to doctors and other health professionals will enable them to identify victims of hate crime. The Czech partner's specific recommendation refers to the contribution of this training towards recognition of hate crime by police officers and judges and their communication with the victims. It also recommends designation and training of professionals on hate crime, including psychologists and cultural mediators, to assist victims in communication with the authorities after reporting hate crimes. The Spanish partners also recommend the availability of the necessary resources for training of civil society actors, including NGOs, schools,

- Promotion and/or improvement of coordination between law enforcement agencies, other public institutions and CSOs in order

to improve the exchange of information and knowledge on the situation of hate speech, as well as monitoring and investigation of hate crimes.

- Public awareness campaigns and other actions, addressed to both vulnerable communities and groups as well as to society in general.

Other specific recommendations contained in the national reports include the following:

- Legal aid and independent support should be provided to victims of hate crimes, so as to enable them to effectively pursue their rights.
- Public information, awareness-raising campaigns and other actions, addressed to both vulnerable communities and groups as well as to society in general, aimed to make hate crime more visible and encourage people to report such acts, as well as to counter their acceptance by society.
- Promotion and provision of the necessary human and financial resources to LEAs and other public authorities and CSOs in order to ensure the effectiveness of their actions
- Amendment of specific laws so as to strengthen the legislative framework regulating racial discrimination, violence and hate crime.
- Establishment of clear and independent mechanisms to monitor the use of racially discriminatory practices, such as ethnic profiling, by the police.
- Should provide the law enforcement agencies, prosecutor offices and other institutions involved in the fight against hate crimes, human and financial resources to ensure the effectiveness of their actions.