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European International Tolerance Centre
Centre for Monitoring and Comparative Analysis of Intercultural
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Xenophobia, Radicalism, and Hate Crime in Europe

Annual Report

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This book is another annual report on major manifestations of hate in the European space in 2017-2018. Prepared by leading experts from different countries, the report analyzes various factors that trigger the formation of a public demand for radicalism and that lead to the manifestations of xenophobia and racism. The report also discusses statistics on hate crime. A separate subject of research is the prerequisites of xenophobia and the role of political parties and groups in the formation of a public demand for radicalism. The analysis focuses on 13 countries of the EU - namely, Austria, Great Britain, Hungary, Germany, Greece, Ireland, Spain, Italy, Netherlands, Poland, Slovakia, Croatia, and France, - as well as on two non-EU countries, which greatly influence political and economic processes in Europe – Russia and Ukraine.

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FOREWORD

The aim of this study is to analyze the general state of xenophobia in Europe, the activities of radical groups, and the dynamics of hate crime.

The study's objective is to evaluate the legislation on minority rights; law enforcement practices; the results of sociological surveys that characterize the level of xenophobia in a society; police reports on extremist crimes; some relevant data from non-governmental organizations; information on criminal cases and court decisions regarding persons who committed these offenses; media and communication outlets that documented the activity of right-wing radical and Islamist groups; as well as the activity of government agencies that are aimed at ensuring minority rights. The latter is especially important since, in order to grasp the development prospects of the situation faced by minorities in Europe, we need to take into an account the level of the willingness of states to tackle these new challenges.

The report focuses on 13 countries of the EU – namely, on Austria, Great Britain, Hungary, Germany, Greece, Ireland, Spain, Italy, the Netherlands, Poland, Slovakia, France, and Slovakia, - as well as on two states outside of the EU - on Russia and Ukraine – which have a significant impact on political and economic processes in Europe.

The preparation of the material involved researchers from various European universities and research centres: The Centre for Analysis of the Radical Right, London; Observatoire des radicalités politiques, Paris; Sociology and Social Research Methodology Departments at Eötvös Loránd University (ELTE), Budapest; Political Capital Institute, Budapest; The Pantheon University, Athens; Berlin Register for documentation of manifestations of right-wing extremism and discrimination in the district of Steglitz-Zehlendorf; Netherland's Institute for the Study of Crime and Law Enforcement; the Department of History the Jagiellonian University, Krakow; The

Centre for Monitoring and Comparative Analysis of Intercultural Communications at the Moscow Institute of Psychoanalysis; Baltic University, Kaliningrad; Institute for the Study of National Policy and Interethnic Relations, Moscow; Ukrainian Institute of Analysis and Management; University of Barcelona; European Institute of Public Administration, Barcelona; University of Vienna, as well as other institutions.

INTRODUCTION

Populist radical right forces, and first of all, parliamentary radical parties, have become political beneficiaries of the 2015-2017 migration crisis. These forces were able to significantly strengthen their positions in some countries, including Germany, Slovakia, Croatia, and Hungary; to achieve their stated political goals in Britain; and to come to power in Italy, Austria, and Poland.

In most monitored countries, the popularity of radical right-wing parties and, most importantly, of the right-wing ideology is growing. What only a few years ago was considered as politically incorrect language of hate, has now transmogrified into a widely used rhetoric that now permeates the highest levels of discourse. Against this background, there is a gradual drift to the right of the country's political elite, primarily related to the centre-right. Political establishment is becoming more nationalistically oriented, playing - and mostly successfully - on the political field of right-wing radicals.

At the same time, radical right-wing parties, which only recently terrorized liberal circles with their xenophobia and radical rhetoric, have been moving towards the political centre. These parties are abandoning their most scandalous slogans and gradually entering the political establishment. They have even started flirting with former "enemies of society" - sexual minorities, women, and Jews. This process is exemplified by France's National Rally, the Austrian Freedom Party, the Hungarian Jobbik, the Italian League, the Dutch Freedom Party, as well as others.

By moving towards the centre, the right-wing radicals left a free niche, which was immediately filled by new players. These ultra-right newcomers include the *Austrian New Right*; the *identitarian* movement (which encompasses a number of countries, including France and Austria); the *English Defense League* (EDL); such organizations as **Britain First**; the **Pegida** movement, which has abruptly disappeared from the German political landscape but which now operates in other European countries; such transnational neo-Nazi

groups as **Combat 18** (C18); **Blood and Honour**; Italian *Fratelli d'Italia* and *CasaPound*; and, finally, the "*Strength and Courage*" and *Betyársereg* ("Outlaw's Army") in Hungary; as well as others. No one should be deceived by the current marginality of these groups, and by their low ratings. Those right-wing radicals who recently entered the political establishment, were in the same situation a few years ago.

Frightened by the growth of ultra-right and Islamic extremism, the governments of the monitored countries took consistent measures towards regularizing (or, rather, limiting) immigration and towards combating extremism. The legislative systems of practically all the monitored countries operated in this direction, with the exception of Ukraine, where the very problem of immigration is absent and where the political forces that support the ideology of radical nationalists are in power.

At the same time, Ukraine actively developed its discriminatory legislation, which aimed at limiting the educational and cultural rights of its national minorities, explaining such actions by the need to preserve its own, Ukrainian, language and culture.

Against this backdrop, it is clearly evident that other monitored countries have rarely attempted to restrict the rights of their ethnic and religious minorities. Efforts to put forward discriminatory initiatives, for example, against Roma, often ended in failure in these countries.

For the most part, this was caused by replacing the old phobias (with respect to these countries' 'own' ethnic and religious minorities) with the new ones (with respect to migrants). This trend was clearly traced in countries such as Hungary, Slovakia, and Italy.

Nevertheless, the fight against extremism, which is a matter of concern for all monitored countries, has not led to a mass ban on radical right-wing organizations. This, incidentally, cannot be said about Islamist organizations. During the period of 2001-17, 74 international terrorist organizations (most of them Islamist), which fall under the Terrorism Act 2000, were banned in Great Britain only. Another 14 Irish terrorist organizations were banned in Northern Ireland, in accordance with previous legislation.¹

Things are different with those radical right-wing organizations that have not embarked on the path of terrorism. These cases follow a different trend: the authorities do not ban such organizations, even despite their hateful rhetoric, but, rather, place them under the strict control of intelligence and security services. According to these agencies, this is a more suitable way, and one that is also less expensive: it is better to allow an extremist organization to operate in a legal field but under strict control than to spend money and forces on revealing conspiratorial activists of an organization that has gone underground. It is worth mentioning that this very rationale and approach was applied to the National Democratic Party of Germany (NPD), which was never banned, despite its ultranationalist nature.

The one exception is Russia, where the authorities have continued the tendency of severely suppressing not only Islamist, but also radical right-wing and neo-Nazi organizations, banning all of them and accusing their leaders of extremist activity. Thereby, even such organizations as the Jehovah's Witnesses were banned. Such heavy governmental policies have caused criticism of human rights activists.

2017 and the first half of 2018 have demonstrated that the Europeans are tired of the anti-immigrant protest movement. The number of demonstrations directed against immigrants and asylum seekers has significantly decreased. At the end of the period under consideration, right-wing radicals could not even gather 1,000 people for such actions in European countries, limiting themselves to only a few hundred. As early as the beginning of 2017, they could easily bring to the square several thousand and even tens of thousands of dissenters.

Against this background, there is a clear reduction in xenophobia in most monitored countries, including fear and mistrust of migrants. There has also been a reduction in the number of violent hate crimes.

Is it to say that the dangerous trend has broken? And, if so, at what price to Europeans? Furthermore, what are the prospects for

further development in this, positive, direction? We have tried to answer these questions in our annual report on xenophobia and radicalism in Europe.

Chapter 1. LEGISLATION. CHANGES IN MIGRATION, ANTI-EXTREMISM AND ANTI-DISCRIMINATION

The year 2017 was quite productive in terms of new laws and of legislative initiatives concerning minorities. In general, the authorities were completing the work that began in 2016 - they limited immigration flows to Europe and improved measures to combat extremist organizations. In some countries, significant changes have occurred in legislation relating to the rights of local ethnic, religious, and sexual minorities, as well as the rights of persons with disabilities. Moreover, these changes were both positive and discriminatory.

Migration Law

In 2017, there was a major revision of the laws relating to asylum and residence of foreign nationals in *Austria*; amendments to the Aliens Act (“Fremdenrechtsänderungsgesetz”) were adopted. This legislative package provided that asylum seekers who receive social benefits can no longer freely choose which of the nine Austrian states to live in during the asylum procedure. Instead, they must live in a state that provides them with social benefits.

New asylum laws also simplify deportation for persons denied asylum and those who reside in Austria illegally. The government also seeks to facilitate the voluntary departure of foreign citizens without asylum or other forms of residence: as early as 2016, the authorities began the project “Voluntary Departure & Return of Assistance.” Asylum seekers who decide to return voluntarily to their homeland can request information and advice from the Repatriation Counseling Centre and can apply for financial support that covers travel expenses. Persons who have been denied asylum are now required to contribute

to the procedures for departure, and non-compliance can result in a fine or forced detention pending deportation.

The legislation of 2017 also extended the maximum duration of detention until expulsion - from 10 to 18 months. Asylum-seekers whose requests for asylum have been rejected by the authorities are now also losing basic social assistance.²

In *Britain*, the “Illegal Immigration (Offences) Bill” was presented. Its goal is the criminalization of migrants who illegally entered the UK or who are in a country without legal authority.³ This proposed legislation is based on the Immigration Act of 2016, which introduced new sanctions for illegal work, prevents illegal migrants from accessing services, and gives new powers to British border troops against smugglers in the territorial waters of the country.⁴

The main legislative amendment in *Hungary* affecting the asylum process was implemented on March 28, 2017. The legislation amended the policy of granting asylum during the “special emergency caused by mass immigration,” which came into force in September 2015⁵ and was extended until September 2018.⁶ The amendment allows the police to check identity documents on the territory of Hungary, without any grounds, and has serious consequences for applications for asylum. These changes also mean that the previous rule of “8 kilometers,” which allows the Hungarian police to detain any asylum-seeker within the 8-kilometer zone from the Serbo-Hungarian border, has now spread to the whole territory of the country.⁷ The 2017 March amendment to the Asylum Law, which came into force on March 28 of that year, also states that during the “immigration emergency” period, asylum applications can only be submitted in the specified 8 km transit zone.⁸

The Ministry of the Interior of Hungary has also issued an order aimed at improving the situation for those living in refugee camps or in transit zones: it stipulates that people in refugee camps and transit zones should receive meals three times a day, and children, pregnant women, and nursing mothers should be given food five times a day.⁹

In *Italy*, on April 11, 2017 (with the previous approval of the Senate on March 29), amendments were made to the Uniform Law on Immigration (the so-called Minniti-Orlando Law).¹⁰ It mostly concerns the procedure for the admission and expulsion of illegal immigrants arriving on Italian soil.

There are four main provisions of this law:

1) The abolition of a second appeal for those asylum seekers who had already appealed to a negative decision on granting asylum and was not satisfied.

2) Cancellation of court hearings for persons applying for asylum.

3) Expansion of the network of detention centres for illegal immigrants.

4) Introduction of volunteer work for immigrants.¹¹

One of the main innovations of this law is the legalization of court hearings, in which the asylum applicant will not necessarily be present in person in the courtroom, but the judge can review the videotape with the statement of the asylum applicant before the so-called Territorial Committee (a committee set up by local legislatures where the asylum-seeker resides). The issue with this type of litigation is that the judge will have to make decisions without the possibility of asking specific questions or receiving explanations directly from the asylum seeker.

The Minniti Orlando Law also implies the expansion of immigration detention centres for the immediate deportation of those immigrants who are denied the right to stay. The so-called CIE (Centre for Identification and Deportation) has received a new name - CPR (Permanent Deportation Centre). The number of these centres will be from four to twenty, one in each Italian region, for a total of 1,600 places.

Experts criticized this law, saying that it does not comply with the Italian Constitution and the European Convention on Human Rights. In particular, lawyers noted that the “video recording court” is contrary to Article 111 of the Italian Constitution, which establishes

the right to a fair trial, as well as to Article 24 (the right to defense).¹² The proposal to use video recordings also contradicts Article 6 of the European Convention on Human Rights, which establishes the right to object in court.¹³ In this regard, the Italian Association of Legal Studies on Immigration (*Associazione Italiana Studi Giuridici*) stated that such a judicial procedure can only be applied in an emergency situation, but not within the framework of the law. In addition, such “video recording hearings” also contradict the European Law on Refugees, Borders, and Immigration, namely, Article 46-32 / 2013.¹⁴

Simultaneously, in Italy, Law No. 2017 / 024-042988 was passed, which obliges local authorities to provide housing to immigrants and refugees.¹⁵ However, the national legislation on minorities can be changed by local authorities to meet the needs of the local population. This was the case in the province of Tuscany, in the small town of Cascina, where local authorities excluded foreigners who did not reside in the EU from social housing.¹⁶

In Poland in 2017, a new law on hiring foreigners was adopted. The new rules came into force on January 1, 2018. Their goal is to implement the Seasonal Workers Directive (2014/36 / EC), as well as to prevent fraud and improve the living standards of foreigners.¹⁷ In March 2018, the government announced that new rules were being developed that would help attract Ukrainians and establish their enterprises in Poland.¹⁸ In the opinion of observers, this is in line with government policy in which it set itself the goal of minimizing the very possibility of accepting migrants from Islamic countries and counting on resolving the problems of migratory quotas and a shortage of the labor force at the expense of Ukrainians.

On July 13, 2017, the media reported that the Ministry of the Interior of the Russian Federation is preparing for a discussion on the Russian Migration Code. This was reported by First Deputy Minister of Internal Affairs of the Russian Federation, Alexander Gorovoy. He also noted that since the migration flows, as well as their goals, are changing, “the migration legislation will constantly change” as well.¹⁹ The development of the Russian Federation Migration Code, which was promised in December 2017, was never completed on time; it is

this document that should determine, in the long term, the development of the migration policy of the Russian Federation.²⁰ In its absence, relatively small attempts were made to further regulate migration, despite active political rhetoric.

In 2017 a number of measures were actively developed to improve the process of labor migration. The reason for this was, primarily, economic stagnation and fears of rising unemployment.

Some of the proposed measures were aimed at increasing the requirements for incoming workers, whilst reducing the possible governmental costs of their stay in Russia. The latter part includes, for example, the proposal of State Duma deputy Vladimir Sysoev: on April 12, 2017, he brought up for discussion a bill in which migrants would be obliged, upon entry to Russia, to have compulsory insurance that would cover the risks of deportation or administrative deportation. According to the Main Directorate for Migration Affairs of the Ministry of Internal Affairs of Russia, only 40-45 per cent of all migrants who are subject to expulsion are leaving the country at their own expense.²¹

On October 17, 2017, Vice-Speaker of the State Duma, Irina Yarovaya, introduced a bill on combating illegal immigration. She suggested criminalizing the fictitious registration of foreigners in non-residential premises, as well as prohibiting the purchase of micro-shares in residential premises. According to Yarovaya, the bill would eliminate the gap in the legislation and would introduce the responsibility of legal entities for fictitious registration that would be analogous with the responsibility of individuals. She is certain that the establishment of responsibility for the maintenance of “rubber” (or fake) offices will give law enforcement a tool for “suppressing socially dangerous activities.”²²

On November 24, Russia officially reduced the quota for issuing permits to foreigners for temporary residence. The corresponding order was signed by Prime Minister Dmitry Medvedev. In 2018, 90,360 permits will be given to foreigners and stateless persons, which is 19,800 less than in 2017 (110,160 permits). The quota was established on the basis of proposals of regional authorities,

which took into account the migration situation and the economic situation.²³

In addition to initiatives aimed at reducing government spending on the expulsion of migrants, in 2017, at least two other draft laws on simplifying the procedure for expulsion from the country were proposed in Russia. On February 3, a bill was drafted by the Russian Ministry of the Interior, in which migrants from the countries of the Eurasian Economic Union can be expelled from Russia due to the absence of an employment contract (the exception is citizens of Belarus). Thus, control over the availability of labor contracts is proposed to be transferred to the sphere of migration legislation. It is also proposed to introduce a ban on employment activities of foreigners and stateless persons in the event that their migration card does not specify “work” as the purpose of entry.²⁴

Also, it became known on September 4, 2017 that the Russian Federation Council, the highest chamber of the Russian parliament, proposed to expel foreigners from Russia for “undesirable behavior,” which includes any activities that are judged to be detrimental to national security, including the “incitement of national and religious hatred and political discord, and potential interference in the Russian election process.”²⁵

In February 2017, Deputy Prime Minister Olga Golodets instructed the Ministry of the Interior, as well as the Russian Federal Service for Surveillance on Consumer Rights Protection and Human Wellbeing (*Rospotrebnadzor*) and the Ministry of Health to consider the possibility of introducing a ban on the entry of people infected with HIV into Russia.²⁶

In November 2017, the Social Democratic Party (SPD) faction of the new parliament of *Germany* submitted the new bill 19/44, “The Law on the Entry of Qualified Specialists - the Immigration Act.” This bill constitutes a revised version of the previous bills introduced by the Social Democrats.²⁷ As can be seen from the title of the bill itself, it proposes qualitative selection of immigrants arriving to Germany. In the preamble to this bill, its authors state that their country is undergoing demographic changes and, therefore, needs a flow of labor

from abroad. Consequently, it is imperative to introduce a set of measures to make Germany attractive for qualified foreigners: the points-based system (based on the profession, age, language, work experience, etc.); simplified recognition of foreign diplomas; the possibility of the arrival in the country of the first-degree relatives of a migrant who got a job; a cancellation of the system of checking priority applicants for the workplace; and a simplified procedure for extending the residence permit.¹

In *Slovakia*, the Law of the Slovak Republic No. 404/2011 “On the stay of foreigners” included five amendments in 2017-18, the last of which entered into force on 1 May, 2018 (No. 108/2018).²⁸ Most of the changes relate to obtaining and extending a residence permit in Slovakia. If the procedure is simplified for the citizens of the EU and EFTA, it becomes more complicated for Third Country Nationals.

It is interesting that, in a number of countries, anti-immigration restrictions were adopted at the level of local self-government bodies. As a rule, this happened when regional or district authorities were not satisfied with the measures taken at the state level. For example, in the Hungarian city of Ócsény, the local government adopted a decree that residence can only be granted to refugees if they have all the necessary vaccinations in order.²⁹

Anti-extremist legislation

The improvement of anti-extremist legislation in the period under review developed in the following areas:

- Expansion of the powers of special services and other law enforcement agencies to control extremist groups.
- Restriction of the civil rights of persons convicted of extremism.

¹ Author’s Note: Germany’s Labor Office is obliged to check on the existence of alternative applicants who are German citizens, residents holding a residence permit, or EU citizens. Only after this, a foreign specialist from a state that is not part of the European Union can obtain a work permit. This procedure has been criticized in the German society for many years. There are cases when the Labor Office did not issue a work permit to a foreigner whose employment the employer insisted on, based on formally finding an alternative unemployed person or persons with a similar profession.

- Deprivation of citizenship of the monitored countries of persons involved in extremist and terrorist activities (if these persons possess a second citizenship).
- Tightening control over the Internet and the activity of extremists in social networks.
- Prohibitions of organizations recognized as extremist, expanding the list of extremist organizations, including religious communities.

On January 1, 2017, an amendment to the Slovak Criminal Code came into force in which the powers of the investigation on the qualification of extremist crimes expanded. The earlier version of the law prohibited “support groups that forcibly or non-violently *suppress* fundamental rights and freedoms; the new bill prohibits “support groups that *seek to suppress* rights” or practice hatred. At the same time, a number of deputies from the Freedom and Solidarity (*Sloboda a Solidarita*), the Ordinary People and Independent Personalities, New Majority (*Obyčajní ľudia a nezávislé osobnosti, Nová väčšina*), and We Are Family – Boris Kollár (*SME RODINA – Boris Kollár*) parties sent an appeal to the Constitutional Court, believing that the amendment could be used to suppress the opposition.³⁰

On August 1, 2017, *Russia’s* President Vladimir Putin signed a law that prohibits individuals previously convicted of crimes that involved the use of the Internet, or crimes of an extremist nature, to become founders or editors-in-chief of media outlets.³¹

In the *Russian Federation*, the law “On Amendments to the Federal Law ‘On Citizenship of the Russian Federation’ and Articles 8 and 14 of the Federal Law ‘On the Legal Status of Foreign Citizens in the Russian Federation,’” as well as amendments to the Art. 393 of the Code of Criminal Procedure, which deprives Russian citizenship to those who acquired it for the purpose of “[carrying out] activities that threaten the foundations of the constitutional system of the Russian Federation” came into force on September 1, 2017.³²

In November, 2017, the law “On Amendments to Articles 10-4 and 15-3 of the Federal Law ‘On Information, Information Technologies, and Information Protection’” was adopted.

Additionally, Article 6 of the “Law of the Russian Federation ‘On Mass Media’,” which offers wide opportunities to control the information on the Internet, including authorizing the authorities to block sites that post materials of “undesirable organizations,” came into force.³³ Under the law of 2015, an undesirable organization is a foreign or international organization whose activity could pose a threat to the Russian Federation.³⁴

On December 5, 2017, the Ministry of Justice of the Russian Federation decided to recognize the following nine media outlets as foreign agents: “Voice of America,” “Radio Free Europe / Radio Liberty (RFE / RL),” *Nastoiashchee vremia* TV channel, Tatar-Bashkir Service of *Radio Liberty (Azatliq Radiosi), Sibir’. Realii, Faktograph, Kavkaz. Realii,* and *Crimea. Realii*.³⁵ This took place after the Russian television station “Russia Today America” was registered with the U.S. Department of Justice as a “foreign agent.”

In 2017, the Federal List of Extremist Materials of Russia was updated 33 times, with 329 items added, increasing the items on the list from 4016 to 4345.³⁶

The Federal List of Extremist Organizations of Russia was also replenished in 2017, with five new organizations added to the list (10 organizations were added in 2016). Thus, at the end of 2017, there were 65 organizations on the list. A continuation of activity by these organizations is punishable under Art. 282.2 of the Criminal Code of the Russian Federation (Organization of Activities of an Extremist Organization). The list of these extremist organizations included: the ultra-right organization *Rubezh Severa*, recognized as extremist by the Syktyvkar City Court of the Komi Republic on November 23, 2016; the TOYS Soccer Fan Organization; the Naberezhnye Chelny branch of the Tatarstan Regional All-Tatar Political Public Movement (REVTATPOD) - All-Tatar Public Centre (*VTOTs*); as well as the Administrative Centre of Jehovah's Witnesses in Russia (*UTs*).³⁷ The activities of all these organizations were banned or suspended.

It is worth noting that including a religious organization on the list of extremist organizations is not an extraordinary event and does happen in the world practice. For example, in France, as will be seen

later, 11 mosques have been closed in 2017, and the issue of closing all mosques run by the Salafi fundamentalist movement is being considered, since it is in these mosques that extremist propaganda is being conducted.

In the case of the Jehovah's Witnesses Administration Centre in Russia, the state motivated its decision by prohibiting members of its organization from working in the civil service and serving in the army, prohibiting certain medical procedures, in particular blood transfusions for young children, because these inflict damage to the state and its citizens. In addition, the sermons and literature of the Jehovah's Witnesses allowed insulting statements about other religions, especially the Catholic Church and the Vatican. All this contradicts the anti-discrimination and anti-extremist legislation of the Russian Federation. As already indicated, the decision to shut down the Centre caused criticism from human rights activists.

According to observers, the inclusion of the Centre in the list of extremist organizations was, in fact, the result of a conflict between the state and the leadership of the organization, which for a long time refused to respond to the comments made by the Ministry of Justice, and to introduce amendments to its registration documents. At the same time, the leaders of the Centre were guided by the fact that the authorities "will not dare" to bare Jehovah's Witnesses, out of fear of an international scandal.

At the same time, the Russian authorities claim that it is not the religious denomination of Jehovah's Witnesses that is banned in its entirety, but only a certain religious organization, and that there are no obstacles to registering a new organization that propagates this particular religious creed.

The practice of banning organizations recognized as extremist has also occurred in other countries. To name but a few examples, earlier in the UK, Islamist organizations such as *Al-Muhajiroun*, Islam4UK, Need4Khilafah, the Sharia Project, etc. were also banned. All in all, 74 international terrorist organizations have been banned from the UK since 2001, and another 14 have been banned in Northern Ireland.³⁸ In Germany, *Hizb ut-Tahrir* was banned for its

extremely anti-Israeli stance, and several neo-Nazi organizations were banned in Hungary.

In France, with the coming to power of President E. Macron in 2017, the state of emergency, that was imposed by the administration of F. Hollande in 2015, was abolished. However, this does not mean that the legislation on civil liberties has returned to the pre-2015 state. On the same day that the state of emergency was abolished, the new Anti-Terrorism Act came into force after being voted on specifically by Parliament.³⁹ It includes many provisions of the former Emergency Law. Several provisions of the new legislation are aimed at achieving a more effective policy against terrorism, and radical Islam is declared the number one target for intelligence and law enforcement agencies.

In accordance with the administrative organization of the centralized French state, the new law has been implemented by the executive branch represented by the prefects, that is, representatives of the state in the departments (which are the main administrative units in France), which have the authority, for example, to close for 6 months, any religious institution suspected of incitement of terrorism or infringement of rights. Thus, at the end of 2017, 11 mosques were closed in France, but there are already wider discussions as to whether it is expedient to ban all mosques run by the Salafi fundamentalist movement.⁴⁰

However, recent years have witnessed a different trend: placing extremist organizations under the surveillance of intelligence and security services instead of banning them. This approach is more effective than pushing extremists underground, in which it becomes difficult and costly to keep track of their activity. It is for this reason that the neo-Nazi National Democratic Party of Germany (NPD) was not banned in 2017.

In the *Netherlands*, on February 7, 2017, the Senate (*Eerste Kamer*) passed three laws related to the fight against terrorism as part of the implementation of the Program of Action to Combat Jihadism. The goal of the program is “to protect democracy based on the rule of

law, to combat and weaken the jihadist movement in the Netherlands, and remove the breeding ground for radicalization.”⁴¹

The Act on Interim Administrative Measures (Counter-Terrorism Measures) allows the Minister for Security and Justice of the Netherlands to take measures that restrict a given person’s right of freedom of movement by introducing, for example, travel bans, the obligation to report regularly to the police about where they are, etc. In addition, the Minister may declare zones where a person is not allowed to be, if that person might be associated with, or supporting, terrorist activities.

With regard to the possibility of the revocation or withdrawal of citizenship, two new provisions were included in article 14 of the Netherlands Nationality Act. These provisions state that 1) the Minister of Justice may revoke the citizenship of the Netherlands of a person aged 16 years and over who voluntarily enters the armed forces of a State participating in the fighting against the Kingdom or against an alliance of which the Kingdom is a member; and 2) that, in the interest of national security, the Minister may revoke the Dutch nationality of a person who has reached the age of 16 and is outside the Kingdom if it appears that he has joined an organization that is on the list of organizations participating in a national or international armed conflict and representing a threat to national security. This measure does not require final proof that a person has joined a terrorist organization, but only proof that a person plans to become a member. Given that a person cannot be left without citizenship, this rule applies only to people who have dual citizenship.

These changes also facilitate the ban on entry to the Netherlands and require that terrorist suspects register with the authorities.⁴² However, the Law on Provisional Administrative Measures also introduces into the Citizenship Law a new section on the legal protection of persons whose nationality has been withdrawn. For example, a person may directly appeal to the District Court of The Hague in order to challenge the decision to withdraw.⁴³ Thus, the most blatant shortcoming of the previous antiterrorist package has been liquidated.

The third law, adopted on February 7, 2017, amends the Law on Passport Activities of the Netherlands. It stipulates that passports and ID cards automatically become invalid when the ban on leaving the country is imposed by the Minister of Security and Justice. The goal is to prevent people from leaving the country and travelling to jihadist areas.

In July 2017, a law on intelligence and security services was passed. This law gave broad powers to the intelligence and security services of the Netherlands, representing, in the view of human rights defenders, an infringement upon the rights to privacy, freedom of expression, and non-discrimination. It also fueled existing serious concerns about the possibility of exchanging information with intelligence agencies in countries that could use such information in order to violate human rights and prosecute opponents of the government.⁴⁴

In *Germany*, the Bundestag adopted a law in which persons who posed a danger to public order, as well as convicted extremists, may be required, by decision of the court, to wear an electronic bracelet.⁴⁵

Legislation Concerning Minorities

During the period under review, minority rights legislation developed in multiple directions. Moreover, against the background of legislative restrictions on immigration flows, measures aimed at protecting the rights of minorities significantly prevailed over discriminatory norms.

Indeed, the authorities took active measures towards expanding minority rights, up to the elimination of such a remnant of the past as the application of the Sharia law on family issues for the Muslims of Western Thrace. In countries such as Germany, Italy, and Spain, serious steps have been taken to protect the rights of LGBT people. Several important legislative decisions have been adopted in various countries concerning the fight against xenophobia and intolerance.

With regard to discriminatory measures, it is worth pointing to the anti-Islamic laws that were adopted in Austria and, at the local level, in Italy, as well as discriminatory measures taken by Ukraine that concern education in the languages of national minorities, as well as language quotas in the media.

Changes Aimed at Improving Minorities Status

Against the backdrop of active legislative work aimed at the regularization of migration flows, minority issues have assumed a secondary role. Nevertheless, 2017 provided a number of positive examples when the status of minorities improved. In a number of cases, this was dictated by the desire of the authorities to reduce the intensity of criticism (both inside the country and abroad), regarding anti-immigration measures that were taken in recent years. For example, in *Hungary*, several anti-Roma draft laws were rejected by the parliament and two important initiatives aimed at the social integration of Roma were approved.

In June 2017, the Hungarian government decided to build an educational and cultural centre of Roma in Budapest.⁴⁶ At this cultural centre, there will be a theatrical stage where music and dance performances will take place. In addition, the centre will hold permanent and thematic exhibitions and seminars, have professional studios, digital archives, a library, a radio studio, and an editorial room. According to Zoltán Balog, the Minister for Human Development, this institution will become a community space for Roma and other Hungarian minorities. The space will provide further education on the Roma culture.

In November 2017, the Hungarian government also decided to establish a Council of Professional Opportunities for Roma, to help develop the Roma intelligentsia. The Council can make recommendations and advise the government, for example, on legislation affecting special colleges for Roma. The Council also participates in the development of the network of these educational institutions, etc.⁴⁷ The organization began its work in April 2018.

In a similar vein, important laws for Jews and Muslims were adopted in Greece. The amendment adopted by the Parliament on March 28, 2017 allows the descendants of the deceased Greek Jews, born in the country before May 9, 1945, to obtain Greek citizenship.⁴⁸

Also in November 2017, Prime Minister Alexis Tsipras signed a bill to “address the shortcomings and the inequalities effecting the minority population of the country.” The bill was passed by parliament and became law in January 2018. It finally allowed members of the Muslim community to resolve their family issues in a civil court, as all other citizens do, and not according to Sharia law. Prior to this, Greek Muslims had to apply to the Muftis to resolve such disputes as divorce, custody of children, and inheritance.

The existence of the Sharia law in Thrace became possible in 1923 under the terms of the Treaty of Lausanne. This granted communities exclusive rights that allowed them to live in accordance with religious customs. The Sharia law was abolished in Turkey itself in 1926. However, Ankara maintained its existence in Western Thrace for all these years. The official Muslim minority of Greece consists mainly of Turkish-speaking and Bulgarian-speaking citizens of the country.

According to the previous arrangement, three muftis, appointed by the Greek authorities, acted as religious leaders and judges. In this capacity, they applied Sharia law to family disputes (but not in criminal cases). Thus, any problems related to marriage, divorce, and inheritance were fully regulated by the offices of the mufti in Xanthi, Komotini or Didimotiho, the three main cities of the region.⁴⁹ It is interesting that this state of affairs was actively supported by the Supreme Court of the country, despite claims of Greek Muslims, who wanted to receive the jurisdiction of Greek civil courts on these issues. In other words, the Sharia law in Greece was the exclusive law applicable to all Muslims of Thrace within the framework of the law on the protection of minorities.⁵⁰ Aside from discriminating against Muslims, who could not enjoy the same rights as non-Muslims, the Sharia law, due to its nature, usually discriminated against women. Now the situation has changed.

According to the new legislation:

1. The powers of the mufti will be facultative and imply the consent of all parties concerned, otherwise the case must be submitted to civil courts.

2. Civil courts will have jurisdiction throughout Greece.

3. The law will allow the mufti to exercise his powers in a specific context that protects the rights of the parties involved.

4. The hereditary relations of the members of the Muslim minority will be determined by the Civil Code, and not by the Islamic Sharia law. It is, however, understood that the matter can be transferred to the jurisdiction of the Sharia court upon the written request of both parties. That is, citizens now have a choice.

In addition, on September 7, 2017, the Greek Parliament adopted the Convention on the Rights of Persons with Disabilities (CRPD) in the form of Act No. 4488/2017. This is the next logical step after the ratification of the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol, which is the development of the relevant Law 4074/2012 (OG A '88 / 11.4.2012). The law creates a general structure of rules in accordance with the provisions of these documents. The goal is to remove obstacles to the full and equal participation of people with disabilities in the social, economic, and political life of the country. In particular, Article 65 of this Law regulates the communication of people with disabilities with administrative bodies through languages and other forms of communication. This means the following: recognizing sign language as equivalent to the Greek language; recognizing the Greek Braille as a way of writing for Greek blind citizens; and that the state takes upon itself the responsibility to cover all of their communication needs.

In 2017, Greece also adopted a very important law from the point of view of the specifically Greek realities: Law No. 4478/2017, which, on the basis of Directive 2012/29 / EU establishes minimum standards for “the rights, support and protection of victims of hate crime.” Law 4478/2017 introduces a holistic approach to the support offered to victims of hate crime in order to encourage them to participate more actively in the criminal process.⁵¹

Also, several laws were passed in 2017 in the interests of sexual minorities. In *Greece*, Law No. 4491/2017 was passed, which establishes that transsexuals can change their identity documents without requiring medical interventions, tests, and psychiatric assessments. Previously, sex could only be changed when gender dysphoria was detected and reproductive organs were removed. However, the new legislation also contains several shortcomings, including the need to confirm the recognition of sex by the local court.

In June 2017, *Germany's* Bundestag voted in favor of same-sex marriages. The bill that was drafted by the SPD, the Green Party, and the Left Party in 2015 and passed by 393 to 226, with four abstentions.⁵² Same-sex unions, in essence marriages, previously had a number of civil rights in Germany, but the recognition of a “full marriage” equal to that of heterosexual couples was for many politicians and public figures a formal end to the period of L.G.B.T. persecution.

In 2017, same-sex marriages were also legalized in *Italy*, although the law excluded adoption rights, despite the government’s promises.⁵³

In Spain, a draft bill on combating discrimination on the grounds of sexual orientation, identity, or gender expression and sexual characteristics, as well as on the social equality of sexual minorities was introduced in Parliament. Many non-governmental organizations demand the adoption of this law.⁵⁴

In addition, the draft law on amending the Law 19/2007, “Against Violence, Racism, Xenophobia, and Intolerance in Sport,” and on the eradication of homophobia, biphobia and transphobia, was introduced into the country's parliament.

In 2017, the Italian Parliament presented a long overdue bill on the recognition and protection of the Roma and Sinti as linguistic minorities. Italian law recognizes the rights of those present in the territory of historical and linguistic minorities (Law n.482 / 1999), as well as their right to profess any other religious convictions outside Catholicism (Articles 3 and 6 of the Italian Constitution). However, Roma and Sinti were not previously recognized as minorities, which

placed them in an unequal situation compared to, for example, German, Albanian, Catalan, Greek, Slovene, Croatian, Francophone, Franco-Provençal, Friulian, Ladin, Occitan, and Sardinian minorities, who all have an official status. At the same time, the Roma have lived in Italy for many centuries. At the time of writing, this bill was still being discussed by parliamentarians.⁵⁵

In *France*, President Macron undertook to present, in 2018-2020, a new plan on combating racism and anti-Semitism.

In *Croatia*, a new Criminal Code was adopted, making protection from hate crime more effective since it now has a new provision criminalizing violence in public places. In addition, the creation of, or leadership in, a group advocating racism is also described in the code.

In *Russia*, President Putin signed, on July 1, 2017, Decree No. 299 “On Amendments to Priority Activities in the Sphere of Provision of Public Benefit Services, approved by Presidential Decree No. 398 of August 8, 2016.” The list was expanded with the following items: “[d]evelopment of interethnic cooperation, preservation and protection of identity, culture, languages, and traditions of the peoples of the Russian Federation,” as well as “social and cultural adaptation and integration of migrants.”⁵⁶ Thus, it was stated that these undertakings represent a priority for the state.

In March 2017, the state government of Thuringia (Germany) submitted to the local parliament a bill “On Amending the Law of Thuringia on public catering establishments” (Erstes Gesetz zur Änderung des Thüringer Gaststättengesetzes).⁵⁷ The bill tightened punishment for discrimination by, for example, imposing a fine of 10,000 euros for “stopping a visitor entering a disco in the face-control process” on an account of this visitor’s ethnic or religious affiliation.

The National Plan to Combat Discrimination (2017-2022) was finally adopted on December 1, 2017 in *Croatia*.⁵⁸ The plan envisages goals and measures in the field of labor and employment, education, science, sports, social and family care, health care, administrative and judicial systems, access to housing, public information and the media,

and access to goods and services for members of minorities. Some measures tend to eliminate existing discriminatory practices, while others are aimed at a more active societal role for marginalized individuals and groups.

One of the priorities of the Plan is to provide special training on non-discrimination for several groups, including police officers and civil servants, as well as health and education workers.

Discriminatory legislation

The most aggressively discriminatory legislation was developed in *Ukraine*. On September 28, 2017, a new law “On Education” came into force in this country. The most acute problem with this law is the question of the language of education.⁵⁹ The law introduces an actual ban on education in any language other than Ukrainian. From 2018, the teaching of subjects in the languages of national minorities will only be found in junior schools. Four hundred thousand children will not be able to receive education in their native language.

In accordance with this new law, the teaching of subjects in the languages of national minorities has been almost completely past Grade 5. As of 2020, education in Ukraine will be exclusively in Ukrainian. Only subjects such as foreign languages, literature, and folklore will be taught in the languages of national minorities.

The law was adopted under the slogan of protecting the Ukrainian language and ensuring equal opportunities for all citizens of Ukraine. However, in practice, national minorities in Ukraine are deprived of the opportunity to study in their native language. This means stripping millions of Ukrainian citizens of their basic human rights. More than 20 per cent of Ukrainian citizens are not ethnic Ukrainians and for a third of these citizens, Ukrainian is not their mother tongue. Consequently, this damages the quality of educational training for children affected by this new law. From the conclusions of international organizations and researchers, teaching a child in a non-native language imperils realization of his/her potential by 20-30 per

cent. According to the famous Danish scientist Tove Skutnabb-Kangas,⁶⁰ who studies the influence of the language of education on future of communities, not only in Europe but also around the world, “teaching children in a non-native language contributes to their disintegration, marginalization, and even suicide.”⁶¹

Speaking, on June 9, 2016, as an expert at a meeting of the Intergroup of the European Parliament on Traditional Minorities (linguistic, national, and religious minorities), she also recalled the UN Convention on Genocide, which determines genocide as not only physical but also mental destruction. This genocide happens precisely through the loss of mother tongue. The expert recognized that forcibly dropping a child into another's linguistic environment is equated with violence against the child and is a form of genocide.⁶²

According to experts, Ukrainian education reform, which discriminates against national minorities, is a “pilot” project. Depending on its success, similar reforms will be implemented in other countries of the former Soviet Union. Latvia, in particular, amended the law on education in 2018. This modified law sharply restricted the use of the Russian language in schools, including private schools. All this suggests that the assimilation model of integration, and not in a voluntary but in a violent format which deprives the minority of the right to choose, is being applied more often; this model is being applied not only to recent immigrants, but also to Europe's indigenous and historic national minorities.

Another example of discrimination against national minorities is the introduction of language quotas in the broadcasting of mass media. In 2016, language quotas were introduced on the radio. In 2017, it was the turn of the television.

In October 2017, the law “On Amending Certain Laws of Ukraine Regarding the Language of Audiovisual (Electronic) Mass Media and on Language Quotas on Television” came into force.⁶³ According to the new law, at least 75 per cent of content on national channels should be in Ukrainian. This rule does not apply to all air time, but to the interval from 7 to 10 pm (or prime time). That is, only

25 per cent of broadcasting during this time can be conducted in any language other than Ukrainian.

For local TV channels, the quota is lower - only 60 per cent of broadcasting should be conducted in the state language during the same time interval of 7 to 10 pm. For TV channels broadcasting in indigenous languages, the mandatory share is reduced even more - up to 30 per cent. For every violation, the channel will be fined a certain percentage of the license fee.

Language quotas are in many ways a unique phenomenon for European legislation. Legal restrictions on consumed content will deprive millions of Ukrainian citizens, who are ethnic minorities, of access to information in their mother tongue.

In addition, anti-religious, primarily anti-Islamic, laws were adopted in a number of countries in 2017. In *Austria*, the process of anti-Islamic lawmaking continued. On October 1, 2017, the Anti-Face-Veiling Act (Federal Act on the Prohibition of Concealing the Face in the Public) came into force. After a long public debate, the law did not explicitly single out Muslims. It did turn, however, against religiously-motivated practices of full-face coverings. The then Vice Chancellor Reinhold Mitterlehner justified the ban by stating that wearing a “religiously motivated headscarf” is symbolic of Muslims’ *reluctance to integrate*, which once again confirms the assimilative nature of the Austrian integration model. Others argued that the law would free Muslim women from patriarchal oppression, but most critics recognized it as a desire to remove religious symbols of Islam from public places.

The Act bans all full veils such as niqabs and burqas from public places, providing that “facial features may not be hidden or concealed by clothes or other objects in such a way that they are no longer recognizable.” Violation of this rule imposes an administrative fine of up to 150 euros.⁶⁴ This law was implemented as part of the so-called “package of integration” - a package of laws allegedly aimed at progressing integration “by enhancing participation in public life and ensuring peaceful coexistence in Austria.” In addition, it became a logical continuation of the Federal Law on External Legal Relations of

Islamic Religious Societies, or as it is briefly referred to, the Islamgesetz 2015. This law defined the “rights and obligations” of Islamic religious societies registered in Austria. The law limited “pastoral practice” to persons who received an education in Austria and have their main place of residence in the Republic of Austria. The law also establishes that the German translation of the corresponding version of the Qur'an must be submitted to the state authorities to determine whether the new community has a different religious interpretation than the existing ones, since all newly registered religious communities must differ in their teachings from those already existing. The law prohibits financial support from other countries to finance Islamic religious societies in Austria. The prohibition is not extended to the activities of any other, non-Muslim, religious associations in Austria.⁶⁵

There is a serious contradiction between central and local legislation in several EU countries that is also worth mentioning. Thus, a difficult situation in the sense of protecting the rights of minorities has developed in *Italy*. If, at the national level, the law protects their rights, at the regional level these rights are at the discretion of the local authorities. This situation has led to various problems among Muslims, as the Italian authorities (both local and regional) associate Muslim communities with terrorism and radicalism.

2017 brought several cases of discrimination against the Muslim minority by local authorities. These took place particularly in the northern regions, such as Veneto, Piedmont, and Lombardy, which are dominated by regional and local authorities of the right-wing “League.” In the Veneto region, a decree was passed prohibiting the wearing of religious clothing in public places, which may make identification of the owner more difficult. The media called it the “law against the burqa,” which is a more rigid modification of an existing 1975 law concerning the use of a full-length veil that hides the face.⁶⁶

In the northwestern region of Liguria, the use of the burqa was banned in hospitals. The motivation of local authorities for enacting this law was that it enables Muslim women to free themselves and

become Westernized (i.e., to assimilate more quickly), though many of them perceive it as an act of discrimination against the Muslim community.⁶⁷

Also, in the Veneto region, a local law was passed prohibiting the construction of mosques on the grounds that this type of building allegedly disturbs the landscape, the ancient and historical architecture of cities and towns of the region.⁶⁸

At the national level, the Minister of the Interior of Italy, Marco Minniti, signed an agreement with the country's largest Muslim organization in which sermons at the mosques were now to be delivered in Italian.⁶⁹ According to experts, this development could lead to the emergence of parallel communities operating illegally or semi-legally.

On April 27, 2017, *Germany's* Bundestag passed a law prohibiting women who are civil servants from wearing a full-face veil or *niqab* at work. The law states that "religious or ideological covering of the face contradicts the neutrality required of state functionaries." In addition, the law prescribes a woman, regardless of the nature of her professional activity, to show her face during identity checks.⁷⁰ If necessary, law enforcement officers have the right to force a woman to open her face. During the same year, the Bundesrat also adopted a number of important additions to the rules of the road. Motorists in Germany have been prohibited from driving with part or all of their face covered. This new regulation applies to a person wearing a carnival mask, a respirator, or a Muslim headdress. Violators of this law are to pay a fine of 60 euros. In the Bundesrat, this measure was justified by the fact that the driver's face should be recognizable "if they are caught speeding." This prohibition is valid throughout Germany.⁷¹

According to the April 2018 report by the Open Society Foundations, 7 EU countries (Austria, Belgium, Bulgaria, Denmark, the Netherlands, France, and Germany) adopted laws prohibiting face covering headgear in certain places. In Italy and Spain, such laws were enacted at the local level. This ban primarily applies to traditional Muslim women's face-covering clothing. In addition, in 13

EU countries, religious clothing is prohibited in certain private or public institutions and companies.⁷²

In a number of cases, discriminatory initiatives have not received support in the European parliaments in 2017. Several initiatives were rejected in the parliaments of Hungary and Slovakia. The most dramatic events unfolded in Slovakia, where the anti-Islamic law that was adopted in early December 2016 practically nullifies all attempts of the country's 5000 members of the Muslim community to obtain an official status.ⁱⁱ

On April 5, 2017, the national Parliament rejected a bill prohibiting the construction of mosques in the country. The proposal was introduced by SME Rodina MP Milan Krajniak. Krajniak believes that mosques carry security threats, and his initiative is aimed at preventing terrorism. As of today, Slovakia is the only EU country where there are no mosques. Krajniak also proposed to amend the Law on Construction and the Law on Freedom of Religion. According to the amendments to the Law on Construction, the initiators of the construction of a piece of religious architecture would have to request permission from the Ministry of Culture and the local municipality. MPs did not support Krajniak's draft bill amending the act on religious freedom, in which the Ministry of Culture would have to request the Slovak intelligence service (SIS) to evaluate any security risks before registering a new religion.⁷³ Upon SIS's approval, a five-year temporary registration may be received; and, after this period, and re-application, a permanent registration could be received by the Ministry of Justice. The connection between the two initiatives proposed by Krajniak is that the approval to build a religious building would only be received by a religious organization that has permanent registration. As of this date, the Muslim community in Slovakia has no institutional framework. Even if the Ministry of Justice registers a certain Muslim organization today, according to Krajniak's idea, the first mosque in the country could appear no earlier than in five years, once this religious organization receives permanent registration. After

ⁱⁱ To be able to register, a community needs a minimum of 50,000 religious followers.

the vote, Milan Krajniak was displeased with the position of the deputies, who, in his opinion, are not fully aware of the danger of Islamic terrorism.

Chapter 2. LAW ENFORCEMENT PRACTICES

Discriminatory practices

The main problems related to the law enforcement system of monitored countries in their aim to combat hate crime are institutional racism and discrimination of minorities in government, education, and the media. Torture of detained members of minorities also remains a problem.

Hungarian Roma continue to face discrimination in a wide range of issues, such as housing, education, and health. This has prompted the European Commission to initiate proceedings against Hungary in connection with the continued discrimination of Roma in education.⁷⁴ This is especially noticeable in the education sector, where the government supports the segregation of Roma students. In particular, in 2017, the Minister of Human Resources, Zoltan Balog repeatedly expressed his support for this phenomenon, stating that “a short period of segregation, supported by adequate pedagogical methods, prepares students for integration.”⁷⁵

Segregation is also present in the Hungarian health sector. According to the 2017 report by the European Parliament, in many Hungarian hospitals Roma are placed in isolated maternity wards. Roma women are also subjected to racial and physical violence at the time of the birth of their children, and the level of stillbirths among Roma is significantly higher than the majority of the population.⁷⁶

Discrimination against Roma also manifests itself in the practice of local governments. For example, the town of Kisvárda has built, for 700 Million HUF (about 2.25 Million Euro), the Minority-Roma Methodology and Education Centre, which was then handed over to local professional soccer and handball teams, while Roma

inhabitants of the town are barred from using it or even entering the building.⁷⁷

It was also revealed that the local government of Kisvárda is offering to pay 1.5 million forints (about 4,800 euros) to those Roma who live in social housing, under the condition that they leave town, which has resulted in about 20-30 people, mostly Roma, departing.⁷⁸

Experts are also questioning the legal enforcement practice of Hungarian courts. Over many years of observations, only in several cases did the courts pass convictions for hate crime. The same is true of the Equal Treatment Authority of this country. Only in one case in 2017 was the indictment accepted. The case involved a public transport controller, who only checked tickets of Roma and did not pay attention to other passengers. During the investigation, the Office found that the defendant was checking tickets of only those passengers who were Roma and had dark skin color.⁷⁹

Discriminatory law enforcement practices were also recorded in 2017 with regard to Roma communities in *Italy*, especially in the cities of Naples and Rome, where the Town Hall meeting approved the forced expulsion of Roma from their camps and the segregation of the same minority group in another camp built by local authorities. This, in their opinion, provided security for monitoring the freedom of movement of people in and around the camp. In Naples, this plan affected 1,300 Roma women who had Romanian citizenship, while in Rome a similar plan resulted in the forced eviction of 7,500 Roma, the forced closure of their camps, and their transfer to another camp built by local authorities with the same segregation rules as in Naples.⁸⁰

Another minority affected by discriminatory practices in Italy is the Nigerian community living in the country. Between January 26 and February 18, 2017, Interior Minister Marco Minniti ordered the local police headquarters of Rome, Brindisi, Turin, and Caltanissetta to identify and to arrest an “adequate number” of Nigerian citizens without a visa in order to deport them to their homeland. This was seen as a discriminatory act, since the detainees were not allowed to use the right of appeal and to settle their legal situation in the country.⁸¹

In *Greece*, the ill-treatment and excessive use of force by law enforcement officers continued. The majority of the victims of the reported incidents were refugees and migrants trapped on the Aegean Islands as a result of the EU-Turkey deal. It was alleged that the police used excessive force against asylum-seekers during an operation to arrest protesters in the Moria camp on the Greek island of Lesbos on July 18, 2017.

According to preliminary findings of the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, which visited Greece from 10 to 19 April 2018, in some places of pre-trial detention, physical ill-treatment and excessive use of force by police officers was recorded, for example, slaps and blows to the head or other parts of the body.

On April 18, 2017, the Council of Europe's Commissioner for Human Rights, Nils Muižnieks, wrote to the Minister of Justice and the Protection of Citizens regarding “four well-documented cases of migrants, including minors” who were the victims of severe beatings by police officers on the Samos and Chios Islands in November 2016, and in January and February 2017. Reportedly, minors have lost their hearing, suffered from a knee dislocation, and broken legs.⁸²

Interestingly, the Commission for the Development of Ireland considered the fact that, since 2014, not a single person from Africa nor the Caribbean has been employed in the police force is a case bordering on institutional racism.⁸³

The problem of institutional racism in the police was also recorded in *Spain*. For example, in 2017 a Spanish citizen of Pakistani origin, Zahan Muhammad, filed a suit against Spain in the European Court of Human Rights on the grounds that he was detained by the police solely because of the color of his skin.

Several cases of institutional racism were also identified in France during the period under review. The most famous is a case involving a boy of African descent, Theo, who was subjected to racist physical violence (he was sodomized and beaten by an officer with a baton in the police station) after a selective check of his documents on the street. The case had such a strong resonance in the media that

then-President François Hollande visited Theo at the hospital. The protest against police racism was so significant that, in the ensuing days, riots broke out in Paris, and on February 15, there was a serious clash between demonstrators and the police.

Another incident occurred in June 2017, when 56-year-old Liu Shaooyo, a Chinese citizen, was killed by a policeman who came to the victim's apartment after receiving a call from the man's neighbors who reported that they saw Liu walking around their building with a knife.⁸⁴ When the police knocked at Liu's door, he was allegedly trying to hit the officer with scissors, and the officer responded with a deadly shot.

Cases of discriminatory law enforcement practices have also taken place in *Croatia*, when a refugee from Afghanistan, 6-year-old Madina Hosseini, was killed in November 2017 as a result of an incident on a train. According to the testimony, the Hosseini family crossed the Croatian border from Serbia together with a group of immigrants, but was forced to go back, instead of registering as asylum-seekers in the nearest Croatian police station, under pressure by the Croatian police forces. In June 2018, the ECHR confirmed the Hosseini family's complaint about the inhuman living conditions and illegal detention of the entire family at the reception centre in Tovarnik.

In 2017, the *Dutch* court published a report criticizing the legislative changes regarding the integration of migrants, as it was found that the modified integration process did not provide adequate support for new migrants.⁸⁵

Such conclusions were drawn on the basis of claims by several people that they had been earmarked by local authorities who were investigating fraud among the recipients of the social benefits program because of their Egyptian and Somali origin. The case was referred to the Dutch equality organization - the Netherlands Institute for Human

Rights (NIHR), which accepted it for consideration as a case of racial discrimination.ⁱⁱⁱ

A 2017 large-scale report by the Federal Anti-Discrimination Agency of *Germany* confirmed that discrimination is still widespread in the country. The report indicates that more than 30 per cent of the inhabitants of the Federal Republic are being discriminated against.⁸⁶ At the same time, discrimination also takes place in the public sector. Thus, in November, a transcultural youth self-organization of Roma and non-Roma, “Amaro Foro,” reported that one of the Labor Exchanges of Berlin stopped paying benefits to a Romanian citizen living in the country. The absence of a valid work permit was named as the justification. Human rights activists note that employees of departments regularly demand work permits from citizens of Romania and Bulgaria, taking them for Roma, although EU citizens do not need this document as from 2014. In this procedure, discrimination based on the principle of origin is obvious.⁸⁷

In 2017, special attention was paid to the decision of the European Court of Human Rights (ECHR) in the case of Škorjanec v. Croatia. In this case, *Croatia* failed to correctly apply its legal mechanisms in a concrete situation. The case concerned physical attacks against the plaintiff (not of Roma origin) and of her Roma partner. The ECHR found that the Republic of Croatia had violated the applicant's right to prohibit torture, inhuman and degrading treatment (Article 3 of the European Convention on Human Rights), and prohibition of discrimination (Art. 14). Croatian institutions did see this offense as a hate crime as the applicant herself was not Roma,

ⁱⁱⁱ The problem was the focus of media attention after researchers from *De Groene Amsterdammer* decided to test the extent of discrimination in the Dutch housing market. Research was conducted by *De Groene Amsterdammer*, who applied for 250 rental properties under the names of ‘Jaap’ and ‘Rasheed’, and recorded the responses when asking if the property was still available. Only 116 responses for Rasheed came through, in comparison to 162 for Jaap. In another part of the study, they called 50 real estate offices pretending that they wanted to rent out their home now that they live abroad. They then asked them if they could not let the property out to foreigners to see if they would grant this. 31 did it *no questions asked* and the other 15 were skeptical, knowing it was against the law, but did it anyway. Only 4 declined this request, realizing that it was wrong. <https://www.equalitylaw.eu/downloads/4352-the-netherlands-country-report-non-discrimination-2017-pdf-1-63-mb>.

although she was a victim by association and there was no need for the victim to personally possess the characteristic protected by law.”⁸⁸

In *Britain*, a problem arose when the British police refused to recognize hate crime against disabled people⁸⁹ and transgender people.⁹⁰

Discriminatory practices against LGBT people were recorded in *Russia*. During the period of monitoring, cases of discrimination against LGBT people in the labor sphere were noted. For example, dismissals of LGBT teachers from general education schools and gymnasiums are by no means rare; and neither is the denial of employment.⁹¹

In June 2017, the European Court of Human Rights addressed the changes that were made in the Russian Code on Administrative Offenses with regards to the promotion of homosexuality among children. The Court recognized that these changes are violating freedom of expression, are discriminatory, and are conducive to the spread of homophobia.⁹²

In 2017, journalists from *Novaya Gazeta* published information about the campaign that the authorities of Chechnya launched against the LGBT community. According to the newspaper, law enforcement agencies of the republic organized informal prisons for men suspected of being gay or bisexual, where the detainees were severely beaten and tortured. The newspaper also claimed that the authorities of the Chechen Republic sanctioned, and perhaps even personally committed homicide of gay and bisexual men.⁹³ According to unverified information, in September 2017, a certain Maxim Lapunov said that he was one of the victims of the Chechen security forces and filed an application with the investigative bodies. At the moment, the conclusions of the official investigation and the status of the case are not known.

The authorities of *Ukraine* in 2017 actively fined and even shut down several Russian-language media outlets for non-compliance with language quotas. In the first place, media outlets that were (are) critical of Petro Poroshenko’s regime were subject to repression. Thus, on March 3, 2017, the National Television and Radio

Broadcasting Council closed *Radio Vesti*. Prior to this, in February of the same year, the Council refused to issue a broadcast license to this station.⁹⁴

On November 10, 2017, the national Council also fined 50.5 thousand UAH to a popular radio station, “Lux FM.” The penalty was imposed for the radio station’s failure to comply with the requirements of the law on the mandatory share of broadcasting songs in the Ukrainian language. The Council found that the proportion of songs in the state language during the time from 7 am to 2 pm was 23.5 per cent,” which is in violation of the quota of at least 25 per cent.⁹⁵

In connection with the blocking of the office of the TV Channel NewsOne by representatives of radical nationalist organizations in December 2017, the National Council formally spoke in support of freedom of speech, but, in fact, supported the restriction on statements.⁹⁶ “In connection with the situation caused by statements in the live broadcast of the owner of the NewsOne Channel, the National Council fully supports the words of the President of Ukraine about the inadmissibility of ‘playing along with the Russian propaganda, including in such matters as the evaluation of the Revolution of Virtue,’” the regulator said in a statement.⁹⁷ President Poroshenko also made a similar statement earlier on his Facebook page.⁹⁸

There is also discriminatory enforcement of minorities in the sphere of education. Thus, the adoption of the law on education, which abolishes the education of citizens of Ukraine in the languages of national minorities, caused a violent reaction of the Hungarian community of Transcarpathia.

The rector of the Transcarpathian Hungarian Institute, Ildiko Orosz, stated: “We believe that the dark Stalinist times returned to Ukraine, which calls itself a democratic state. This aroused indignation when the Ukrainian parliament passed a law violating constitutional rights of minorities, such as Hungarians of Transcarpathia.” The Hungarian Foreign Minister labelled the reform as “backstabbing the Hungarian diaspora in Ukraine.”⁹⁹ According to available information, Hungary has invested, in the previous years,

tens of millions of euros in the creation of an educational infrastructure for Hungarian schools in Transcarpathia.¹⁰⁰

The Ukrainian authorities responded with harsh rhetoric. Their educational measures are presented by Kiev as a “struggle for the territorial integrity” of Ukraine. Kiev accused the Hungarian government of supporting Transcarpathian separatism and of “working for the Kremlin.”¹⁰¹

According to the Ministry of Education, 16,000 Hungarian children are enrolled in 71 Hungarian schools. In 2004, there were 74 Hungarian schools in Ukraine that were attended by 19,000 pupils.

More than 355,000 children are studying in 581 Russian schools. It is important to note that it was Russian schools that were most often closed in Ukraine. While, in 2004, there were 1,555 Russian schools, the number was reduced, by 2017, to 581.

There are 16,000 children in Ukraine who attend 75 Romanian schools. In 2004, there were 95 Romanian schools that counted 26,000 students between them.

There are now 5 Polish schools with 1,785 children attending in Ukraine. In 2004, these 5 schools were attended by 1,418 students.

2,693 students attend 3 Moldovan schools. In 2004, there were 8 Moldovan schools with 6,128 students in total.

At the moment, there is not a single Crimean Tatar school in Ukraine. In 2004, there were 14 of them, with 4,797 attending these schools. By 2014, there were 15 Crimean Tatar schools, in which there were 5,551 students. All these schools remain in Crimea after the Russian annexation.

The failure of many countries to keep statistical records of hate crime remains a large problem. Often, the reason for this omission is the underestimation of the public danger of this phenomenon. Such crimes are usually investigated as ordinary crimes, and the “hate” component is not always recognized as an aggravating circumstance. However, as practice shows, there is a regularity that demonstrates that the more the state tries to hide statistics, and the more it seeks to represent hate crime as domestic, the more such crimes are committed in the country.

Official statistics are not kept (or classified) in Greece, the Netherlands, Hungary, Austria, Ireland, and other countries. Some countries, for example, Ukraine, provide inaccurate data, which, in the worst-case scenarios, indicates the reluctance of law enforcement agencies to initiate cases of hate crime, and, in the best-case scenarios, the initiation of these cases as “household” crimes. In some cases, the police and the prosecutor's office, as already indicated, did not see the concrete evidence of a crime in the spread of hatred.

The situation, however, is gradually changing. Thus, up until 2017, Italy was not among the countries that systematize official statistics on hate crime. However, after the neo-Nazi skinheads broke into the volunteer centre for immigrants in November 2017, Justice Minister Andrea Orlando ordered a census of hate crime in the country over the past three years (2014-2017).¹⁰² This is an important step, which shows that Italy is reconsidering its view on the public danger of hate crime.

Anti-discrimination Law enforcement practices

The police of some of the monitored countries began to pay increased attention to the suppression of the spread of hatred (non-violent crimes), including the spread of hate speech online. As a rule, this leads to a reduction in the number of violent crimes.

Thus, in January 2018, the Office of the Slovakian Special Prosecutor's Office (USP), which was set up to investigate crimes that include hate crime, published data for 2017. Prosecutors initiated 178 cases of extremism against 47 people. Particular attention was paid to the promotion of online communities that aim to infringe the rights and freedoms of social, ethnic, or religious groups. Most often, the targets of attacks are Roma and Jews, their social practices and religious rites. There were 62 such cases in 2017. For crimes with a qualifying motive, or related to hate, 4 indictments were put forward and 11 citizens were convicted. Three members of the National Council were brought to justice, which was not the case before.¹⁰³

In February 2018, a special police unit to fight extremism was created within the National Criminal Agency of Slovakia (NACA). As of now, the unit totals only 125 officers - experts and specialists in countering terrorism and extremism. The main bloc of the unit consists of officers who specialize in cyber terrorism. According to the leader of the unit, Tibor Gašpar, cyber terrorism will become one of the main directions of the unit's work.¹⁰⁴

The police of *Austria* are concerned with the same issue. In 2016-2017, the Ministry of Justice, as well as the Ministry of Internal Affairs, implemented awareness raising programs concerning incitement to hatred and discriminatory practices on the Internet and in social networks. Such training is conducted in cooperation with the American Anti-Defamation League. The Pilot Project "Police Communication," also launched in Vienna in 2016, is aimed at raising police awareness and reducing discriminatory incidents.¹⁰⁵

In *Spain*, the police have been moving in the same direction with the FIRIR, which was launched in 2012 and has continued in the period under review. The project was developed to train law enforcement officials at the central, regional, and local levels in identifying and reporting racist and xenophobic incidents, including those that happen in cyberspace.

More than 31 per cent of all criminal cases of hate crime in *Poland* were initiated for crimes committed online (489 out of 1415 of all hate crime). Another 380 episodes were associated with the spread of hatred offline. Only 13.7 per cent of all hate crime (220 episodes) were violent crimes.¹⁰⁶ Interestingly, in the first half of 2017, 692 cases of hate crime were terminated in Poland (632 in the first half of 2016, and 651 in the first half of 2015). And only 258 of those cases were referred to the court. Thus, almost two thirds of all cases did not reach the court.¹⁰⁷

Law enforcement agencies in many countries are beginning to understand that the key to reducing the statistics of violent hate crime lies in those that are non-violent, and especially those that are committed online. In the overwhelming majority of cases, an offender who was stopped at the stage of spreading hate online, does not

commit offenses offline, nor try to repeat his experiences on the Internet.

Actually, this practice corresponds to the requirements of Art. 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, which criminalizes “any dissemination of ideas based on racial superiority or hatred ..., declares illegal and prohibits organizations, as well as ... propaganda activities that encourage and incite racial discrimination and recognize participation in such organizations or in such activities as a crime.”¹⁰⁸ However, since the Convention opened for signature in 1965, it has become clear that this article is bordering on a violation of the fundamental freedoms and human rights, namely, on the freedom of speech and expression. For this reason, Great Britain, France, Italy, and many other countries made reservations to the Convention. In Italy, the criminal responsibility for the spread of hatred is connected with the proof of the influence of the accused on a wide audience with the “goal of changing the audience’s behavior,” which is extremely difficult to prove. Many other countries that formally acceded to the Convention without reservations, in fact ignore the requirements of Art. 4.

However, the situation in these countries is beginning to change gradually. So, in 2017, for the first time, statistics were published on hate crimes committed online in England and Wales.¹⁰⁹ Such crimes are those that are at least partially committed using a computer device. Thus, like other types of crimes in the UK, they can be registered several times. However, the motivational part of the report on online hate crime does not emphasize the importance of combating such crimes as preventing violence, but only indicates that such statistics will help to establish the immense role that computers and the Internet play in spreading hate. Incidentally, against the background of 80,393 crimes that were committed in England and Wales in 2016-17, 1067 online crimes look like a disproportionately small number. Most likely, this number captures not spreading hate online itself, but, rather, the threats that preceded violent crimes or about contacts with other participants in crimes, or with victims.¹¹⁰

There have been significant shifts in approaches to hate crime in *Greece*. It is obvious that the government of Prime Minister Tsipras is gradually changing the trend that has existed for many years, whereby hate crimes were concealed as a result of sympathizing with the radicals on the part of law enforcement officers and courts. In 2017, several courts issued convictions for imprisonment of persons guilty of assault and incitement to violence against members of minorities.¹¹¹ In addition, the Greek public for the prosecution of racist violence opened 150 criminal cases on incitement to hatred and other crimes on the same ground, mainly on the basis of reporting by the NGO Greek Helsinki Monitor, something what would be unlikely possible.¹¹² In 2017, the government began registering more real crimes committed on racial grounds.

In 2017, several important steps were taken to strengthen the practice of anti-discrimination in the Netherlands. The most important of them are mentioned below:¹¹³

- The police adopted a code to prevent ethnic profiling, which includes professional standards and guidance on how to deal with situations where police officers have to stop citizens.

- Special attention is paid to counteracting anti-Semitism in the National Program of Action against Discrimination. Education on the history of the Holocaust becomes an obligatory part of the school curricula.

- The Parliament introduced a bill on clarifying the concept of gender discrimination in the Equal Treatment Act, after which it would include such concepts as “physical sexual characteristics,” “gender identity,” and “gender expression.”¹¹⁴

- An agreement was signed between the prosecutor's office, the police, and anti-discrimination NGOs in order to promote cooperation in the field of freedom of expression. In particular, a campaign was launched to inform the public about the manifestations of hate online. In addition, an independent hotline was created for hate speech online.

In many countries, the problem of mistrust of victims of hate crime towards police officers remains. In Britain, it has been recognized that this problem is of a systemic nature. In particular, the

South Wales police formally stated that, although official data published in October 2017 showed a 29 per cent increase in the number of hate crime, the lack of trust in police among minority communities was a major factor in underreporting in previous years.¹¹⁵

Some positive data has begun to emerge from *Hungary*. Against the backdrop of the almost total refusal by the Hungarian courts to convict persons for hate crimes against Roma, information on the accusatory, and legally binding sentences related to imprisonment of persons guilty of attacks against members of sexual minorities, has started to appear. For example, three men who beat gay pride parade participants in Budapest in 2013 were convicted of an attack, and the court stated that there was a motive related to the sexual and ethnic orientation of the victims.¹¹⁶

In *Russia* over the past five years, the number of convicts for extremism has increased 2.2 times.¹¹⁷ To a large extent, these are persons convicted of non-violent crimes. In 2017, 1,521 crimes were committed, 4.9 per cent more than in 2016.¹¹⁸ 17 per cent more people, according to Art. 282 of the Criminal Code (on the incitement of hatred or enmity), than in 2016, and in five years the number of sentences under this article has grown 2.5 times (461 people).¹¹⁹ At the same time, it is clear that this tactic over the past few years has resulted in a systematic reduction in the number of violent hate crimes in Russia (see Chapter 5).

According to information received in 2018 from sources close to the presidential administration, in pro-Kremlin Russian circles, there might be some liberalization, in the upcoming months, of certain “extremist” articles of the Russian Criminal Code, namely, of Art. 282 (incitement of hatred) and Art. 148 (which penalizes violations of freedom of conscience and religion) in the event of a “mass public inquiry.” According to the well-known online publication, www.znak.com, the pro-Kremlin NGO “All Russian People’s Front” will present a report to President Putin in September 2018 on the enforcement of article 282, with proposals for more humane treatment of the accused.¹²⁰ The Speaker of the Federation Council Valentina

Matvienko has already expressed her support for this proposal. The presidential press secretary Dmitry Peskov also called the formalistic approach of punishing people for their use of likes and re-shares on social media “inappropriate.”

One should also note that the Russian authorities have made a number of decisions and undertaken some initiatives that are aimed at simplifying the procedure for the naturalization of citizens of the former USSR, primarily citizens of Ukraine, as well as the legalization of labor migrants. In addition, important steps were taken towards developing and launching an all-Russian system for monitoring ethnic conflicts by the Federal Agency for Nationalities Affairs (FADN).

Chapter 3. XENOPHOBIA

Xenophobia remains a serious problem for European society. Its roots can be found in both legislative and law enforcement practices, and in entrenched traditions and social processes that change the habitual socio-cultural environment of human habitation.

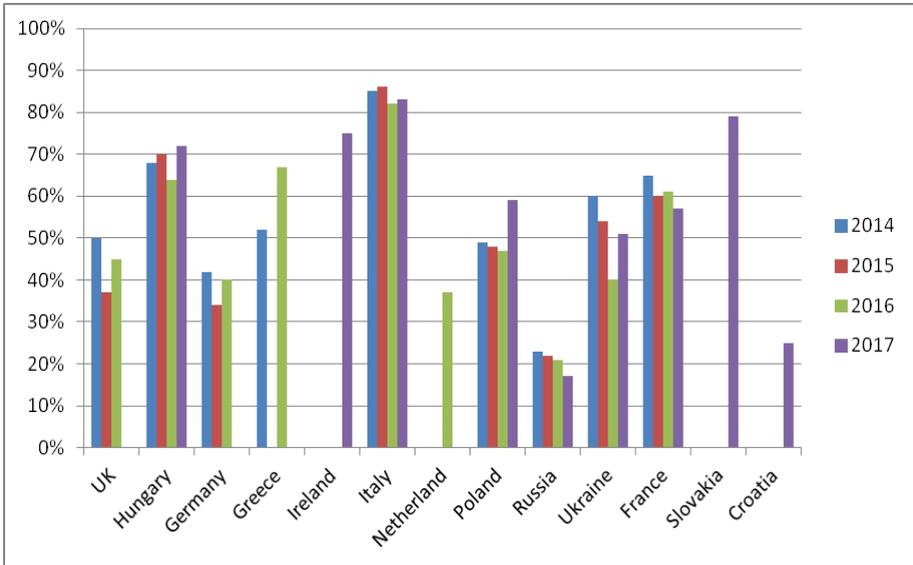
In the end, Xenophobia is the root cause of all hate crime. It is present in all monitored countries with varying degrees of intensity.

In 2017, we can note a slight decrease in migrant phobia, which, in previous years, was a real problem for EU countries. Phobias towards ethno-religious minorities generally remained at the same level, although in some countries, this problem was, at the time, replaced by the more urgent challenge of dealing with immigrants.^{iv}

One of the most serious problems associated with xenophobia in monitored countries has always been the *Anti-Roma sentiment* (see Diagram 1).

^{iv} Author’s note: one should take into consideration that the data on the levels of xenophobia in monitored countries during 2017 comes from national opinion polls, which were conducted by different organizations that used their own methodologies.

Diagram 1. Anti-Roma sentiments, 2014-2017¹²¹

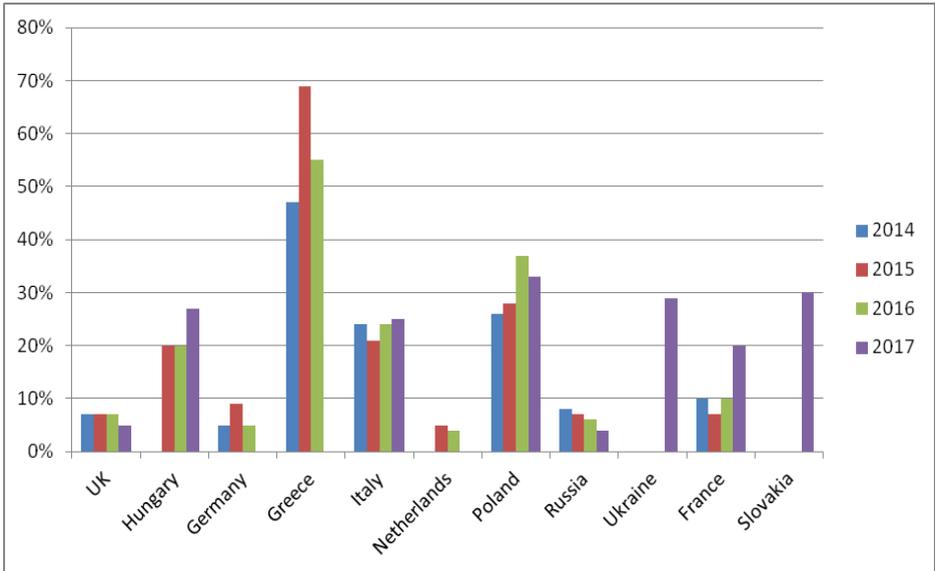


The year 2017 was not an exception. The strongest anti-Roma sentiments were manifested, as in previous years, in *Italy*.¹²² The level of gypsy phobia in this country was 83 per cent in 2017. This constitutes a 3-4 per cent decrease from 2014-2015, which is explained by a temporary replacement of one phobia with another, which seemed more relevant at the time. Anti-Roma sentiments are the least developed in Russia, where, for the last 4 years, the level has decreased by 6 per cent.¹²³

Anti-Semitic sentiment in the monitored countries has remained at approximately the same level. The highest level is demonstrated in *Greece*. In this country, anti-Semitic sentiments feed not only on some old traditions, but also on the long-term propaganda of right-wing radical organizations, first of all, by Golden Dawn. In addition, the Muslim population has a huge influence on the growth of anti-Semitism.

At the same time, one should not forget that there are only 4,500 Jews out of the 10.5 million Greeks who live in Greece.

Diagram 2. Dynamics of anti-Semitic sentiments in 2014-2017¹²⁴



Poland occupies the second place among monitored countries in its level of anti-Semitism. In Poland, the Jewish community today is the smallest compared to other monitored countries. According to the 2002 Census, there are approximately 1,000 Jews in Poland, who mainly live in large cities such as Warsaw, Wroclaw, and Krakow. By some different estimates, namely Israeli media reports, 7,000-8,000 people are officially registered in various Jewish communities of Poland or receive assistance from the charitable American Jewish Joint Distribution Committee (JDC).¹²⁵ This amounts to 0.02 per cent of the total population of a country of 38 million people (2016).

According to a public opinion poll conducted by the Polish Public Opinion Research Centre (CBOS) in October 2017, 33 per cent

of Poles expressed negative attitude towards Jews.¹²⁶ This is a 4 per cent decrease from 2016, but 5 per cent from 2014.

These figures, as well as the figures characterizing anti-Semitism in *Greece*, once again prove that the subject of a phobia is not an absolute necessity for a high level of xenophobia to exist. It is, rather, other factors that must be present, namely, propaganda, the political gain of certain forces, and historical traditions.

According to a survey by the Institute of Public Affairs (IVO), which was conducted in mid-December 2017, *Slovakia* is in second place after Poland in terms of anti-Semitism. During the survey, the question was asked in the following way: “Imagine that a person belonging to the following groups has moved next door to you. Would having this person as a neighbor bother you or not?”. To which 30 per cent of Slovaks responded “It would bother me.”¹²⁷

Perhaps the first serious investigation of anti-Semitism in recent years was conducted in Ukraine in May 2017 by the well-known American research centre, Pew Research.¹²⁸ According to its results, 29 per cent of Orthodox Ukrainians do not want to have Jews as members of their families. Another 13 per cent are against Jews being their neighbors, while 5 per cent do not want to see Jews as citizens of their country. Ukrainian Catholics turned out to be even more anti-Semitic. Forty-eight per cent of Catholics do not want to have Jews as members of their families, 21 per cent as their neighbors, and four per cent as citizens of their country.

In addition, 37 per cent of Ukrainians believe that their culture is superior to that of Jews. Only 50 per cent disagree with this thesis.

Hungary occupied the next place after Ukraine in its level of anti-Semitism. At the end of 2017, The Action and Protection Foundation commissioned the Medián Public Opinion and Market Research Institute to study anti-Semitic prejudice in Hungarian society.¹²⁹ According to the study’s findings, 64 per cent of Hungarians were not anti-Semitic, 10 per cent had moderately anti-Semitic sentiments, and 27 per cent had strong anti-Semitic feelings. Anti-Semitism in Hungary increased significantly between 2006 and 2011. After that, it decreased slightly and then stayed at that level.

From 2013 to 2016, the proportion of moderate anti-Semites dropped from 18 per cent to 13 per cent, while the share of extreme anti-Semites remained at 20 per cent during these years. Available data for 2017 indicates a significant increase in the proportion of extreme anti-Semites, again reaching the level of 2011, while the proportion of moderate anti-Semites has become somewhat lower.¹³⁰

Britain and *Russia* are the most anti-Semitic countries to date. According to the Pew Research Centre's study, "Measuring Attitude Towards Muslims and Jews in Western Europe," only 7 per cent of Britons definitely would not want Jews to become members of their families.¹³¹ However, according to a more detailed report published in September 2017 by the Community Security Trust (CST), a charity that protects British Jews from anti-Semitism and related threats, only 5 per cent of the country's residents experience persistent wide-range anti-Semitic feelings. However, the same report states that more than a quarter (30 per cent) of people in British society "share anti-Semitic feelings to some extent."¹³²

Four per cent of Russians, according to a July 2017 study by an independent think tank, the Levada Centre, believe that the residence of Jews on the territory of the Russian Federation should be limited.¹³³ This figure is two per cent lower than in 2016 and half as high as it was in 2014. However, in another study conducted in January 2018, which investigated attitudes toward religions, three per cent said they felt "very negative" about Jews, and another six per cent said that they felt "to some extent negatively" about Jews.¹³⁴

Interestingly, six per cent of the Dutch, according to another Pew study, completely agree with the statement that Jews "always pursue their own interests, and not the interests of the countries in which they live."¹³⁵ However, only three per cent of the inhabitants of the Netherlands are not ready to accept Jews into their families.¹³⁶ Five per cent of Britons, five per cent of Austrians, five per cent of Germans, and six per cent of Irish share the opinion that Jews are unpatriotic, which contrasts sharply with their readiness to accept Jews as members of their own families – 23 per cent of Britons, 21 per cent of Austrians, 19 per cent of Germans, and 18 per cent of the Irish,

respectively.¹³⁷ This suggests that the supposed attitude of Jews towards their countries of residence (in other words, their supposed lack of patriotism) is not, for most of the respondents, the main factor influencing their attitude towards Jews.

In a similar vein, 15 per cent of the Spaniards agree that Jews lack patriotism, while 13 per cent of the inhabitants of Spain are not ready to become related to Jews.

On the level of xenophobia in monitored countries, there is clearly less intolerance towards Jews than there is towards *Muslims* in the monitored countries.

Inhabitants of Slovakia display the most negative attitudes towards Muslims. According to a poll conducted by the Institute of Public Affairs (IVO), 73 per cent of Slovaks would not want a Muslim family living next door to them.¹³⁸

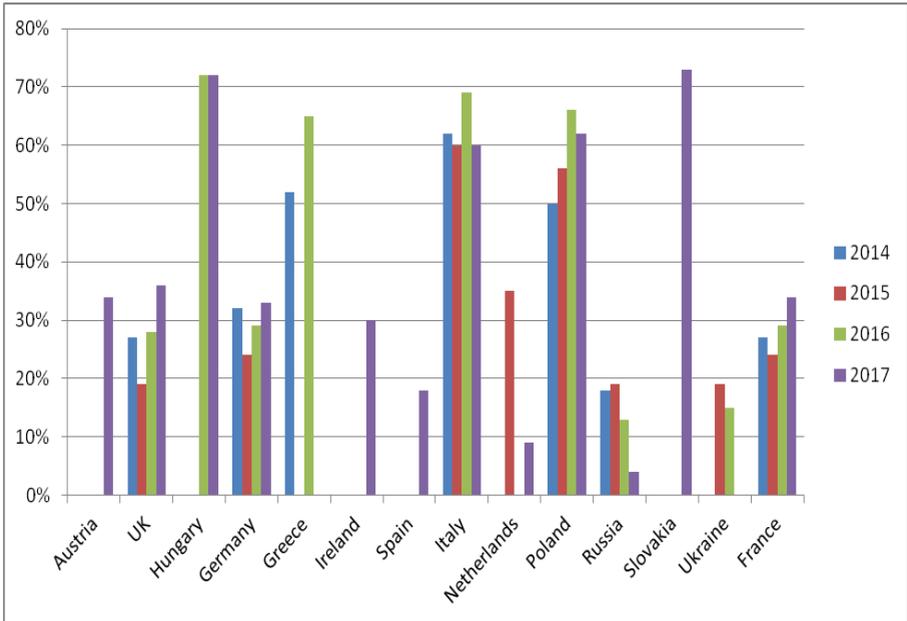
Hungary occupies the second place after Slovakia in anti-Muslim sentiments among its citizens, with a rate of 72 per cent. This figure, however, is arbitrary, since the aforementioned survey commissioned by the Action and Protection Foundation in 2017, formulated the question as attitude towards Arabs.¹³⁹ Therefore, the study omitted an important distinction between Arabs and Muslims, ignoring the fact that these identifications are very different. At the same time, given that Hungarian public opinion unites these concepts, and that the figure corresponds to the results of the Pew Research poll on Muslims held in 2016, it is possible to conclude, with a large degree of probability, that Median's findings are close to reality.¹⁴⁰

Muslims, who make up less than one per cent of Hungary's population, are often portrayed by pro-government media of the country as an existential, cultural, and religious threat to the very existence of the Hungarian nation.

The British advocacy group Hope Not Hate, which campaigns to counter racism and fascism, conducted a survey of "Fear and Hope 2017" which showed that 52 per cent of those surveyed said they see Islam as a serious threat to Western civilization.¹⁴¹ This constitutes an increase of nine per cent from 2016.¹⁴² However, with more detailed examination, it became clear that only 16 per cent of the English

believe that “Islam leads to hatred,” but 68 per cent are certain that some unscrupulous people spread hatred with the help of Islam.¹⁴³

Diagram 3. Dynamics of anti-Islamic Sentiment in 2014-17¹⁴⁴



The lowest level of anti-Islamic sentiment in 2017 was recorded in Russia (four per cent). At the same time, this figure is subject to specification, since, as the report of the Levada Centre shows, this figure only covers those who feel “very negatively” towards Muslims.¹⁴⁵ Another 10 per cent, according to the same report, feel negatively towards Muslims “to some extent.”¹⁴⁶ This is two per cent more than in 2008. It should be borne in mind that, in the minds of Russians, Muslims are not migrants from the Middle East, as those are practically absent in Russia, and not even labor migrants from Central Asia. These are, first and foremost, the traditional Russian Muslim communities of Tatars and Bashkirs who live in the

Volga region, as well as peoples from the Caucasus who are also residents of the Russian Federation.

It is interesting that, according to the Pew Research Centre's 2017 study on global security threats, most Europeans point to refugees and ISIS as the most serious threat to their countries.¹⁴⁷

This perceived threat is generally correlated with the level of migrant phobia in monitored countries. At the same time, judging by everything, Europeans gradually adapted to the problem, and the level of rejection of migrants decreased compared to previous periods.

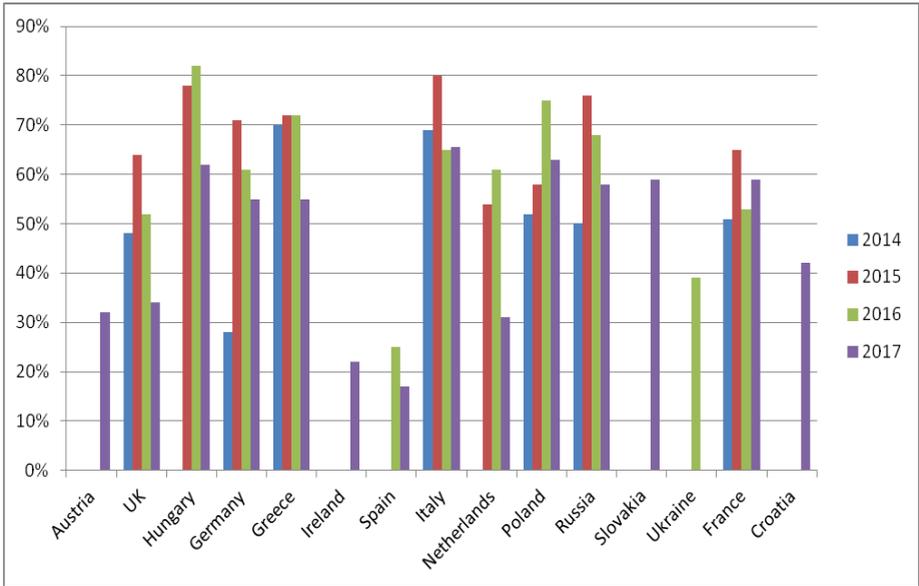
As was the case in 2015, Italy leads in its level of *Migrant Phobia*. However, if in 2015 80 per cent of Italians were afraid of migrants, 66 per cent of Italians feel this way today.¹⁴⁸ In other words, while the levels of migrant phobia are still high in this country, there has been a decrease by 14 per cent. Obviously, the coming to power of the populist government of the two anti-establishment parties, the "League" and the "5 Star Movement," who struck a deal on a Coalition government, was simplified under these conditions.

The level of migrant phobia in Hungary fell by 20 per cent in a year. If in 2016 the country was the leader in this respect, with 82 per cent of Hungarians afraid of migrants, in 2017 this fear was recorded among 62 per cent of Hungarians. One should bear in mind that these figures reflect the opinion of those who believe that "under no circumstances should migrants be accepted" in Hungary. However, another 32 per cent of the inhabitants of Hungary believe that only a small number of immigrants can be accepted.¹⁴⁹

The same situation has been observed in *Poland*, which, in 2016, was also one of the leaders in terms of the level of public hatred of migrants (75 per cent). This country has maintained its leading position, but the number was 63 per cent in 2017, less than in the previous year. According to the public opinion poll conducted by the Polish Public Opinion Research Centre (CBOS) in October 2017, the respondents were categorically against receiving refugees from countries affected by the armed conflict.¹⁵⁰ 29 per cent of respondents said the opposite, namely that Poland should accommodate refugees until they can return to their countries of origin, and only four per cent

would allow them to settle in Poland. Therefore, the figure of 63 per cent is also relative.

Diagram 4. Migrant Phobia in Europe in 2014-2017¹⁵¹



It is also evident that, as in Hungary, migrant phobia in Poland – which is also a country with a minimal presence of immigrants - is the result of the government's role in inciting anti-migrant sentiments (see Chapter 4 for details). As pro-governmental political forces achieved their goals, namely, consolidating their position at the forefront of the state and managing to not allow the fulfillment of Hungary's obligations to the EU to receive immigrants, the intensity of anti-migrant hysteria started to subside.

France is the only country during the past year that has demonstrated a rise in migrant phobia. There, the number of those who do not want to see migrants in their country has increased by six per cent: 59 per cent,¹⁵² compared to 53 per cent in 2016.¹⁵³ In Slovakia, 59 per cent of inhabitants display migrant phobia.¹⁵⁴ 58 per

cent of Russians would like to limit the influx of migrants, which is 10 per cent less than in 2016 and 18 per cent less than in 2015.¹⁵⁵

It is noteworthy that, for the first time in four years, the level of migrant phobia in Greece has dropped below 60 per cent, despite the fact that the country was one of the first to take on the impact of migratory flows as early as 2014. In 2017, when asked by the analytical centre “diaNEOsis,” whether migrants are “good” or “bad” for Greece, 54.7 per cent of the Greeks answered “bad,” and only 29 per cent said “good.”¹⁵⁶ This is significantly better than results of the previous years, when 72-73 per cent of the Greek population had a negative view of migrants.^{157 158} However, this does not mean that the problem has been solved, as:

- 90.3 per cent of Greek citizens believe that the number of migrants is still too high;
- 72.1 per cent of citizens believe that the presence of migrants in the country increases crime;
- 65.4 per cent of citizens believe that unemployment is high due to the presence of migrants in the country.

So far, only:

- 32.5 per cent of citizens are confident that the presence of migrants has a positive impact on the economy;
- 30 per cent believe that the presence of migrants in the country enriches Greek culture;
- 22.3 per cent believe that migrants can help solve the demographic problem of the country.

Consequently, the decline in migrant-phobic sentiment is a post-shock stabilization caused by the fatigue of Europeans, a certain adaptation to the situation with migrants, and the great work of the governments and international organizations in explaining to EU residents who these immigrants are, and how and why they found themselves in EU countries.

Today, the highest levels of tolerance towards migrants can be found in *Spain*, where migrant phobia reaches only 17 per cent (it is also interesting that among all immigrants who come to this country, those who came from Eastern Europe have the worst reputation, while

African migrants' reputation is the best)¹⁵⁹ and in *Ireland*, where only 22 per cent support a full ban on Muslim migration.¹⁶⁰ However, the number of Muslim immigrants to Ireland is small, as Eastern European migrants still constitute the main flow into this country.

It is characteristic that the majority of EU citizens still believe that the best way to integrate foreigners is to assimilate, while the idea of multiculturalism is only shared by a minority of the population. Most Europeans also share the view that the number of immigrants in their countries should remain at the same level (an average of 43 per cent), or decrease (38 per cent).¹⁶¹ Most of the supporters of the reduction in the number of immigrants live in Italy (52 per cent), Belgium (48 per cent), Denmark (45 per cent) and the Netherlands (42 per cent).¹⁶²

Chapter 4. PRECONDITIONS OF XENOPHOBIA

Xenophobia is caused by a number of factors. First, it is an issue of perception of cultural, social, and historical traditions of its neighbors, as well as the rejection of changes in one's social environment. Both are the result of their own cultural traditions, as well as of a lack of education. Undoubtedly, such factors as the position of the authorities and propaganda by the media influence the level of xenophobia.

It is obvious that the current migration crisis has had an impact on the changing social and cultural environment of a number of European countries, and for other countries, primarily those of Eastern Europe, has become a factor of fear of possible changes.

However, there is another factor that effects both the integration policy and how modern Europeans perceive their own environment - the traditional assimilation model of integration that has existed in Europe for at least a century.

This model allows a representative of any ethnic group or religion to become a Frenchman, a Greek, an Italian, etc., if he or she meets strictly defined conditions of naturalization. In other words, to belong to the French nation, a resident of the French Republic does

not need to be an ethnic Frenchman, but he does have to speak French fluently, to perceive French history and culture as his own, and to have a sense of inalienable belonging to France. To put it bluntly, they should voluntarily assimilate. The word “voluntarily” is the key here.

Such a model is still considered the most important achievement of European democracy, an effective tool in the fight against racial and religious discrimination. It is based on the understanding of the “nation” as a community of people, which, *regardless of their ethnicity*, is united not only by a common territory, but also by a common cultural and historical identity, which is formed on the basis of the traditions of the ethnic majority.

And that is why countries like France and Greece (with the exception of West Thrace) do not recognize the existence of national minorities – as doing so, from their point of view, would prevent common self-identification and would border on racism, as it would lead to having to divide all French, for example, along racial or ethnic lines. Therefore, all citizens of France, from the point of view of the authorities, are French, and all citizens of Greece - Greeks. Meanwhile, the de facto representatives of national minorities, both in France and in Greece, make up at least 10 per cent of the population. Ethnicity, as well as ethnic self-identification of minorities, is completely excluded from the legislation and political lexicon of these countries. Not only experts, but also the police cannot get their data on the ethnic origin of immigrants in these countries.

By and large, the same reason lies in the refusal of many other countries in Europe to recognize as their national minorities the new immigrant communities, since the support of their culture, language, educational system, etc., support that is required by the Council of Europe’s Framework Convention for the Protection of National Minorities, runs counter to the idea of assimilation that is based on a unified cultural self-identification.

France and Greece did not accede to the above-mentioned Framework Convention, nor did they ratify the European Charter for Regional or Minority Languages. Most other European countries joined them with substantial reservations. Reservations, as a rule,

concern those whom these countries are considering to be national minorities - mostly indigenous ethnic minorities. For example, in Germany they are the Danes, the Frisians, the German Sinti and Roma, and the Sorbs, and in the Netherlands - only the Frisians, etc.

Even those countries that adopted the Convention without reservations, exercise, in practice, the same policy towards minorities, as well as those that have done so with reservations. Thus, in Great Britain, a country that has fully acceded to the Convention, there is one state language (English) and three regional ones - Welsh in Wales, Gaelic in Scotland and Irish in Northern Ireland.

It is the non-indigenous minorities that suffer the most from this practice, since they do not identify themselves with any of the “traditional” minorities. They are Turks, Arabs, Pakistanis, natives of the former Yugoslavia, countries of Asia and Africa, etc. The state does not support the education system of a wide range of “new” national minorities, nor the cultural and religious programs of the communities, with the rare exception of contractual cases. In principle, the state does not object to the existence of religious and secular schools, additional education in the languages of other linguistic groups, cultural and religious infrastructure of minorities, but only through private donations or as a private business. And, as a rule, these endeavors are not connected with the system of public education.

Such a policy has two consequences:

1) The state withdraws itself from supporting the culture and education of the largest minorities.

2) The policy of integration of minorities acquires, as already indicated, only one form - voluntary or even violent cultural assimilation, as is already the case in a number of countries.

All this is quite logical: if any of the ethnic minorities in the country do not formally exist (as is the case, for example, in France and Greece), then they cannot be supported. Therefore, integration is only possible by including these “alien” groups in an already existing majority. Over the years, this approach suited not only the representatives of the majority, but also the representatives of ethnic

and religious minorities, who themselves aspired to assimilate as quickly as possible and to join the advantages of Western civilization.

The problem arose when a significant part of immigrants began to reject assimilation as a form of integration. This has been happening since the end of the 20th century, when the process of globalization combined with the process of national and religious revival of the Islamic world led to the emergence of a broad stratum of immigrants not ready to accept European standards. This process is especially aggravated during the period of regional conflicts, as a result of which Europe becomes a refuge for refugees from war-torn countries.

These people left their native places in view of objective circumstances, and they are not going to change their identity. In response to integration programs of the state, which do not take into account this circumstance, they choose self-isolation and the ghetto, which the state demonstratively ignores. There they become victims of brainwashing by Islamists, and evoke the protest of the inhabitants (due to their appearance and way of life), but refuse to assimilate. Today, the whole infrastructure, for example, of Islamic religious education, of Arab and Islamic culture, etc., with rare exceptions, is not controlled by the states.

A definite breakthrough in this sense occurred in 2016 in France, with the registration of the charitable “Freedom of Islam Foundation,” which is led by the former Minister Jean-Pierre Chevènement.¹⁶³ This new foundation’s task is the preparation of imams in French with the teaching of the basics of French culture. The aim of the project is to reduce the influence of Morocco, Algeria, Tunisia, and Turkey on the Islamic population of France, which happens as a result of the appointment of imams, as well as the financing of mosques and madrassas. However, this again suggests that the government is not going to abandon the assimilation model – the French language is an indispensable condition in a religious Islamic institution controlled and financed by the French Republic. It can be assumed that this undertaking will not take root or lead to the creation of two parallel mosques - French-speaking and Arabic-

speaking. Instead, it will inevitably create an Islamist underground and its opposition to pro-government moderate religious institutions. The preparation of Arabic-speaking imams, which is more customary in France, would, to some extent, alleviate these contradictions.

According to a study conducted in 2008-2009 in France, only about 75 per cent of Muslims feel French, and among immigrants who do not have citizenship, this percentage is even less.¹⁶⁴

But 25 per cent of Muslims (and this is a very large figure) do not consider themselves French. They do not agree to accept the assimilation model of integration. For them, their ethnic, religious and geographical origin is primary. They do not consider themselves French, although for many of them France is their homeland, and they have a French passport in their pocket. In other European countries, the situation is approximately the same.

According to a study by Bloomberg, which was published in September 2017, 22 per cent of German and French, 32 per cent of British, and 38 per cent of Austrian Muslims do not have any social contacts with non-Muslims.¹⁶⁵ Although the authors of the study considers this result to be a great progress, this is, in fact, a big problem, since it shows that the number of Muslims who do not want to assimilate, in 9 years, is still great, and - in some countries - this number has even grown. This does not prevent an average of 90 per cent of Muslims from feeling close ties with the countries where they live, since this is where they have already joined a stable network of people, especially with other Muslims.¹⁶⁶ It is important that in a number of countries a growing number of Muslims declare their greater religiosity. For example, in Britain, according to Bloomberg, there are more than half such Muslims.¹⁶⁷ Considering that mosques are by no means under state control and influence, it can be assumed that this is also a symptom indicating the absence of a tendency to assimilation.

By the way, the highest per cent of integration is shown by Swiss Muslims. 88 per cent of respondents in this country said that they have active social contacts with non-Muslims and 98 per cent declared their close ties with Switzerland.¹⁶⁸ However, let us not

forget that the principle of building a national state in Switzerland is somewhat different than in other European countries. It is based on the idea of neutrality, and not on ethnic traditions of the titular nation. In addition, Switzerland is a country with 6 (!) State languages, which completely removes the question of the political superiority of any group. Therefore, assimilation here has a slightly different - broader or more European - character.

It is once they become immigrants that many Muslims become strict observers of the Muslim customs and start wearing national and religious clothing. Some do it out of the desire to preserve their identity, as well as the identity of their children, while others are led by the desire to show to the “infidel” an example of righteous behavior. In the opinion of Islamic theologians, the so-called *Da‘wah* for Muslims, their duty to non-Muslims, who, it is believed, upon seeing an adherent of Islam, will “remember Allah.” In addition, there is a widespread belief among Muslims that the more they wear traditional clothing in public, the less indigenous people will be afraid of them.¹⁶⁹ Local residents do not understand these intentions and believe that such actions of Muslims are a challenge to all Europeans.

Many, even those among well-integrated immigrants of Islamic origin, are victims of Islamophobia, and they say that their children are insulted at school, they hear insults on the street, etc. Among the so-called “poorly integrated Muslims” such complaints are even more common.¹⁷⁰ Muslims consider as unfriendly acts the prohibition of a female religious veil or the adoption of special laws related to Islam, as they infringe upon their rights in comparison with other religions, for they emigrated to countries that declare freedom, equality, and brotherhood.

It is also important to note how Muslims perceive Muslims. In September 2017, YouGov conducted a survey on behalf of Arab News of more than 2,000 people, which showed that 72 per cent of the English believe that anti-Muslim hatred has increased in recent years, almost two-thirds of respondents (63 per cent) said that Arabs who came to Great Britain could not integrate into Western society, and more than half (55 per cent) agreed that racial profiling of Muslims

and Arabs for reasons of security is justified.¹⁷¹ A significant part of Europeans, who are waiting for the immigrants to assimilate, or at least be ready for assimilation, cannot accept changes in their social and cultural environment when they see that traditional Europe is beginning to change its appearance before their eyes.

In other words, there is a contradiction between the expectations of the European society and the realities, between the needs of social adaptation of immigrants and the assimilation model of integration, as well as between the assimilation model of integration and the reluctance to assimilate that is felt by the growing number of immigrants.

What we have is not only a serious failure of the integration policy, but also the crisis of the nation-state itself! In other words, the long-standing European traditions, on the basis of which national states were being created for centuries, came into conflict with today's realities, with the unwillingness of a large part of the so-called "new" minorities to assimilate.

It is here that the foundations of the conflict are laid. The state has built a rigid framework, beyond which, in the beginning of the 21st century, are all those people who could provisionally be called victims of globalization and military conflicts. These people do not want to change their identity and prefer to educate their children in the traditions of their ancestors, but for a variety of reasons, they were forced to leave their countries of birth. In the conditions of strict integration rules, this group chose to self-isolate themselves. And this is not so much about immigrants of the first generation as about the large compact groups of immigrants of the second and even of the third generation, which the state leaves in an ideological and cultural vacuum.

The problem also lies in the fact that these new immigrants perceive Europe as their homeland (after all, the second- and third generation- immigrants were all born there), but they are trying to change the identity of Europeans so that it corresponds to their traditional notions.

This creates a basis for the growth of xenophobia, mutual hostility, discrimination, and the strengthening of the influence of extremist groups on both sides. Instead of developing a new national and integration policy that ensures that the interests of all population groups are met, the state is categorically against abandoning the policy of assimilation, but periodically makes various symbolic concessions, such as the ban on the installation of Christmas trees in areas with significant Muslim populations, sales of alcohol in areas populated by Muslims, the introduction of halal food in public schools that are attended by many Muslim students, etc. All these half-measures only produce additional conditions for the “ghettoization” of Muslim communities and increase inter-communal disunity and enmity.

In these conditions, the authorities are tempted to abandon another liberal value - the right to choose. In particular, the choice between voluntary assimilation and the preservation of adherence to their proper culture and traditions for immigrants, and for national and religious minorities. In some countries, especially in those where the ruling coalition includes right-wing radical nationalists, the authorities seek to deprive the minority of this choice and to impose violent assimilation upon them. We see elements of such a policy in Austria, France, Denmark, Slovakia, and other countries where anti-Islamic norms are adopted (see below), as well as in Ukraine and in a number of other countries that are outside of our analysis, where discriminatory laws are adopted on the use of languages by national minorities and, in particular, in the field of education and the media.

In essence, the *European idea* could help solve this long-standing problem, but the attempts of the EU leadership to move towards a federation and, in the long term, towards the creation of a single multinational state of Europeans, run counter to their member states whose governments are not ready to sacrifice their national traditions and interests. Therefore, when we talk about the successes of the ruling elites in the struggle for the voices of nationalist voters, which is always accompanied by the adoption of ultra-right xenophobic rhetoric, we must understand that, in fact, these European

elites reject the idea of a united Europe that is free from racial and other prejudices and that has a unified common European ideology.

The situation in countries with large irredentist movements is even more complicated than in those with large immigration enclaves. Under the former category fall, first of all, the countries of the former USSR.

The concepts of “diaspora” and “irredentism” should be distinguished. The American researcher Rogers Brubaker uses the term “accidental diasporas” for the latter, and distinguishes between the concepts of the “movement of people across borders” and the “movement of borders over peoples.”

The term irredentism (from Italian *irredento* for “unredeemed”), refers to the drive of ethnic minorities that inhabit the territory adjacent to the state where their compatriots are a dominant majority to reunite with their “lost” brethren and to reclaim the “lost” territory. These irredentist populations are the result of wars, annexations, disputes over borders or the collapse of states, such as was the case after the collapse of the Soviet Union.

Unlike the diaspora, whose members are scattered throughout the territory that is remote from their historical homeland, irredentists tend to live compactly in states bordering on their historical homeland, especially concentrating by the border and in adjacent territories. The main feature of irredentists is their multiplicity with a relatively small level of internal consolidation.

Irredentists usually take pains at any encroachment by the majority government on their rights, since they consider themselves autochthonous inhabitants of the territory they occupy. After changing borders and after turning into a minority in any country, they continue to feel like a majority psychologically for a long time. No less painful to them is the deterioration of the relations of the state of their residence with their historical homeland. If threats of discrimination, as well as cases of hostility on the part of their government to their historical homeland, take a systematic character, then there forms a consolidating irredentist movement that starts seeking reunification with the territory of the ethnic majority - *irredentism*. Something

similar took place in Ukraine, which today is trying to adopt the nation-state model of European integration. The events in Crimea and in Western Ukraine are also consequences of the same process.

Today in the territory of Ukraine there is a process of discrimination of ethnic minorities in the field of education.¹⁷² The goal of this process is the same as in the European countries - the assimilation of “outsiders.” The only difference is that, if in the countries of “old” Europe, we are talking about immigration, in the Ukrainian case the problem concerns irredentists, or those who lived in Ukraine for hundreds of years. And we are not talking about their integration proper, but about the typical xenophobia - the Ukrainian authorities are afraid, as Ukraine’s second president Leonid Kuchma put it in 2003, “to lose [their] Ukrainess.”¹⁷³

Russian-speaking Russians, Jews, Hungarians, Poles, Greeks, and Bulgarians, who inhabited Ukraine for centuries, fell under attack. In the most difficult situation are the Hungarians of Transcarpathia, which became part of the Soviet Union (the Ukrainian Soviet Socialist Republic in the USSR) only in June 1945. There are more than 150,000 ethnic Hungarians. Moreover, young people practically do not speak Ukrainian nor Russian. The formation of this group after the collapse of the USSR was carried out in Hungarian. Over the past 20 years, Hungary has invested millions of euros in the educational system of the Transcarpathian region. According to the system that existed before 2018, the Ukrainian language was taught in such Hungarian schools once a week.¹⁷⁴ At the same time, unlike Russian, Polish, and other Slavic languages, the Hungarian language is not linguistically related to the Ukrainian language and the two do not share similarities. Despite a number of diplomatic and political demarches undertaken by Hungary, Ukraine did not abolish the adopted discriminatory law on education. According to the Commissioner of the Hungarian government on Ukrainian-Hungarian relations, Istvan Gresa, “if Ukraine goes this way, it will not be forgiven. This will in fact mean that there will not be any Hungarians left here.”¹⁷⁵ At the time of the preparation of this report, consultations

between the governments of Ukraine and Hungary on this issue did not lead to any mutually agreeable solution.

In fact, we are talking about the emergence of a powerful irritant, which, over the next decades, will fuel the distrust between Ukrainians and Hungarians. Almost a 150,000 people are faced with a choice today - either to move to Hungary in order to continue their education, or to accept that it will be defective and that Hungarians and Ukrainians will end up, upon graduation, on the labor market in unequal conditions. The same can be said not only about the Hungarians, but also about the representatives of other groups, especially the Russian-speaking national minorities of Ukraine, especially in the east of the country, where their concentration is much higher. This situation creates a serious incentive for xenophobic and radical sentiments. Approximately the same situation has been developing, since 2018, in Latvia with respect to the Russian linguistic minority, but this country is beyond the scope of our research.

The inter-religious confrontation in Ukraine, where a process is underway of gradual unfriendly absorption by the non-canonical Orthodox Church of the Ukrainian patriarchate of the property of the canonical Russian Orthodox Church of the Moscow Patriarchate, is also disturbing.

It can be assumed that the Ukrainian and Latvian experiences, if they are deemed “successful” by the authorities, will be used as a template in the coming years in those countries of the post-Soviet space, which also chose this European model of minority integration (for example, in Kazakhstan, Lithuania, Estonia, Moldova, and Central Asian countries).

Thus, we can predict that the countries of the former USSR are gradually entering a new stage of interethnic and interreligious confrontation, which will inevitably lead to a powerful upsurge in xenophobia in the coming years. This process is also based on the drive to build its own assimilation model for the integration of minorities.

Russia and Belarus are, perhaps, the only exceptions to the above-mentioned trend. Firstly, because in their constitutional

tradition, the influence of Soviet international tendencies is still great. And, secondly, in these countries there are practically no people, including labor migrants, who do not know the Russian language, which is a state language in both countries.

There is *another significant reason for the growth of xenophobic sentiments* in modern Europe - this time, an economic one. We are talking about an ever-growing and socially active group of people who either lost their jobs in connection with the massive transfer of production abroad to more attractive countries or began to receive lower salaries due to the fact that many migrant workers arrived in the country as a result of social dumping on the labor market. This was the result of many years of globalization and features of liberal capitalism, which involves the free movement of capital and labor. Capital prefers poor countries with low wages, rent, and tax rates. Labor resources - on the contrary – prefer rich countries with a higher standard of living.

As a result, a social stratum is formed that develops negative sentiments towards both the economic migrant newcomers and the liberal political elite, which has allowed local professional workers and engineers to be left without work.

These people constitute an “electorate of protest,” similar to the Donald Trump supporters from the Rust Belt region in the United States. They oppose globalization, they want to return production to their country, and they want to reduce the number of labor migrants and to be given priority over foreigners in the receipt of social benefits and access to the welfare programs. In fact, it is these people, who are called losers by the liberal elite, that voted for Brexit. These people are the natural environment for right-wing radical parties. This explains these parties’ success.

Chapter 5. POLITICAL PLAYERS

Four groups are political players in the field of xenophobia. First, there are centre-right political parties that try to play on xenophobic fears of the voters, thus turning to the traditional field of

right-wing radicals. Secondly, there are traditional right-wing radicals and populists who seek to expand their electoral base, and who, for this purpose, need to improve their image by enlisting the support of those groups that until recently they declared enemies of the people - women, gays, Jews, etc. Thus, they gradually move closer to the centre from the former, far-right positions. Thirdly, there are small neo-Nazi and ultra-right groups that used to be on the margins of the political process, and which are now trying to occupy a vacant niche on the far-right flank. Another important player are the Islamist groups, which, using growing discontent, are working to mobilize a protest among Muslims, and then recruit them into their ranks.

If the first three groups have mostly electoral goals, the Islamists work "for jihad."

The first group includes the traditional centre-right parties of the political establishment. In the monitored countries, these are: the Conservative Party (UK); the Christian Democratic Party of Germany (CDU); the People's Party for Freedom and Democracy in the Netherlands; the Fidesz Party in Hungary; the Law and Justice Party in Poland; the right-wing Austrian People's Party; and virtually all of the parties in Ukraine that are members of the ruling coalition.

Observing the growing popularity of right-wing radical views among some of their voters, these parties did not want to give these voters up to the extreme right.

And while, for example, the Conservative Party of the UK made an unsuccessful attempt to play on the ultra-right field, having lost the referendum on Brexit, then in countries such as France, Hungary, the Netherlands, Poland, and Ukraine, the ruling parties managed to outplay the right-wing radicals in the latter's own field, effectively using the anti-migration and nationalist cards, as well as taking tough measures in the sphere of security, measures that are always supported by the radical right.

In France, for example, a state of emergency was introduced, which allowed a number of steps to be taken to neutralize individual Islamists and to strengthen the protection of the most vulnerable terrorist targets. This took away many arguments from the National

Front, whose popularity ended up at the level of 24 per cent. The abolition of the state of emergency in 2017 and the introduction of an anti-terrorist law did not change the situation much - the voters saw that the ruling parties can fight terror and do everything to ensure security.

The Netherlands also adopted tough anti-terrorism legislation allowing the denial of Dutch citizenship and declaring those individuals who participated in hostilities, financed terrorism, or were members of terrorist groups as undesirable aliens.

In Hungary and in Poland, the government seized the initiative from the radicals and actively used the migration crisis to stir up fear of migrants and Muslims among ordinary voters. As a result, Poles and Hungarians demonstrated in 2016 the highest levels of migrant phobia and hatred of Muslims in Europe. At the same time, the ruling parties - Fidesz in Hungary and Prawo i Sprawiedliwość (PiS) in Poland - increased their ratings, for example, and the neo-Nazis from the Jobbik party had to distance themselves from the topic of migrants and switch back to the struggle against “ethnic” (read - gypsy) crime.

In Ukraine, the ruling parties practically intercepted the nationalist Russophobic agenda, actively engaging in promoting the Ukrainian language and culture at the expense of minority languages and culture.

However, it should be recognized that the ruling parties, playing on the right-wing field, are forced to drift to the right and that this affects the overall situation in the country. For example, during the election campaign in the Netherlands, Prime Minister Mark Rutte (of the People’s Party of Freedom and Democracy) often branded Geert Wilders’s plan to close all mosques in the Netherlands as “a threat to the rule of law.” However, to ensure the votes, he did not hesitate to link the problems of national security with the presence of Muslims in the country. For example, in his open letter to the citizens of the country, Rutte said that the Dutch feel “increasingly uncomfortable” with those who abuse freedom, “bother gays, whistle at women in short skirts or provoke racists.” He concluded: “If you reject this country in principle, then I would prefer that you leave.”¹⁷⁶

The second group includes quite numerous and influential populist, right-wing radical, and even neo-Nazi parliamentary parties that oppose refugees and migrants and, in some cases, ethnic and religious minorities.

All radicals profess adherence to the extreme views and concepts of the social system that presuppose the possibility of its radical transformation. An important distinctive feature of radicalism is that it strives to implement radical socio-political transformations, oriented not towards preservation and development, but towards the disintegration of existing systems. At the same time, right-wing radicals - nationalists who are convinced of the superiority of their ethnic or religious group - aim to change legislation, law enforcement practices, or even social order in the interests of this group.

Right-wing radical populists are now widely, or relatively widely, represented in the parliaments of Italy (the “League” - 37.0 per cent of votes and the “Five-Star Movement” - M5S - 32.7 per cent, in the 2018 elections); France (the National Front - 13.2 per cent of votes in the last parliamentary elections); the Netherlands (the Party of Freedom - 13.3 per cent); Russia (the Liberal Democratic Party (LDPR) of Vladimir Zhirinovskiy - 13.14 per cent, and the Rodina Party - 1.5 per cent); Hungary (“Jobbik, the Movement for a Better Hungary” - 20.22 per cent); Austria (the Austrian Party of Freedom - 26.5 per cent); Germany (Alternative for Germany - AfD - 12.6 per cent); and Greece (the Greek neo-Nazi party Golden Dawn - 6.99 per cent of the votes and 18 seats in Parliament).

The UK Independence Party (UKIP) should also be added to the list, as it fulfilled its program by achieving victory in the referendum on Brexit. These parties favor the withdrawal or restriction of their participation in the EU (except for Russia, which is not part of the EU), the termination or restriction of immigration, the immediate deportation of illegal immigrants, the strict state control over Muslim communities, the protection of the social rights of the indigenous population, the restriction of the spread of Islam, etc.

Not so long ago, some of these parties dragged on a miserable and hopeless existence on the far-right fringes. Their popularity has

increased due to factors such as the migration crisis, economic problems associated with the transfer of production to developing countries, etc. Realizing this, many of the right-wing leaders set themselves the task of entering power. In order to do this, they need to expand their electoral base - including at the expense of minorities. Thus, Marine Le Pen was forced to radically change the ideology of her party, rendering it completely tolerant, for example, of LGBT people and Jews. For this purpose, she even excluded the party's founder, her father Jean-Marie Le Pen, from the party ranks. The same can be said about the Party for Freedom in the Netherlands, whose leader, Wilders, abstained in his public speeches from anti-Semitism, sexism, etc.

Moderately right-wing parties in Russia are moving in the same direction. As a rule, they act under such slogans as "Enough of humiliation for the Russians" and "For the Russian people." In its pre-election manifesto of 2016, the Zhirinovsky party (LDPR) proposed to exclude article 282 (extremism) from the Russian Criminal Code.¹⁷⁷ However, the party program that was adopted in 2017 did not include any extremist or nationalist slogans.

In Hungary, the party of Jobbik, which was recently firmly established as a neo-Nazi and anti-Semitic party, is trying to quickly clean up its image. Gábor Vona, the party's leader, congratulated the leadership of the Jewish community with Hanukkah in 2016. He is even criticized by other party members for a marked liberalization of his views.

As a result, all these European populists and – by now, moderately – radical parties have managed to rally around themselves those voters who share a common sense of the "global danger" that stems from migration and from their respective countries' dependence on the EU. Among them are those who traditionally vote for right-wing radicals, but also people who are not ideological opponents of the parties on the democratic spectrum. Rather, these people constitute a protest electorate, frightened by a sharp change in the European socio-cultural landscape and worried about their jobs, social guarantees, etc. These are temporary fellow travelers of moderate

radicals who are disappointed in the half-heartedness of government decisions, but under certain conditions they are ready to vote again for mainstream politicians. The task of moderate radicals, who can also be called right-wing populists, is the transformation of their parties into systemic ones. The goal of the systemic parties, which have long been systemic, is the return of this part of the electorate.

Among the parties of the second group are those who strictly adhere to the extreme right, for example, the Greek party “Golden Dawn,” even though almost its entire leadership is under investigation. This party consistently pursues a course that can be called without any stretch neo-Nazi, and does not pretend to liberalize nor deceive its voters.

However, one should not hastily move other parties of this group from the right-wing radical and populist category to the centre-right one. These parties are still tainted, although they stubbornly try to embellish their reputations. Thus, the leader of the “Alternative for Germany,” Alexander Gauland, said during his campaign in the Bundestag that Germany “should be proud of its soldiers who participated in both world wars, and people should stop reproaching the Germans with the memory of the Second World War.”¹⁷⁸ His colleague Björn Höcke, the leader of the party branch in the federal state of Thuringia, made the following statement about the monument to the victims of the Holocaust in Berlin during a meeting with the supporters of the party in Dresden (the federal state of Saxony): “Germans are the only people who plant a monument of shame in the capital.” He continued that “[s]o far, our moral state corresponds to that of a completely defeated people.” The politician also accused the German Chancellor Angela Merkel of not properly educating the younger generation of Germans, who, in his opinion, lack patriotism.¹⁷⁹

The same applies to Marin Le Pen’s statement about the need to close all mosques in France;¹⁸⁰ as well as to the participation in the anti-Semitic actions in Poland of activists of the ruling party “Law and Justice,” which drew the attention of even the politically correct European Jewish Congress.¹⁸¹ Similarly, the leader of the Russian

LDPR party Vladimir Zhirinovskii, who seems to have gotten rid of his earlier nationalistic image, included in his program in the presidential election of 2018 blatant xenophobic, nationalistic, and migrant-phobic slogans yet managed to get more than 5 per cent of the votes, taking third place.¹⁸²

Another danger is the movement towards each other of the right-centrist parties that are shifting to the right and of the populist parties that are shifting toward the center.

This tactic has already yielded certain results: a coalition of the right-wing radical “League” and of the populist “Five-Star Movement” came into power in Italy; in Austria, the right-wing conservative Austrian People’s Party formed the government with the right-wing Austrian Freedom Party which came in second in the election (26 per cent); and, in Poland, the right-wing populist national-conservative party “Law and Justice,” which, in its policy, is guided by rigid xenophobic attitudes directed against refugees and Muslims, has taken power. In the countries not covered by this report, such parties also include “All for Latvia!” in the Republic of Latvia, which has been included in the ruling coalition since 2011; the Danish People’s Party, which has been a part of the Danish government since 2015, as well as others.

These parties, having entered the government, gradually impose a rejection of the policy of voluntary assimilation of national and religious minorities in favor of assimilation by force. However, not only have openly right-wing radicals and populists began to adhere to this line, but also those politicians who formally support centre-right liberal parties in some countries. In the most outspoken manner, this happens in Ukraine, where, in 2017, they legislatively banned or significantly restricted the teaching in the native languages of minorities in schools. Those ethnic minorities were deprived of the cornerstone of the liberal law - the right to choose. In 2018, Latvia will follow the same path.

But even more radical reforms are being implemented in Denmark, where they were proposed to the government by the radical right-wing People’s Party. The government, which includes this party,

adopted in 2018 a new set of rules composed of 22 points that are to regulate life in 25 low-income Muslim enclaves of the country (in fact, with these reforms, the Danish state has recognized the presence of the Muslim ghettos in the country). The government decided that if Muslim families are not readily assimilated in these communities, they must be forced to do so.¹⁸³

People living in the “ghetto” were placed in a special category of citizens who are deprived of their rights. For example, they can be imprisoned if they force their children to make a long trip to their country of origin, described in the law as a “retraining trip.”¹⁸⁴ Many parents undertake these trips in order to instill in their rapidly assimilating children the culture of their ancestors. Danish municipalities “revealed” 130 cases of such trips in recent years. From the point of view of the Danish authorities, “it has been established that staying abroad affects the youth in terms of schoolwork, Danish language, and general well-being.”¹⁸⁵ For such an “offense,” parents can be imprisoned for a period of 4 years.

For committing any offense within the indicated 25 Muslim enclaves, the offender now expects a double punishment. “Special” measures await even infants. Now children born in ghettos and who have reached the age of one year will be forcibly removed from their families for at least 25 hours, and become subject to compulsory education of “Danish values,” including the traditions of Christmas and Easter, Danish language, etc. Non-observance can lead to the cessation of social benefits from the state, even if the family does not have other sources of income. Responding to human rights activists, Søren Pape Poulsen, the Minister of Justice of Denmark, said: “Some will cry and say: ‘we are not equal before the law in this country’ ... but this is nonsense, this is rubbish and rubbish. For me, regardless of who lives in these areas and what they believe in, they should all profess the values that are necessary for a good life in Denmark.”¹⁸⁶

Earlier, in January 2016, Denmark even adopted an unprecedented “Jewelry law” that allows the government to collect jewelry and cash from refugees.¹⁸⁷

Thus, right-wing radicals are beginning to control the assimilation policies in the direction of forcibly imposing their culture and way of life. Obviously, such a path of integration carries great costs. It's not just about human rights violations, but also about economic problems: for example, Denmark has been experiencing deficit in labor almost all along the product chain since February 2017. Over time, according to experts, this can harm foreign direct investment into the country's economy.¹⁸⁸

It can be assumed that in the Danish case with “special laws” for the “people of the ghetto,” these policies will lead to the “spreading” of the ghetto all over the country. Muslims will move to other areas, carrying their own culture and identity, and Islamist radicals will no doubt use this situation to recruit their supporters.

The third group includes small right-wing radical parties of neo-Nazi, ultra-right, and anti-Islamic persuasion, who, until recently, were eclipsed by their larger colleagues in the radical right-wing camp, but who have now moved closer to the center. They seek to occupy the now unoccupied extreme right niche and to win over the ultra-right electorate, which has traditionally voted for those parties that today, in their opinion, “betrayed their old ideals” and rushed into assuming power positions in the government.

These parties capitalize on the widespread anti-immigrant and anti-Islamic sentiments. So, for example, back in June 2009, Britain created the “Anti-Islamic English Defense League” (today the English Defense League - EDL), headed by its founder Tommy Robinson. This so-called “street” movement proclaimed that its goal is to combat the “creeping consequences” of the Islamization of Great Britain.¹⁸⁹ In 2011, a new anti-Islamic movement was born, and then the political party “Britain First” (BF), led by the former adviser to the British National Party, Paul Golding. Initially, this new party positioned itself as an “online movement,” with about 2.3 million Facebook subscribers. But in fact, “Britain First” was a real offline party that gained notoriety for such acts as the “invasions of the mosque,” “Christian patrols” (in response to the so-called “Sharia patrols” organized in places of compact Muslim dwellings in Britain), and

demonstrations held in areas with a significant Muslim population. All these actions were clearly aimed at provoking minority communities.¹⁹⁰

In June 2017, another anti-Muslim and anti-immigrant movement, the “Football Lads Alliance” (FLA), was created by the property manager and fan of the Tottenham Hotspur football club John Meighan. This movement is based on groups of football fans on the wave of Islamist terrorist attacks, and was initially positioned as an association against extremism.¹⁹¹ Due to this, the movement initially attracted from 10 to 30,000 participants for various kinds of protest rallies. However, it has very quickly transformed into a xenophobic movement, which ideologically and practically did not differ much from the EDL and BF.

To some extent, this type of movement exists in other monitored countries. For example, the Italian *Generazione Identitaria*, *Forza Nuova* (headquartered in Rome, but having several branches throughout the country, its leader Roberto Fiore is an MEP); *Dodici Raggi* (“Twelve Rays;” the name of this group refers to the SS symbol of the “Black Sun”); *Fascismo e Libertà* (Fascism and Freedom), present in the north of Italy; the Dutch *Rechts in Verzet* (Right to Resistance), which also specializes in anti-Islamic activities, including attacks on mosques; the PEGIDA movement, which originated in Germany, but which opened branches in the UK and in France; the “Movement Against Illegal Immigration” that is banned in Russia; the “Russians” movement; the unregistered “National Democratic Party”; the following small ultra-right and neo-Nazi organizations of Greece: “Movement against the immigrants Samos SOS,” “Front for the Liberation of Northern Cyprus,” (MAVI: *Metopo Apelethrosis Voriou Ipirou: Μέτωπο Απελευθέρωσης Βορείου Ηπείρου*, MABH), the organization of the liberation of the Northern Epirus, the organization “Pro Patria,” as well as many others.

To this list the following organizations can be added: the National Democratic Party of Germany (NPD); the British National Party (BNP) (however, this party practically suffered a collapse and has de facto stopped its activities); the British National Action (NA)

(founded in 2013 and quickly established as one of the most brutal neo-Nazi movements that have ever existed in the UK); CasaPound (CP) and its student association Blocco Studentesco, and many others.

Incidentally, the influence of these groups is diminishing, since, at the end of 2017 to early 2018, none of them could take even 1,000 people under anti-Islamic and anti-immigrant slogans to the streets. Even the UK-based EDL, that had started to gain popularity, could only draw a few hundred on May 19, 2018.

Starting from 2014 in Ukraine, the number of neo-Nazi and ultra-right groups, as well as their influence in this country, have significantly increased. The role of the ultra-right in overthrowing President Viktor Yanukovich, the participation of neo-Nazi and ultra-right groups in the fighting in the east of the country, the weakness of state authorities, and the difficult social and economic situation all contribute to the quantitative and qualitative growth of the ultra-right. In the social and political field of Ukraine, there are still such groups, parties, and associations as the Freedom Party, the Right Sector, the Azov, the National Corps and its affiliated structures, C14, etc. The appearance of new organizations since 2016 has not been documented.

On March 16, 2017, Freedom, the National Corps, the Right Sector, the Organization of Ukrainian Nationalists, the Congress of Ukrainian Nationalists, and the C14 all signed a “Manifesto on the Unification of Efforts.”¹⁹² The manifesto includes a list of provisions on domestic and foreign policy, which the nationalists are going to implement by coming to power.

Of particular interest is paragraph 8 of this Manifesto: “To clear the Ukrainian information space from hostile propaganda. To cultivate traditional values, strengthen national consciousness, and dignity. To provide the Ukrainian language with the status of the only state language.”

Point 20 of the signed Manifesto states that the participants will “contribute to the creation of a single local church with a center in Kiev,” which infringes upon the rights of parishioners of other churches, primarily, of the canonical Ukrainian Orthodox Church of the Moscow Patriarchate.

The cumulative rating of the Ukrainian ultra-right is more than 11 per cent. But their chances for unification are not significant yet, in view of the ambitions of the leaders and various sources of funding. However, by the time of the elections, the situation may change and the issues of political survival will come first, forcing both sponsors and activists to forget old grievances and unite. If this happens, then there can be an influential united ultra-right force in the political arena. It should be borne in mind that, unlike other parties, Ukrainian radical groups have armed detachments numbering more than 10 thousand people, which are an integral part of the armed forces of the Ministry of Internal Affairs of Ukraine.

The situation in Russia differs significantly from the Ukrainian one, since radical right-wing organizations and parties of the neo-Nazi type barely exist today. By 2018, virtually all of the notorious organizations of right-wing radical nationalists have been banned, and their leaders have been pushed into emigration or sentenced to different terms of imprisonment. So, in 2016, the verdict was passed to Aleksandr Belov (Potkin), the leader of the largest nationalist project of the 2000s - the Movement Against Illegal Immigration, and the “Russian” movement that replaced it, and at the end of the year the second co-chairman of the “Russian” movement, Dmitry Demushkin, was also arrested.

Many right-wing radicals left Russia in order to participate in hostilities in Ukraine (on both sides of the conflict). The civil war in Ukraine played a significant role in the split of the Russian ultra-right. A certain part of the so-called “true nationalists” supported the Kiev authorities, while others fought on the side of the separatists. For the same reason, there was a split in the unnatural, but long-term alliance between Russian nationalists and liberals, which arose in 2011 on the wave of the formation of anti-Putin opposition. As a result of this alliance, the process of de-marginalization of right-wing radicals was initiated, whereby the liberals gave the podium to the nationalists in the form of the so-called “Russian Opposition Coordination Council,” etc.

The fourth group that is playing in the field of xenophobia is Islamists. As mentioned in the previous report (2017) “Xenophobia, radicalism, and hate crime,” their goal is to form a powerful and controlled Islamist movement in Europe that would solve a variety of tasks in the interests of the Islamist movement around the world - from the ideological brainwashing and recruitment of Muslims for the participation in military operations in Syria and Iraq to the implementation of the terrorist attacks in Europe.^{193 194}

Many researchers consider these groups to be a mirror image of right-wing radical nationalist movements, but this seems somewhat exaggerated. After all, Islamism is a religious and political ideology and practical activity aimed at creating conditions under which any contradictions within the society and the state where there is a Muslim population will be decided on the basis of Sharia norms. Modifications of Islamism of varying degrees of radicalism are the ideology of numerous Islamist groups, but it is quite obvious that its essence is the imposition of Sharia norms on those territories where Muslims live, regardless of the geography of settlement.

Right-wing anti-Islamist movements were formed on the basis of protest moods of citizens of the broadest range against the establishment of Islamist norms in Europe - from discontent with a veil, the appearance of Muslims or, for example, “Sharia patrols” in the European cities, to mass protests against Islamist terror. These protest moods often became the backdrop for the recruitment of new members of ultra-right and neo-Nazi organizations. But on the whole, right-wing radicals and Islamists have a different nature and motivation for their actions. They are united by only one thing: both are oriented on the radical social and political changes that are to be achieved not through preservation and development, but through the decay of existing systems.¹⁹⁵

In fact, Islamists use any contradictions that arise between the native inhabitants of the country and immigrants, between Muslims and other religious groups, to incite hatred.

Making maximum use of Western armed interventions in the Middle East and Afghanistan, illiberal security measures within the

monitored countries and the costs of the assimilation model of integration policies, Islamist forces in Europe seek to create an atmosphere of distrust and hatred on the part of Muslims towards “infidels” who are allegedly not only on the wrong life path and betray their own ideals of equality regardless of religion and culture, but also forbid faithful Muslims to live in the way that the Prophet Muhammad commanded them!

Intervention by Western countries in the Middle East - in Libya, Afghanistan, Iraq, and Syria - was in this case not just an additional external irritant, which intensified the internal protest of a certain part of Muslims, but also a trigger for the “jihad” that extremists declared on Western civilization. However, it would be wrong to think that the terrorist jihad in Europe was the result of Western intervention outside its borders. Jihad, which is based on the principles of spreading Islam, fighting against enemies of religion and guaranteeing life under the direction of prescriptions and norms of religion on expanding Islamic lands, today threatens the lives of many Europeans in their homeland, partially, because of the ineffective legislative regulation. The “anti-veiling” norms still cause large disputes in many countries, as well as other discriminatory laws on Islam, for example, in countries such as Austria and Slovakia. In turn, this regulation was the result of the assimilations policy of integration, which was discussed in the previous chapter.

The task of the European nation-state today is to assimilate all the “new” inhabitants - to give them the opportunity to become Europeans in terms of values, commitment to the European culture, etc. In an effort to turn immigrants into Europeans, the authorities seek to integrate them into their daily customs and rules, thereby violating the norms of Islam. Therefore, for an increasing number of Muslims, there is a choice – either to betray Islam and to become Europeans or to remain faithful to their religion and to come into conflict with European norms. Islamists tend to use these contradictions in their own interests, recruiting more and more supporters. They spread their influence through the formation of an alternative identity, when Muslims begin to consider themselves not

citizens of this or that state, but members of the Ummah (the world community of Muslims), which is replaced by a specific Islamist organization. Consequently, the decisions and interests of this organization are primary, and the state in their understanding turns into a tool for suppressing “true Muslims” in the hands of the infidels.

The conclusion that follows from the Islamist propaganda is always the same: the West has declared war on Islam. And, if so, then “Islam is equally at war with the West and Muslims in this war should choose some side.”¹⁹⁶ Such “explanatory work,” carried out not only in mosques, but also in social networks, generates feelings of fear and indignation among Muslims.

Right-wing radicals and neo-Nazis are using this situation, which is leading, among other things, to the growth of terrorist threats, for the growth of their influence and the incitement of hatred among their supporters.

The Islamist movement is built in the form of separate operating groups or echelons, each of which has its own task. The first group is religious institutions that are under the control of Islamists, which are usually financed from foreign sources. Here, the primary selection and processing of future members of the Islamist underground takes place. In France alone, preachers of Salafi jihadism are controlled, according to various estimates, by 126 to 180 mosques and prayer houses, of which only 11 were closed at the end of 2017, since they do not formally violate the law.^{197 198}

The second group includes various legal organizations of the Islamist type, engaged in jihadist propaganda that is aimed at intimidating Muslims and at forming an image of Western civilization that is hostile to Islam. These include the Hizb ut-Tahrir (HT), a pan-Islamic party that operates legally in all monitored countries, except in Germany and Russia; the Union of Islamic Organizations of France (UOIF), which has since changed its name to “Muslims of France”, an organization that, at one time, even received government grants until its activities countered the French understanding of secularism; the “Islamic Community of Germany” (that counts more than 1,000 members), which is recognized by the German special services as a

legalist organization, meaning that it uses legal, non-terrorist, methods in the promotion of its agenda, while at the same time it still preaches the ideas that run counter to freedom, democracy, and constitutional organization of the society;¹⁹⁹ and Tablighi Jamaat, an organization that actively operates among Muslims in 150 countries around the world, but mostly in the former Soviet Union, (banned in Russia, Tajikistan, Kazakhstan, and Kyrgyzstan), etc.

These organizations operate in a legal political field, formally rejecting violence as a method of political struggle. However, they are actively conducting a propaganda campaign in the Muslim communities around the world that is aimed at intimidating Muslims and forming an image of Western civilization that is hostile to Islam. These organizations are difficult to ban because of the non-violent nature of their actions. For example, the British authorities have repeatedly tried to ban HT, because of the organization's anti-Semitic, anti-Western, and homophobic views (in 2005, 2007, 2009, and 2015). However, thanks to successful ideological moderation and legal counteraction after the terrorist attacks of 2005 in London, the organization remained in the legal field.²⁰⁰

In addition, a number of semi-legal organizations, such as Hezbollah, Hamas, the Muslim Brotherhood, etc., are working in the same vein.

The number of such groups varies from country to country. The alarming trend has recently been demonstrated by Germany, despite the fact that this is the only EU country where the Hizb ut-Tahrir party is banned. According to German intelligence agencies, in July 2017, the number of Salafists in Germany reached 10,300 people. The newspaper "Die Welt" notes that the Salafist environment is "a fertile ground for terrorism." In total, about 24,000 people are considered Islamists in Germany. 1,800 of them are considered to be part of the "Islamist-terrorist environment."²⁰¹ More than 700 are potentially dangerous. There are more than 90 mosques under the supervision of special services.²⁰²

An increase in the number of Salafists and supporters of other radical Islamic movements is noted not only in the country as a whole,

but in separate federal states. In a 2017 report on the “growth of threats,” The Bavarian Office for the Protection of the Constitution provided information on 730 Salafists living in this federal land. 70 Islamists visited Iraq and Syria. 26 of them returned to Germany.²⁰³

Observers attribute this to two factors - the immigration to Germany in the last two years of almost 1 million Muslims and the strengthening of the work of the Iranian clergy, as well as the Iranian special services among the Islamic community.²⁰⁴

Similar processes, although characterized by a smaller increase in the number of Islamists, are taking place in other EU countries.

The third group includes numerous Islamist terrorist groups. For example, al-Muhajiroun in the United Kingdom, Al-Qaeda, or the ISIL cells that are directly associated with terrorist groups in the Middle East. They organize the departure of recruits to hot spots or help them to carry out terrorist acts. The acts of terror in themselves are not an end goal for the Islamists. Basically, they are carried out to intimidate the non-Muslim population and, as a consequence, to provoke intercommunal hatred. Islamists are actively using the Internet, which resulted in the recent appearance of the so-called “lone wolves” - Muslims who receive information from the Internet not only about jihad, but also on how to organize an act of terrorism, become a serious problem for the special services, as these lone actors do not have contact with any of the established terrorists.

To name but a few examples of crimes perpetrated by these groups: the creation of an artisanal production of explosives in 2007; a terrorist act against a British army officer in May 2013; a terrorist attack on the Jewish Museum in Brussels in May 2014; the shooting in January 2015 of the editorial office of the satirical magazine Charlie Hebdo in Paris; the 2016 Berlin truck attack on the Christmas market; the terrorist attack also involving a truck on the London Bridge in June 2017, etc.

The danger of these organizations also lies in the fact that, besides stimulating violent extremism, they demonstrate the potential for creating the conditions necessary for the existence of other forms of extremism in Europe. In other words, they generate cumulative

extremism, when “one form of extremism can nourish and strengthen other forms of extremism.”²⁰⁵ One example of this trend is the foundation, in 2009, of the English League of Defense, which now leads street protests across the UK. This movement was born out of a localized confrontation with Al-Muhajiroun in the southern Bedfordshire city of Luton. Moreover, during the period under review, it was established that the Islamist terrorist attacks of 2017 provided a tactical basis for the terrorist attack near the Muslim Welfare House and the Finsbury Park Mosque by Darren Osborne in June of the same year.²⁰⁶

Some terrorist Islamist organizations, as well as some radical right-wing organizations (for example, “National Action”), are trying to legalize themselves by changing their name. For example, Al-Muhajiroun tried to change its name to circumvent the prohibitive measures – thus, recently, it acted under the name “Islam4UK,” “Need4Khilafah,” and “Sharia project.” However, such attempts were largely thwarted by the British government - the Ministry of the Interior banned all subsequent iterations of these groups.

Thus, using all three degrees of involvement of Muslims in propaganda and terrorist activities, Islamist groups organize not only waves of terror throughout Europe, but also promote counter terrorist actions by radical right-wing forces.

As a result, all four players on the radical field are interdependent. At the same time, the state, acting as the fifth participant in the process, and essentially defining the rules of the game by offering Muslims an assimilation form of integration and undertaking intervention actions in the Middle East, unwittingly creates conditions for Islamists to work destructively in the Muslim European communities, which, in its turn, gives a push to right-wing radicals, who use this situation for further incitement of hatred - this time, among the indigenous population of Europe, as well as to the center-right parties of the political establishment and parliamentary ultra-right parties. Moreover, the latter two groups are drifting towards each other, seeking to obtain maximum gain for themselves out of this situation.

Chapter 6. HATE CRIME.

Hate crime is the most dangerous phenomena that can disrupt peace in society and shake the foundations of the state. As a rule, they are the result of high levels of xenophobia, the activity of radical organizations, and the ineffectiveness of law enforcement functions of the state.

Comparative analysis of hate crime is always a difficult task for the following reasons:

- Individual countries have different criteria for identifying and classifying such crimes.
- Many countries do not keep statistical records on hate crime, classify it, or conduct it fairly. As a rule, in these cases, researchers use NGO statistics, but it is by no means always exhaustive and objective. Also, these statistical records by the NGOs are not always available. These countries include, first of all, Hungary, Ukraine, in part Greece, Italy, and a number of others.

It should also be borne in mind that in those countries that have “closed” or “semi-closed” statistical records, or that do not have such data, or those where such data is falsified, there is usually a high degree of “everydayization” of hate crime, i.e., their transformation, in police reports, into household crimes. Thus, in assessing the level of hate crime in different countries, one needs to consider all these factors.

Nevertheless, it is quite correct to compare statistical data of the same country in temporal development. Such an analysis most vividly testifies to the effectiveness or ineffectiveness of state policies in combating hate crime. And here, such indicators as the total number of hate crime (registered by the authorities or NGOs) and the number of violent crimes are important.

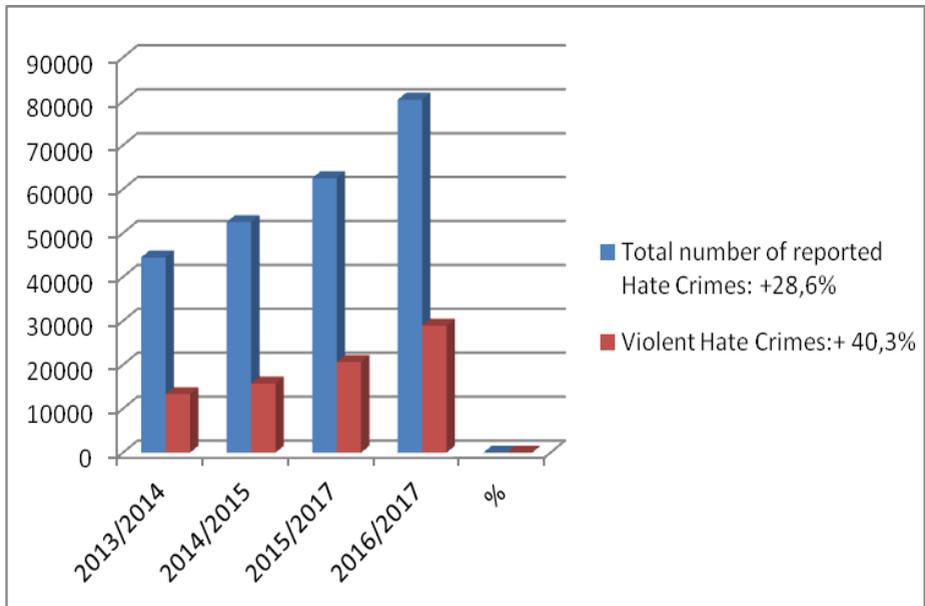
As a rule, the increase in the number of registered crimes (and criminal cases) with a simultaneous decrease in the number of violent crimes among them indicates the effectiveness of state policies. Usually, in such cases, it is said that law enforcement agencies are beginning to pay increased attention to the spread of hatred and other

non-violent crimes, which leads to a reduction in the number of violent criminal cases. Practice shows that before committing violence based on hate, a potential criminal seeks to share his views and spread hate in online or offline spaces. If he or she can be stopped at this stage, then, in the overwhelming majority of cases, this person does not commit violent actions and refuses to engage in further criminal activity.

The reduction in the total number of reported hate crimes against the backdrop of an increase in the number of violent extremist crimes shows that the government is not coping with the growth of crime, and, most likely, does not respond properly to hate speech. Thus, potential criminals that can be stopped at the initial stage of the spread of hatred are not given attention.

The growth of both components suggests that the level of crime is overshooting and the government, although reacting to it, is unable to stop the dangerous trend.

Diagram 5. Hate crime in England and Wales (2013-2017)²⁰⁷



The fall of both trends indicates that the situation is normalized and society is freed from hatred. However, sometimes this also reflects the fact that the authorities simply keep silent about the true number of crimes by manipulating statistical data.

This chapter provides statistics on hate crime using public data from government sources, as well as from non-governmental organizations.

In the period of 2016/17, there was an increase in the number of hate crimes in *England and Wales* by almost 29 per cent. This is the biggest increase in one year from the beginning of registering such crimes in 2011/12.²⁰⁸ By delving deeper into these statistics, the UK Home Office reported a 27 per cent and 35 per cent increase in hate crime on racial and religious grounds, respectively.²⁰⁹ During the period of March-June 2017, the country witnessed a significant increase in crimes motivated by racial and religious hatred - due to simultaneous terrorist attacks in Manchester and London.

Although the largest increase in the period from 2016 to 2017 was for hate crime directed at the disabled (53 per cent) and transgender (43 per cent) people, racially motivated hate crime is still the leading category registered within a year of the referendum on Brexit in 2016 and the terrorist attacks in 2017. In England and Wales - from March 2016 to March 2017 - 62,685 crimes motivated by racial hatred were registered.²¹⁰

The increase in crimes against persons with disabilities and LGBT people is explained by greater awareness, both among victims and policemen, of the consequences of the attack on these people.²¹¹

As can be seen from *Diagram 5*, the number of violent hate crimes in the *England and Wales* increased by more than 40 per cent as compared with 2016. This is an unprecedented increase, which suggests that although law enforcement agencies react to the growth of crime, they cannot stop the wave of violence.

The largest outbreak of hate crime occurred immediately after the referendum on the withdrawal of Britain from the EU - with more than 5,500 crimes registered in July 2016.²¹³ In addition, during the

reporting period, the number of attacks on mosques in the UK almost doubled: with 110 acts of racist violence, acts of vandalism, and bombings, which occurred mainly in areas affected by Islamist terrorist attacks.²¹⁴

The data provided by the non-governmental organizations also demonstrated a marked increase in anti-Semitic, homophobic, and anti-Islamic hate crime in the period under review. The Community Security Trust (CST), an organization that was created specifically for the protection of the Jewish community in the UK in 1994, reported that in 2017 it also recorded the highest annual increase in anti-Semitic incidents.²¹⁵ In particular, this NGO found an increase of 34 per cent in anti-Semitic attacks, with three quarters of all incidents taking place in Greater Manchester and Greater London. The reason for this increase has not been determined by the CST. Nevertheless, the report on the indicators of 2017 suggests that this could be the result of an increase in the presence of the police after the attacks in Manchester and London (which allowed the police to record more crimes), as well as the ongoing disputes related to anti-Semitism in the British Labor Party, that were widely covered in the media.²¹⁶

In September 2017, the LGBT rights charity, Stonewall Equality Limited, conducted an analysis of homophobic, bi-phobic, and transphobic hate crime, as well as daily discrimination against LGBT people.²¹⁷ After conducting a survey of 5,000 adult respondents in the UK, Stonewall found that one in five (21 per cent) LGBT community members were subjected to hate crimes in 2016-2017. Moreover, four out of five people who faced such incidents did not report them to the police. At the same time, the key points of LGBT discrimination were places of leisure, the rental market, and religious organizations.²¹⁸

In *Scotland* in 2016-17, there were only 5,325 hate crimes registered, of which 3,349 crimes were motivated by racial hatred. This is 363 offenses less than the previous year (3,712 in 2015-16),²¹⁹ with 673 crimes based on religious hatred, 188 concerning the hatred of the disabled, 1,075 motivated by the victim's sexual orientation, and 40 crimes motivated by hatred towards transgender people.²²⁰

At the time of the writing of this report, a new report on hate crime in Scotland for 2017-18 has been published. According to the data analyzed in this report, there has also been, albeit insignificant, a decrease in hate crime - a total of 5,287 cases. At the same time 3,249 crimes regarding racial hatred were recorded (which is less by 100 episodes compared to the previous reporting period), 642 crimes were committed on the basis of religious hatred (- 31 episodes than during the previous period), 284 incidents against persons with disabilities (+ 61 episodes than in the previous period), and 1,112 incidents motivated by hatred of LGBT people (37 more episodes than in the previous period).²²¹

In *Northern Ireland* in 2016-17 there were 1,616 crimes of hatred. Of these, 654 crimes were motivated by racial hatred, 694 were motivated by hatred of sectarians, 69 were motivated by religious hatred, 174 were motivated by the victim's sexual orientation, 60 were motivated by hatred of disabled people, and 16 (33) crimes were committed on other grounds.²²²

All in all, 1,454 crimes were committed in 2017-2018. Of these, 609 (45 less than in the previous period) - on the basis of racism; 576 (118 than in the previous period) - on the basis of hatred of sectarians; 41 (7 more than in the previous period) - on the grounds of religious hatred; 180 (6 more than in the previous period) - on the grounds of sexual orientation; 48 (12 less than in the previous period) - on the basis of hatred towards disabled people.²²³

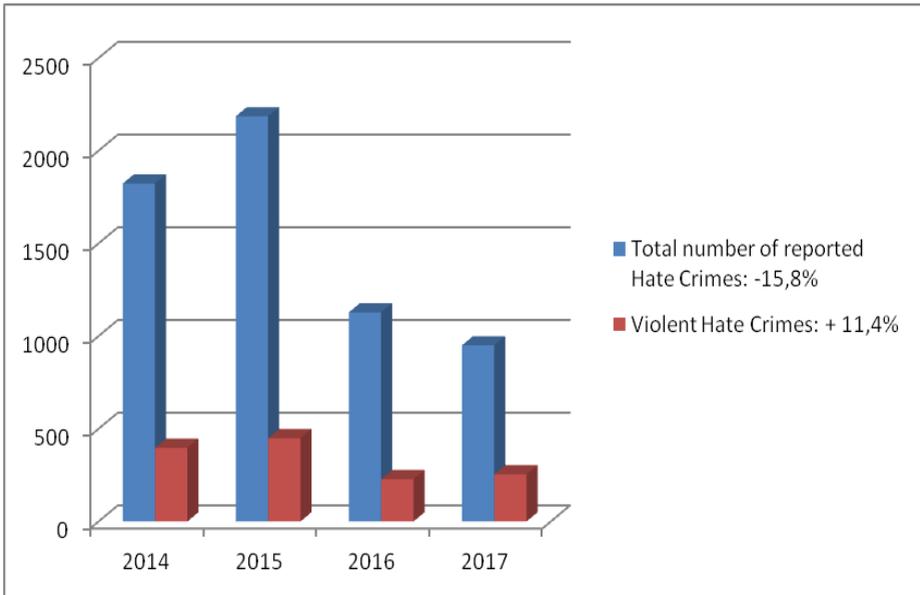
There was a general decline in hate crime in *France* (by 15.8 per cent).

However, with a general reduction in crimes to 950 episodes (which was 178 episodes less than during the previous period of reporting), a significant jump of 11.4 per cent occurred in crimes of a violent nature - 254 (which was 26 episodes more than in the previous period).²²⁴ This suggests that the reduction in the total number of crimes may not be due to their real reduction, but to the poor work of the police, which did not pay enough attention to crimes of a non-violent nature. Or it could be that most victims or witnesses of non-

violent crimes simply did not report to the police and to non-governmental organizations, preferring not to identify the problem.

According to official data, in France there has been a drop in incidents of racism (from 608 incidents in 2016 to 518 in 2017, or a drop of 14.8 per cent); in anti-Muslim incidents (from 185 to 121, or a drop of 34.5 per cent); and in anti-Semitic incidents (from 335 to 311 incidents, or a drop of 7.2 per cent).

Diagram 6. Hate crime in France (2014-2017)²²⁵



At the same time:

- Racist threats decreased by 17.36 per cent: after 524 threats were registered in 2016, only 433 were registered in 2017.
- Anti-Semitic threats also decreased by 17.1 per cent (from 258 to 214 threats).
- The number of anti-Muslim threats decreased by 58.5 per cent (from 118 threats in 2016 to 49 in 2017).

However, as already mentioned, this decrease did not affect violent crimes: In fact, violent racist acts increased in 2017 (85 were registered in 2017, as compared with 84 crimes in 2016).

- Violence against Muslims has increased (from 67 cases in 2016 to 72 cases in 2017).
- Anti-Semitic acts also alarmingly increased in 2017 (97 cases in 2017, as opposed to 77 cases in 2016, an increase of 20 incidents).
- The number of attacks on people decreased from 42 in 2016 to 30 in 2017.

There is also data available from French non-governmental organizations. The figures coming from the Representative Council of French Jewish Institution (CRIF), the umbrella organization of French Jewry, usually coincide with those of the official statistics.

The most egregious case of anti-Semitism in 2017 in France was the murder on the grounds of religious hatred of the 65-year-old retired teacher Sarah Halimi, an Orthodox Jewish woman who was killed by a native of Mali who shouted "I killed the Shaytaan" in Arabic during the murder (he threw the woman off her balcony). This incident attracted much attention from the media, elected officials, and the Jewish community, because, despite existing evidence that the murder was motivated by anti-Semitism, only in February 2018 did the prosecutor agree that it was a hate crime.²²⁶

It is now generally accepted that the overwhelming majority of anti-Semitic acts in France are not committed by right-wing radicals, but by people who, whether they happen to be French or foreign, have a Muslim cultural background. The sociologist Jérôme Fourquet, who has been investigating anti-Semitism in France over the past two decades, noted in his book *Next year in Jerusalem? Jews in France Confront anti-Semitism* (L'an prochain à Jérusalem? Les juifs de France face à l'antisémitisme) that this trend began with the beginning of the Second Intifada in 2000.²²⁷ Before that, for example, in 1999, 82 anti-Semitic acts were recorded, and 80 per cent of these crimes were committed by right-wing radicals. By comparison, in 2000, there were already 743 attacks on Jews.²²⁸ This change in anti-Semitism is

known as the “new anti-Semitism,” a phenomenon first identified by the philosopher Pierre-André Taguieff in 2002.²²⁹

The problem with anti-Islamic incidents is that the official statistics are disputed by militant Muslim associations, such as the CCIF (Comité contre l'islamophobie en France). Their definition of Islamophobia is much broader than that of law enforcement agencies, and includes almost all cases of criticism of Islam, even if the complaint is not filed with the police.

However, in 2017, the CCIF registered 446 incidents whilst also noting that they decreased by 21.7 per cent. The analysis shows that the overwhelming majority of these incidents (349) are associated with discrimination (at work, in education, with housing, etc.), while there were only 31 incidents involving bodily injuries; 58 cases of inciting hatred; and 8 desecrations of Muslim cemeteries and places of worship.²³⁰ For comparison, in 2017, 28 such cases were recorded against synagogues and Jewish cemeteries and 878 such actions (a 7.5 per cent decrease, as compared to 2016) were directed against Christian cemeteries and churches.²³¹ This particular category of anti-Christian incidents is still ignored by researchers, so it is difficult to understand whether we are dealing with criminals who harbor ideological bias against Christians (for example, those who are part of a satanic cult, or people associated with the anti-Christian scene of Black Metal / Goth music), or whether there was no ideological motivation for these crimes whatsoever.

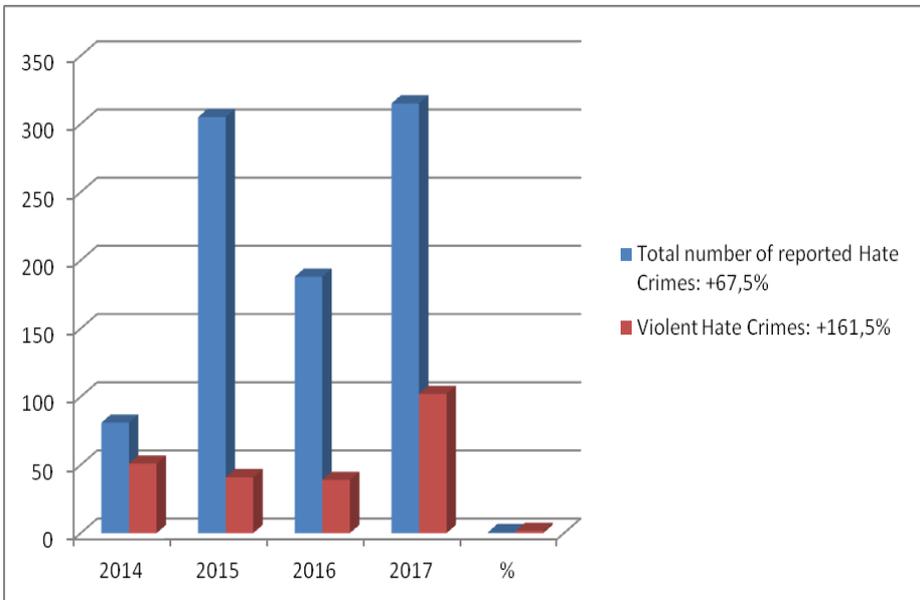
The state of prejudice against the LGBT community is best monitored by the NGO SOS Homophobie, whose annual report recorded 1,650 incidents against LGBT people (an increase of 4.8 per cent from previous years), including 139 cases of physical violence (there were such cases 121 in 2016), of which 72 per cent of attacks were against men.²³² The report by this organization is undoubtedly the most complete and accurate one, and it shows that the level of crimes against LGBT people reached its peak in 2013 (3,517 incidents), when the coalition of right-wing organizations, namely, of “Ar-Conservative,” “Pro-Family,” and “Pro-Life,” supported by the

right, were opposed to the introduction of same-sex marriage, which was actively covered in the media.²³³

In *Greece*, a sharp jump in violent hate crime was recorded. According to the non-governmental organization “Racist Violence Recording Network (RVRN),” if 39 such crimes were committed in 2016, the number has gone up to 102 crimes in 2017, which is a total growth of 161.5 per cent.

The total number of hate crimes, including the spread of hate speech, also increased sharply. According to the report by the non-governmental organization “Helsinki Monitor” (HM), which traditionally and professionally deals with this problem and published its findings on the website “Racist Crimes Watch,” 315 hate crimes were committed in the country in 2017.²³⁴ As this organization emphasizes, 315 records of offenses corresponds to more events, as several records relate to more than one incident.²³⁵

Diagram 7. Hate crime in Greece (2014-2017)²³⁶



At the same time, the police provided data on 184 incidents in 2018 that covers the same period. This is 131 episodes less than the number of incidents that were recorded by the NGO. But in principle, this is progress, because in 2017 the Greek authorities informed the OSCE of only 40 incidents that occurred in 2016, which was clearly not true, unless we assume that the official statistics only covered violent crimes.

Incidents related to racism included cases of racist profiling, hate speech, racist defilements and vandalism, racist discrimination, and racist violence.

Of the 315 incidents reported by NGOs, 117 concerned migrants and refugees; 98 were anti-Semitic in nature (of which 69 were associated with the Easter-time rite of “burning of the Jew/ burning of Judas”); 36 were incidents against representatives of the LGBT community and motivated by gender-based hatred; 31 were incidents against the Roma; 16 were incidents against persons with disabilities; 9 were incidents against national minorities; 13 were incidents against Muslims; 4 were incidents directed against human rights defenders; and 3 incidents of an undefined nature.

All 315 incidents were or will be filed as criminal complaints with the Athens Prosecutor for Racist Crimes. The great achievement of the NGO Greek Helsinki Monitor is that, based on complaints filed by this NGO with the Prosecutor for Racist Crimes in 2017, criminal cases were opened against all of the complaints. Some of them were sent to local prosecutors in other cities where the alleged crimes were committed. This is a big breakthrough in comparison with previous periods, which may be due to new trends in the law enforcement system after Alexis Tsipras came to power.

But in any case, we have to admit that the outbreak of crime still occurred, or we are dealing with the improvement of statistics related to the fact that the victims of crimes have become more frank with NGOs.

If we return once again to violent crimes of hatred, then the government structures do not provide any official data. However, as already mentioned, the RVRN, consisting of 40 NGOs coordinated by

the National Human Rights Commission and the Office of the United Nations High Commissioner for Refugees (UNHCR), reported 102 violent crimes, information that was received from the interviews of 120 victims.²³⁷ In 34 cases, the victims were migrants or refugees, who, it is stated, have suffered as a result of their ethnic origin, religion, color, and / or gender identity. In 7 incidents, human rights defenders and employees of refugee support organizations and services became victims. In 47 incidents, LGBT representatives became victims. In 11 cases, sacred or symbolic places and institutions of the Jewish community were attacked, and in two cases Greek citizens became victims because of their religious beliefs. In one case, the victim was a male member of the Roma community. In 37 incidents, more than one victim was injured. In 55 cases, the attack was committed by two or more persons.²³⁸

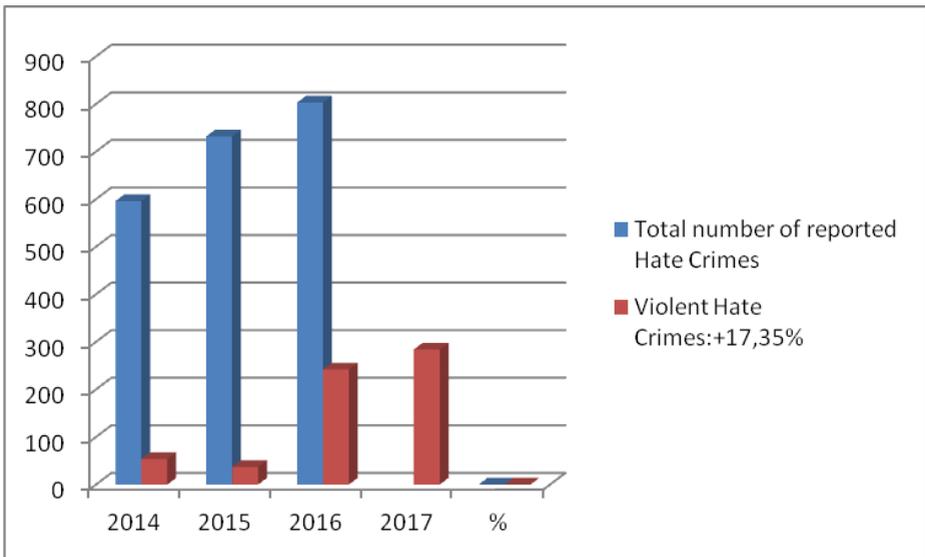
As always, it is difficult to assess hate crime in *Italy*. This country belongs to the group of states that signed the Convention on the Prohibition of All Forms of Racial Discrimination with reservations regarding Art. 4. which, inter alia, requires the prohibition “on all dissemination of ideas based on racial superiority or hatred, on all incitement to racial discrimination, and on ... incitement to such acts directed against any race or group of persons of a different color or ethnic origin ... ”²³⁹ In addition, this article declares illegal and prohibits “organizations, as well as organized and any other propaganda activities that encourage and incite racial discrimination, and declare participation in such organizations or such activities as an offense punishable by law.”²⁴⁰

These provisions, from the point of view of Italian, as well as many other European legislators, are contrary to the principles of freedom of speech and expression. In addition, Italian law does not provide for criminal prosecution for manifestations of hatred towards LGBT representatives, and therefore, this type of crime is not formally taken into account if it is not about violence. There is no clear legal definition of what hate speech is, and often racist, xenophobic, or homophobic comments made on social networks are not grounds for criminal prosecution. Finally, the incitement of hatred is punishable in

Italy only if it is proved that the accused had intentions to change the behavior of a wide audience towards the commission of violence, which is extremely difficult to prove.

Nevertheless, a wave of hatred is growing in Italy, and many extreme right-wing organizations and ultranationalist parties boldly demonstrate their ideas and make political statements.

Diagram 8. Hate crime in Italy (2014-2017)²⁴¹



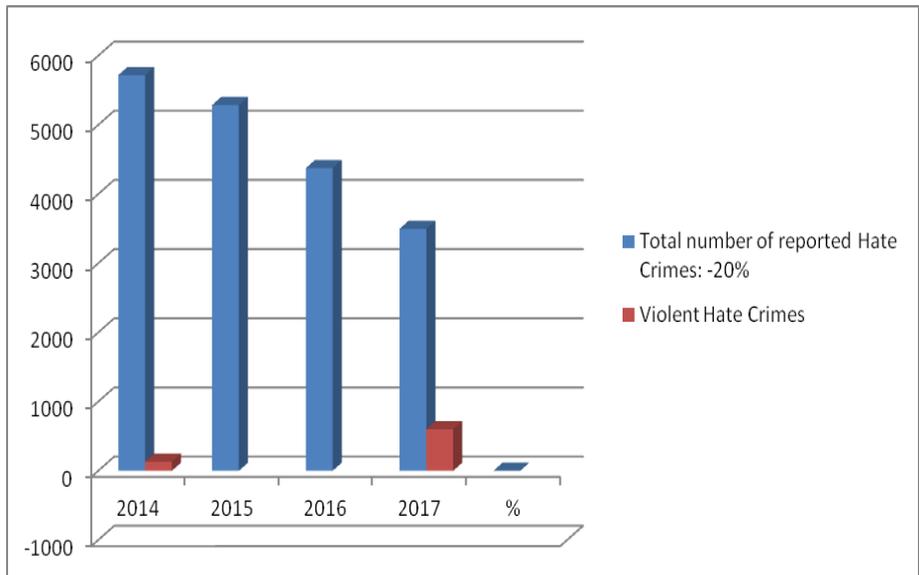
After neo-Nazi skinheads broke into the volunteer center for immigrants (see chapter 2), Justice Minister Andrea Orlando ordered a statistical census of hate crime in the country over the past three years (2014-2017). It was the first time in many years that such a census was conducted. A total of 284 acts of hate-motivated violence for 2017 were identified.²⁴² The increase, compared to 2016, amounted to 17.36 per cent. The main regions where such crimes took place are Lazio (where Rome is located), Lombardy (mainly in Milan), Tuscany, Veneto, and Friuli-Venezia Giulia. The census was conducted from the data of 26 offices of the General Appeals Court.

In addition, non-governmental organizations reported that there were 557 incidents of hate speech in the country during this period. However, judging by 2016, this data differs significantly from the official statistics, which then showed 803 crimes against 544, reported by an NGO.²⁴³ From these numbers, we prefer not to make hasty conclusions regarding Italy and wait for official data. However, the significant increase in violent hate crime in recent years indicates that the problem persists.

It must be borne in mind that this data is taken from judicial, not police, statistics. Accordingly, part of the episodes could simply not reach the court, in view of the above specificity of the Italian legislation.

Obviously, this data do not include those victims who, for various reasons did not report a crime to the police. The main reason for this is that most of them are illegal immigrants, and they fear that when they go to the police they will be arrested and deported from the country.

Diagram 9. Hate crime in the Netherlands (2014-2017)²⁴⁴



The *Netherlands* is also one of the countries where access to information on hate crime is difficult. At the same time, it has one of the most sophisticated systems in Europe for monitoring and informing the authorities of discrimination and hate crime.

In 2017, the country recorded a sharp decline in the total number of hate crime. In 2016 there were 4,376 offenses committed and in 2017, the number of such incidents decreased by 20 per cent - to 3,499.²⁴⁵

At the same time, 603 cases were crimes of a violent nature. In 477 cases, it was a question of verbal threats. 192 of all cases were classified as Islamophobic, and 284 as anti-Semitic.²⁴⁶

Since there is practically no data on violent crimes in the past years, a comparative analysis in this case is problematic.

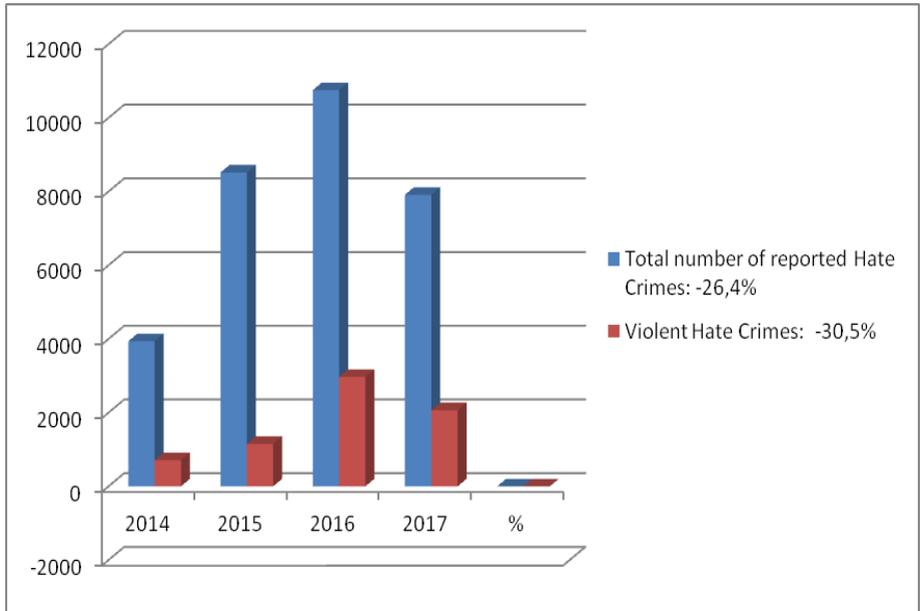
The analysis of information on hate crime in *Germany* (see Diagram 10) is still complicated by the fact that the authorities hide this statistical data in the broader notion of “politically motivated crimes.” As a consequence, racist incidents and instances of institutional discrimination must be found in more general statistical data. In addition, it must be borne in mind that one and the same crime in Germany can be counted several times - for example, an attack on a refugee from Syria can be classified as a crime against foreigners and, simultaneously, against refugees and Muslims.

According to the data from the Ministry of Internal Affairs, published in May 2018, there were 39,505 offenses with political motivation in Germany in 2017.²⁴⁷ This is 4.9 per cent less than in 2016 (41,500). Thus, for the first time since 2012, there was a decrease in the number of such offenses in the annual statistics. More than half of them were recognized as having been committed with a radical right-wing motivation. Nevertheless, there was a noticeable drop in cases of violence with radical right-wing motives: 20,520 (which is 12.9 per cent less, when compared to 2016), but the number of crimes committed with radical left-wing motivation grew to 9,752 (a 3.86 per cent increase). At the same time, the number of crimes that are not easily qualifiable increased by almost 25.5 per cent. The number of attacks on dormitories and reception centers for asylum

seekers has declined significantly to 312 (which is a 68.6 per cent decrease). For the first time, offenses committed by the so-called “Reichsbürger” citizens (citizens of the Reich) are recorded in a separate column: 380 politically motivated cases were registered.^v

Of these, hate crime accounted for 7,913 incidents in 2017, which is 26.4 per cent less than the previous year (10,751).²⁴⁸

Diagram 10. Hate crime in Germany (2014-2017)²⁴⁹



^v Author’s note: The main postulate of supporters of this movement, existing since the 1980s, is the denial of the FRG as a subject of international law. In their opinion, the German Reich did not cease to exist in 1945, therefore, the institutions and laws of modern Germany are allegedly not legitimate. This grouping is not homogeneous, but consists of disparate unstable and unregistered groups. Due to their small number and sectarian structure, these groups for a long time were not in the field of due attention of German law enforcement. Members of these groups were not considered to be right-wing extremists, since, in their appeals, they did not give a positive assessment to National Socialism and neither did they express right-wing radical views. This movement gained recognition in October 2016 when, during a search in the suburbs of Nuremberg, one of the representatives of the “citizens of the Reich” opened fire on the police. One officer was killed, three were seriously wounded. Since that time, activists of the “Citizens of the Reich” are under the supervision of the special services.

At the same time, 6,434 of hate crimes against foreigners were recorded, of them: 41 against Sinti and Roma; 129 against Christians; 1,075 against Muslims; and 31 against other groups. 2,270 online hate content crimes were also recorded, of them: 1,681 were perpetrated by the representatives of the extreme-right, and 198 by religious extremists. 312 crimes against refugees were committed.

The number of crimes motivated by anti-Semitism has increased insignificantly: 1,504 such crimes were committed, which is a 2.5 per cent increase from previous the period.²⁵⁰ At the same time, the German Bundestag Independent Expert Group on anti-Semitism believes that it is necessary to proceed from the “regular underestimation of manifestations of anti-Semitism.”²⁵¹

Public organizations also express doubts about the correctness of the data itself and their distribution by category. Representatives of the American Jewish Committee (AJC) in Germany note that 95 per cent of all anti-Semitic offenses are “ranked” in police statistics for “right-wing extremism,” which means that almost any case of a demonstration of Hitler's greeting or shouting “Jews, get out!”, even if these actions are committed by the supporters of Hezbollah, are considered as “right-wing extremist,” rather than Islamist anti-Semitism.²⁵²

It is probably because of this that the official statistics radically changed the political composition of criminals who committed offenses against Jews, indicating an increase in such incidents on the part of Islamists by 95 per cent (92 more crimes – all in all, Islamists committed 197 crimes of an anti-Semitic nature). However, right-wing radicals remain the main perpetrators of anti-Semitic crimes in Germany.

Unfortunately, at the federal level, there are no statistics of refusals to apply to the police by the victims of hate crime. However, the study of the Lower Saxony Criminal Crimes Agency, conducted in 2017 and based on the facts concerning the lack of submission of applications by victims of various crimes, gives an idea of the overall picture when it comes to cases that remain “in the shadows.” If

persons whose cars were stolen or whose houses were burglarized turn to the police, respectively, in 95 per cent and 81 per cent of cases, since the insurance company does not consider claims for damages without confirmation from the police station, then victims of attacks with bodily harm and sexual violence resort to law enforcement agencies only in 36 per cent and 6 per cent of the cases, respectively.²⁵³ There is no doubt that some of these incidents were hate crimes that were committed on racial, religious, or ethnic grounds. This data does not fall into the official statistics.

According to the data provided by the Minister of the Interior of the Federal Republic of Germany, Thomas de Maizière, the special services prevented three acts of terrorism in Germany in 2017.²⁵⁴ At least 720 people were found to be potentially dangerous.²⁵⁵

Nevertheless, according to official statistics of 2017, almost 30.5 per cent less violent crimes were committed than in the previous year (2,066 against 2,972 in 2016).²⁵⁶

It becomes obvious that, after two years of galloping growth in the number of hate crimes in Germany, which was provoked by the migration crisis, a turning point occurred in the country, and the authorities took control of the situation. This is demonstrated by a general decrease in the number of hate crimes committed in 2017, and a decrease in the number of violent crimes, as well as by the statistics of all politically-motivated crimes.

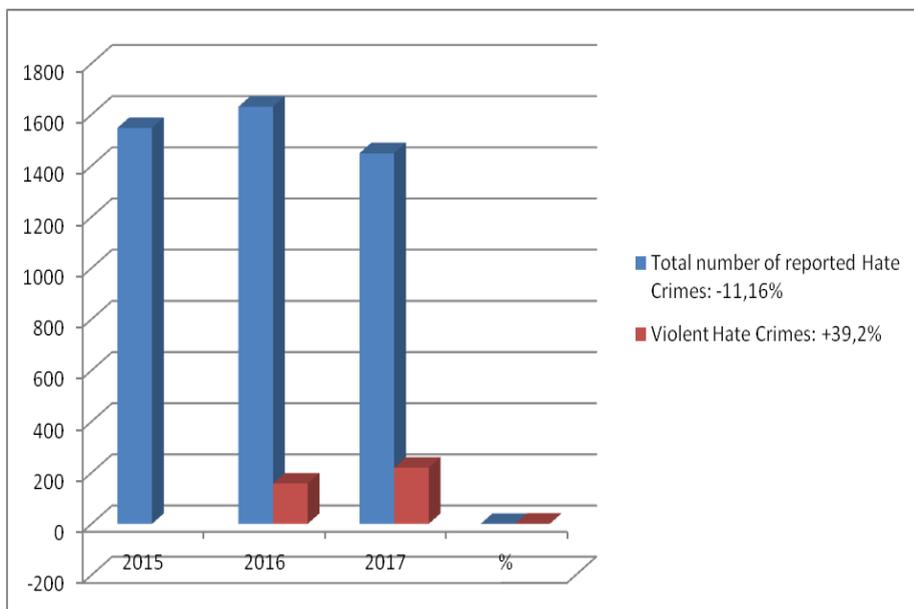
Some researchers consider changes in the statistics of hate crime in Germany as a landmark for all other EU countries. However, so far, this is not the case.

In *Poland*, after a period of effective opposition to hate crime by law enforcement in 2016, there was a turning point. This is indicated by statistics published by the National Prosecutor's Office. This document concerns racist, anti-Semitic, and xenophobic crimes committed in 2017.²⁵⁷

With a reduction in the total number of recorded hate crimes by 11.16 per cent in 2017, there has been an increase in violent crimes in the country by more than 39 per cent. As already mentioned, such indicators suggest that law enforcement agencies have adopted a more

liberal approach to hate speech, which automatically leads to increased violence, as impunity in the non-violent sphere provokes criminals.

Diagram 11. Hate crime in Poland (2015-2017)²⁵⁸



From the aforementioned report, 1,449 offenses were registered in Poland in 2017. According to the National Prosecutor's Office, the vast majority of the episodes included in the report concerned crimes committed on the basis of Art. 256§1, 257 and, 119§1 of the Criminal Code (81.7 per cent):

- 536 cases (31.4 per cent) related to crimes motivated by racial hatred (article 257 of the Criminal Code);
- 509 cases (29.8 per cent) concerned hate speech and propaganda of fascism and other totalitarian state ideologies (Article 256 § 1);
- 350 cases (20.5 per cent) concerned violence or an illegal threat based on race, nationality, ethnicity, religion, or politics (art. 119).

- The remaining 19.3 per cent of cases concerned, in particular: insults to religious beliefs (3.2 per cent), incitement of crimes (2.8 per cent), spread of hatred as defined in art. 256§1 (2 per cent).

At the same time, according to the report, out of 1,415 offenses:

- 489 were committed on the Internet;
- 220 (13.7 per cent) were related to violent hate crime;
- 197 (13.4 per cent) concerned illegal threats;
- 145 (8.2 per cent) cases concerned racist graffiti;
- 33 (3 per cent) cases related to demonstrations of hatred;
- 5 cases concerned the activities of sports fans and sportsmen during the games.

The victims of crimes motivated by hatred were: Muslims (328 cases), Ukrainians (190), Jews (112), black and dark-skinned people (98), Roma (96), Poles (95), Catholics (66), and Syrians (24).²⁵⁹

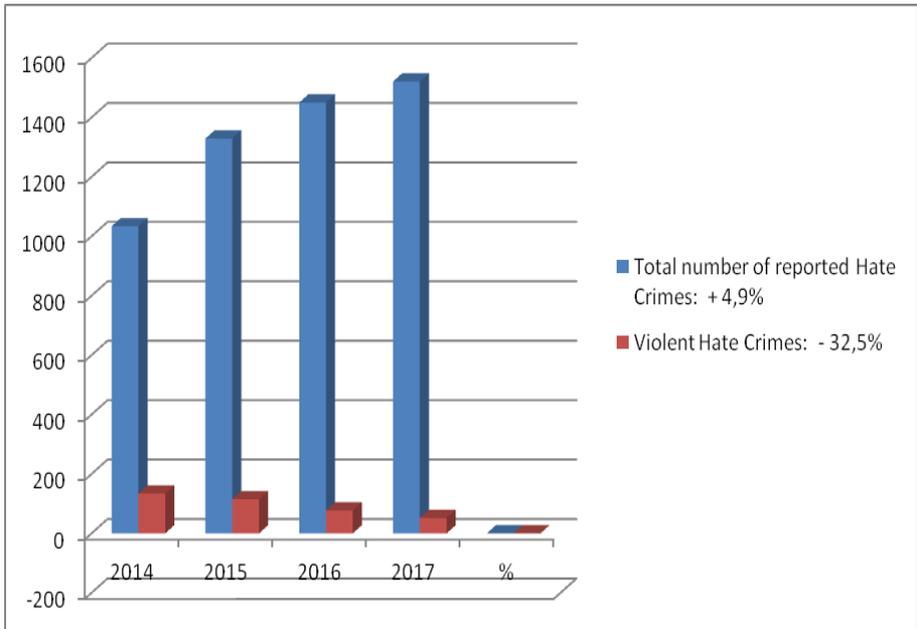
In *Russia*, according to the Prosecutor General's Office, the total number of hate crimes increased by 4.9 per cent compared to 2016 and amounted to 1,521 episodes compared to 1,450 incidents in 2016. In this case, violent crimes were registered significantly less - 52 cases.^{vi} This is 32.5 per cent less than in 2016, when the authorities recorded 77 cases of violence.²⁶⁰ Moreover, 45 violent crimes were committed against a person. The share of all violent crimes in the total number of hate crime was 3.41 per cent, which is 1.62 per cent less than a year ago. In general, this is confirmed by the analytical data of the Ministry of Internal Affairs of the Russian Federation.²⁶¹

According to the independent information and analysis center SOVA, "the number of racist and neo-Nazi-motivated attacks" in Russia also declined.²⁶² The NGO recorded 28 ethnic attacks (44 in 2016), 11 people were injured as a result of attacks on LGBT people (5 in 2016), and there were 3 attacks on the homeless (two in 2016).²⁶³

^{vi} Prosecutor General's Office of the Russian Federation, "The Structure of registered crimes of extremist orientation in 2017 in comparison with 2016"; "The structure of crimes registered in 2017 in comparison with 2016 committed on the grounds of political, ideological, racial, ethnic or religious hatred or enmity or based on hatred or enmity towards a social group."

The number of convictions for persons who committed violent hate crimes was also reduced (10 convictions and 24 convicted in 2017 against 15 sentences and 43 convicted in 2016).²⁶⁴

Diagram 12. Hate crime in Russia (2014-2017)²⁶⁵



This shows that the authorities have not changed their old approach - to tighten control over persons committing non-violent crimes. This has the effect of reducing violence, because, as already indicated, potential offenders, before committing a violent crime, try to find a way out for their feelings in the form of hate speech in an online or offline format for a long time.

As for non-violent crimes, most of them were committed under Article 282 of the Criminal Code (inciting hatred or enmity, as well as humiliation of human dignity) - 985 cases, which is 32 more crimes than in 2016 (953); under Art. 280 (calls for extremist activity) - 310,

which is five episodes more than a year ago; and art. 282 (organization of activities of an extremist organization or participation in it) - 65, which is 26 cases more than in 2016.

In addition, in the Russian Federation in 2017, 5 homicides were committed on the basis of hatred (3 in 2016); three deliberate inflictions of serious harm to health as a result of extremist motives - item "e," Part 2, Art. 111 of the Criminal Code of the Russian Federation (1 in 2016); and 2 crimes of willful harm to health of medium severity (3 in 2016) - item "e" p. 112.

According to the Prosecutor General's Office of the Russian Federation for the first half of 2018, in general, there was a decrease in extremist crimes - 616 episodes (which is 12.3 per cent less when compared to the first half of 2017).²⁶⁶

Unfortunately, official reports do not specify the information on xenophobic vandalism in relation to religious buildings and institutions. According to the SOVA Center, 14 cases of attacks by vandals on the buildings of Jehovah's Witnesses were recorded in 2017, of which three involved arson (in 2016 there were 9 such episodes).²⁶⁷ On April 30, 2017 the houses occupied by a family who were Jehovah's Witnesses caught fire. This took place in a small town in the Moscow region of Lutsino, where one of the local residents, who previously expressed negative attitude against this religion, threw a Molotov cocktail while drunk. The fire destroyed two houses and the cars of the believers.²⁶⁸

Experts associate the escalation of violence against this religious organization with the fact that, in 2017, there was a trial with the purpose to ban it as an extremist group, which was widely and negatively covered in the media.

According to the SOVA Center, 11 acts of vandalism against Russian Orthodox sites were recorded, including 2 arson attacks (10 acts took place in 2016).²⁶⁹

In two cases, according to the same NGO, there were attacks on Protestant churches, including the incident that occurred at the Lutheran church in Voronezh on June 23, 2017: unknown persons left a dummy of an explosive device. The Bishop of the South Russian

District of the Evangelical Lutheran Church of the Augsburg Confession (the center of the district is in Voronezh), Anatoly Malakhov, linked the incident to a legal battle between the church and the city authorities, which revolves around the buildings that were used by the Lutherans of Voronezh before the Bolshevik Revolution of 1917.²⁷⁰

In 2017, Russia reported two acts of vandalism against synagogues: the first incident was recorded on the night of July 11, when unknown persons threw a stone at the synagogue in Kostroma; the second - on the night of September 11, when three bottles of incendiary mixture were thrown at the office of the Federation of Jewish Communities of Russia (FEOR) in the area of Maryina Roshcha in Moscow. In both cases, the buildings suffered minor damage. In 2017, there were five such cases.²⁷¹

In 2017, one attack was carried out on a neo-pagan and one on a Buddhist site. There is no information available about attacks on Muslim sites.

Yet at the same time, the SOVA Center notes that "the number of attacks on religious sites remains stable: 30 in 2017 and 2016 (and 29 in 2015). But the share of the most dangerous acts - arson and explosions - has increased compared to last year: 29 per cent of all attacks on religious sites involved arson or explosions, that is, 14 (cases) out of 48 (a year earlier they constituted only 13 per cent, or 6 cases out of 44 attacks on religious sites were arson or explosions)."²⁷² And most of these crimes were committed against the property of "Jehovah's Witnesses," which, as already indicated, is associated with a broad xenophobic campaign in the media.

But in general, as can be seen from Diagram 12, in Russia, for the fourth year in a row, there has been a decrease in the number of hate crimes of a *violent* nature.

This decrease has happened for various reasons. First, the reform of anti-extremist legislation, which was introduced in 2014-2016, can be credited. As was already mentioned, the revised legislation has allowed the suppression of these crimes at the initial stage of the activity by instigators in social networks. Thus, the main

emphasis was placed on the suppression of non-violent crimes, which ultimately led to the decrease in violent acts.

The most important reason concerns the split and the weakening of radical groups in Russia. This happened as a result of the actions of the authorities, and thanks to the departure of, for example, Islamist activists to Syria, and right-wing radicals to Ukraine - where they are fighting on both sides of the conflict. Incidentally, the split within the radical right-wing movement occurred precisely around the issue of attitudes to the events in Ukraine - one part of the nationalists supported Kiev, while the other took the side of the Russian separatists.

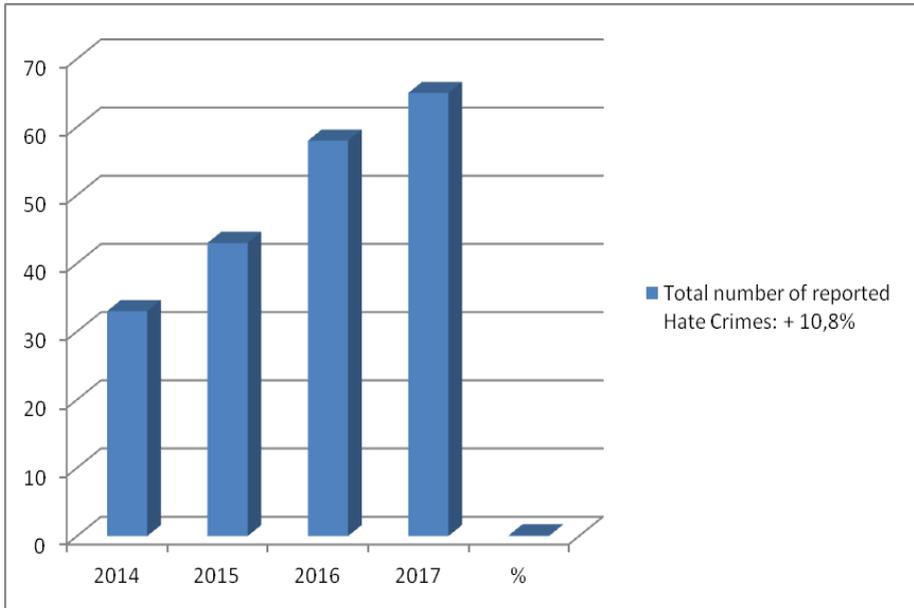
Another reason was the general political situation in the aftermath of the conflict in Ukraine and the imposition of international sanctions against Russia. These events largely united the Russians. The effect of an external threat was triggered when citizens put aside their internal contradictions and felt internal unity instead.

According to the *Slovak* authorities, 178 cases of hate crime were initiated in this country in 2017, of which 2 cases were initiated on charges of violence. Only one of them is known: an attack in February 2017 in the town of Žilina on a homeless Roma individual.²⁷³

During the first five months of 2018, one violent crime based on racial hatred was committed in the country. The offender was in a state of intoxication. The crime was committed early in the morning on Saturday, May 26, 2018, in the center of Bratislava, against the Filipino Henry Akordu. On May 31, 2018, he died in the hospital. The offender was 28-year-old Juraj Hossu, a resident of the city of Dunajská Streda.²⁷⁴ The investigation revealed that the motive was hatred.²⁷⁵

In the situation of hate crime in *Ukraine*, we face either the deliberate fraud of statistics, or the re-qualification of hate crimes as household offenses.

Diagram 13. Hate crime in Ukraine according to the Prosecutor General's Office of Ukraine (2014-2017)²⁷⁶



Thus, in 2017, the Prosecutor General's Office provided information on 65 hate crime committed in 2017.²⁷⁷ In 2018, the Prosecutor's Office gave information on 65 crimes of hatred committed in 2017. Of these - 52 crimes were committed under art. 161 of the Criminal Code of Ukraine (violation of the equality of citizens based on their race, nationality, or attitude to religion), which is 11 more crimes of the same nature as compared to 2016; only 12 acts of vandalism and desecration (art.178-179 of the Criminal Code of Ukraine), while 13 of these crimes were committed in 2016; and, finally, one case of obstruction of the religious rite (6 crimes of this nature were committed in 2016).²⁷⁸

The Ukrainian authorities traditionally do not report data on violent crimes.

From the data presented above, such a number of hate crimes seems to be understated and may indicate the falsification of official statistics. According to the human rights LGBT centre “Our world,” 226 homophobic crimes were committed only in relation to sexual minorities.²⁷⁹ LGBT rights activists identify the following cases of homophobia: 134 insults and threats; 92 cases of physical violence; 27 cases of homophobia in the family; 22 threats and blackmail; 15 cases of robbery; 6 cases of creating obstacles to peaceful actions; 2 attacks during LGBT actions; and 1 case of torture. Moreover, only 67 attacks against representatives of the LGBT community were recorded in 2016. Thus, the number of crimes more than doubled.

According to the data of the government-sponsored NGO “National Minority Rights Monitoring Group,” 32 proven anti-Semitic crimes were committed in 2017, among them one violent, though it was qualified as hooliganism (a hooligan assault on the rabbi in Dnieper (former Dnepropetrovsk)).²⁸⁰

At the same time, the authors of the report by this group, entitled “Anti-Semitism in Ukraine, 2017,” mention nine other cases in which the anti-Semitic nature of the incident was allegedly not confirmed. The authors refer to the opinion of the administration and law enforcement agencies in the regions where these episodes occurred, or they themselves believe that there was no anti-Semitic motive to these crimes. Nevertheless, the factual analysis makes us doubt such conclusions. For example, these experts of the Monitoring Group do not consider the attack on the rabbi in the Dnieper (formerly Dnepropetrovsk) as violence, and they qualify (echoing the presidential administration) the damage to the memorials to the victims of the Holocaust in Savran in the Odessa region (March 9, 2017) and in Berezovka of the Savran region (March 19, 2017) as “the destruction of dilapidated tombstones by natural reasons,” etc. Concerning the desecration of the Ohel (prayer pavilion above the grave) of Rabbi Mordechai Twersky (Chernobyl Rebbe) on June 4, 2017, which was announced by Rabbi Moshe Reuven Azman, chief rabbi of Kiev and Ukraine from the All-Ukrainian congress of Jewish religious communities (Habad), the author of the report, Vyacheslav

Likhachev, announced: “We do not regard the event as an act of vandalism motivated by hatred, since it does not indicate anti-Semitic motivation of criminals.”²⁸¹

On January 23, 2018, on the eve of the International Holocaust Remembrance Day, the Ministry of the Diaspora Affairs of Israel published an annual report on anti-Semitism in the world, which directly highlighted the growth of the number of registered anti-Semitic incidents in Ukraine.

As noted in the report, the number of anti-Semitic incidents in this country almost doubled in 2017, when compared to the previous year. Dozens of acts of vandalism against memorials, museums, and synagogues have been registered. It is also noted in the report that, for the second year in a row, there has been a very high number of cases of anti-Semitic propaganda in politics and vandalism against Jewish sites, such as cemeteries, Holocaust memorial sites, and community buildings.

At the same time, the authors of the report note that the Ukrainian authorities do not react in a harsh enough manner to these displays of anti-Semitism. Thus, in most cases, manifestations of anti-Semitism are regarded as ordinary hooliganism, and not as “hate crime.” The result of such lenient policies is the repeated desecration of the same objects. In addition, the authors of the report accuse the Ukrainian Institute of National Remembrance in an attempt to rehabilitate and glorify the nationalist movements of the past and their leaders, who were responsible for the killing and expulsion of Jews.²⁸²

The problem of glorification of Ukrainian nationalists, and even of the fighters of the “Galician” division of the Waffen SS, became a serious issue in Ukraine. As early as May 15, 2015, President Poroshenko signed the law “On the Legal Status and Commemoration of the Memory of Ukrainian Freedom Fighters in the Twentieth Century.” The law was part of the de-communization efforts by the Ukrainian government. The law criminalized criticism against the fighters. For example, OUN-UPA, which operated during the first years of the Nazi occupation in alliance with the Nazis and was “famous” for the Lviv Jewish pogrom and the Volyn massacre of

the Poles, as well as one of the leaders of the Ukrainian People's Republic (1918 -1919), S. Petlyura, whose soldiers “became famous” for the most severe Jewish pogroms during the Civil War.²⁸³

The SS division “Galicia,” which fought in the ranks of the Wehrmacht during the Second World War, was equated with the fighters for the independence of Ukraine. In May 2017, a scandal erupted in connection with the symbols of this division. As explained by the head of the Institute of National Remembrance, Volodymyr Viatrovych, according to the law on the banning of communist and Nazi symbols, the symbols of the SS division “Galicia” are allowed.²⁸⁴ The reason, according to the Ukrainian legislation, is that they were fighters for the independence of Ukraine. Thus, by prohibiting Soviet symbols, the symbols of the winners over Nazism in the Second World War, the modern Ukrainian authorities emphasize and extol the Nazi symbols of the SS division “Galicia”.

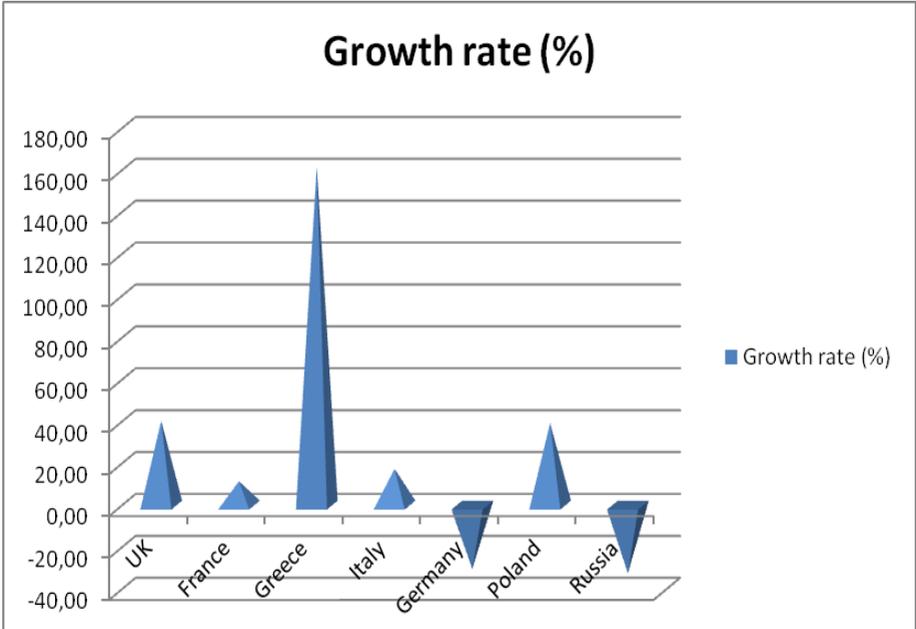
Only under the pressure of the international community did the Institute of National Remembrance change its position in 2018. On the eve of another “March of Greatness of the Spirit,” organized in Lviv in honor of the members of the SS on April 28, 2018, and held under the banners “‘Galicia’ - a division of heroes” and “Ukraine above all,” as well as with the demonstration of the SS division symbols and of those of the contemporary neo-Nazi groups, such as S14, Vyatrovich posted on Facebook:

“The anniversary of the creation of the Waffen SS division “Galicia” is not a holiday for Ukrainians. Ukrainians were perceived the same in the German and in the Soviet armies during World War II – as cannon fodder. The only difference is that those Ukrainians who joined the division “Galicia” were trained for a year before being thrown into fighting, whereas the Red Army recruits were often thrown into the meat grinder all at once.”²⁸⁵

In many respects, this was due to a sharp decrease in migration flows against the backdrop of the stabilization of the situation with migrants in Germany, the educational and propaganda work of the government among Germans, and the basic emotional fatigue of the citizens of Germany from all the protest activity. The fact that right-

wing radicals could not, in late 2017 - early 2018, bring to the streets more than a few hundred people for anti-immigrant protest actions, confirms this thesis.

Diagram 14. Growth rates of violent hate crime in Europe (2017)



While the German experience has not affected other EU countries, there is reason to believe that, with a certain political will, a turning point may come even in those countries.

In Russia, the authorities continue to destroy the radical right-wing camp and toughen the prosecution for non-violent hate crime, especially those that were committed online. In some cases, Russian authorities are criticized for excessive prohibitive actions bordering on violations of the right to freedom of speech and expression. According to indirect data, this is understood by the authorities. It is possible that in the coming months, as follows from media reports, we will witness

some softening of the policy of the Russian authorities regarding the behavior of citizens in social networks. In particular, as mentioned above, there has been a suggestion not to prosecute for “husky” radical right-wing posts on social networks, etc.

In Ukraine, the conflict continues in the south-east region of the country. Against this background, right-wing radicals and nationalists dictate to the government their agenda on ideological and cultural-educational issues. They completely control the social science sphere, and their goal is to continue building, as they say, “the Ukrainian nation.” As a result, discriminatory laws against minorities in the field of the language of teaching in secondary schools were adopted in the country. Non-Ukrainian-language media were being ousted from the public space, officially anti-Semitic and radically nationalistic forces were officially glorified, including those who cooperated with the German occupation administration during World War II, and a discriminatory policy is being carried out against the canonical Russian Orthodox Church of the Moscow Patriarchate. At the same time, further attempts are being made by the law enforcement agencies of Ukraine to falsify statistics on hate crime or to re-qualify such crimes as household crimes.

All this can lead, in the coming years, to the escalation of discrimination and violence based on xenophobia, primarily against Jews and other national minorities - Hungarians, Transcarpathian Rusyns, Russians, etc.

CONCLUSION

A detailed analysis shows that, despite optimistic forecasts, the level of xenophobia in Europe is still unacceptably high. Even the 20 per cent drop in the levels of migrant phobia in some countries did not lead to a radical change in the situation. Improving the attitude towards migrants occurred against the backdrop of the EU-Turkey deal concluded in 2016, which significantly reduced migration flows to Europe, as well as the implementation of a set of other measures to reduce the number of refugees in various EU countries. A joint role was played by educational programs of the authorities of a number of states and the Office of the United Nations High Commissioner for Refugees aimed at stopping Europeans from demonizing asylum seekers and helping them integrate in the host country.

However, the level of dislike towards migrants still does not fall below 60 per cent in countries such as Italy, Hungary, and Poland; and France, Slovakia, Russia, and Greece are not falling far behind. Thus, the reduction of anti-immigrant sentiments is, as already indicated, a kind of post-shock stabilization, which has not yet fundamentally changed the situation with migrant-phobia in Europe.

Approximately, the same thing happened with attitudes towards Muslims. Thus, in Italy and Russia, this indicator improved by nine per cent (60 per cent and four per cent respectively), and in Poland by four per cent (62 per cent). The number of those who feel negatively towards Muslims stayed at the same level in Hungary (72 per cent) for the second consecutive year. At the same time, the level of Islamophobia in Britain increased by eight per cent (36 per cent), by five per cent in France (34 per cent), and by four per cent in Germany (33 per cent).

As for other social phobias, the situation is even bleaker. In fact, anti-Roma sentiments have grown in all countries that conducted accurate public opinion surveys, except for Russia (17 per cent) and France (57 per cent). These are the only countries where the attitude towards the Roma has slightly improved over the year, in both countries by four per cent. The level of anti-Romani sentiment

remains unacceptably high in a number of countries - in Italy (83 per cent: growth + 1 per cent), in Hungary (72 per cent: + 8 per cent), Ireland (75 per cent), Slovakia (79 per cent), Poland (59 per cent: + 12 per cent), etc.

The level of anti-Semitism increased in Italy (25 per cent: + one per cent), Hungary (27 per cent: + seven per cent), and France (20 per cent: + 10 per cent). High levels of anti-Semitism continue to be demonstrated by the population of Poland (33 per cent, with minimal Jewish presence), Slovakia (30 per cent), and Ukraine (29 per cent). Positive dynamics are present only in Britain (five per cent: -two per cent), Poland (-four per cent) and Russia (four per cent: -two per cent). Unfortunately, in a number of countries, studies were not conducted during the period under review.

But this data is enough to see that the level of xenophobia continues to remain extremely high in most of the monitored countries. As already mentioned, xenophobia is based on certain objective and subjective causes: historical traditions, fear of changing social and cultural environments, government policies, and media propaganda. The assimilations policy of integration, actively practiced in Europe, is one of the main prerequisites of xenophobia. It leads to social isolation of a growing group of representatives of national and religious minorities who are not ready for voluntary assimilation. They are closed off from the world in the ghettos of their own making, where, outside of state control, they become subject to radical brainwashing. If the state tries to impose violent assimilation on them, they quickly radicalize, automatically falling under the influence of Islamists and the like.

A significant part of European society, which wants to see its environment as homogeneous and traditional, feels hostility towards those minority members who are unwilling to abandon their traditions and who reject assimilation. Moreover, this xenophobic stratum grew, on average, over the past few years. It is joined by those who have been the victims of socio-economic changes caused by the migration of labor and capital, whereby production is transferred to developing countries, and whereby qualified local European cadres get replaced

by a little less qualified, but much cheaper, workers from low-and middle-income countries. This is the “layer of frightened voters” which suffers from a change in its social environment.

This situation is actively exploited by political players in their strive to achieve their own political and ideological goals. The center-right parties of the political establishment seek to enlist the support of these voters, because they have only recently voted for these moderate parties and were committed to democratic norms, and then shifted their sympathies toward right-wing radicals and populists who promise simple solutions to complex problems. Right-wing radicals, whose common ideology consists of destroying the “alien” in the name of the triumph of “their own,” are not a homogeneous group. There are large populist parties that recently came to power in the wake of the migration crisis, as has happened in Austria, Italy, Poland, and Denmark. With their arrival begins the promotion of laws and law enforcement norms aimed at infringing on the rights of minorities. In some countries, such measures are taken without the formal participation of right-wing radicals in the ruling coalition, but with their increasing participation and influence on the decisions of the government and parliament, as, for example, in Ukraine. This is a series of reforms aimed at regulating the flow of refugees (Austria, Hungary, Italy, Great Britain, etc.), restrictions on the performance of religious cults, primarily by Muslims (closure of mosques (France), prohibition of worship in any language other than the official state language (Austria, France, Slovenia, Denmark, etc.)), as well as gradual replacement of voluntary assimilation of minorities, including indigenous ones, by a violent one (Ukraine, and not covered by this report Latvia, Denmark, etc.). Such policies, intentionally or unintentionally, cause serious problems with the law enforcement. Not without reason, institutional racism continues to be the most common discriminatory practice in the period under review. Not only does it split the society, but it also creates the prerequisites for a new round of civil confrontation, and leads to further interreligious and interethnic contradictions.

There are other tendencies, especially those typical for right-wing and populist parties, which are only aimed at entering power. Many of them try to abandon the most odious slogans and seek to enlist the support of certain groups that were previously subject to discrimination in their programs or rhetoric. These are sexual minorities, Jews, women, disabled people, etc. Radicals are trying to enlist the support of these groups in their fight against the main enemy - Muslims and migrants.

The newly unoccupied niche is being filled by ultra-right parties that come into politics with even more radical slogans than their predecessors. They openly profess the ideology of fascism and Nazism, question the outcome of the Second World War, etc.

As a result, for several years now, the counter-movement of right-centrist and right-wing radical parties has been happening in Europe, complemented by the emergence of new ultra-right players in the political arena. These trends generally lead to a right turn in European politics towards minorities.

The growth of xenophobia and discriminatory measures against migrants and Muslims, as well as Western intervention in the Middle East, is actively used by Islamists. In this process mosques, legal educational institutions, and banned extremist organizations are involved in brainwashing Muslims in propaganda and terrorist activities. By organizing protests against the government's assimilations policies, engaging in "enlightening" and recruiting, and arranging terrorist acts in European cities, they also contribute to counter-terrorist actions by radical right-wing forces.

Thus, the flaws of the government's integration policy provoke the growth of xenophobic attitudes from both immigrants and minorities, and from the ethnic and religious majority. This is actively used by Islamists, provoking an increase in hatred among Muslims, as well as by right-wing radicals, populists, neo-Nazis and even right-centrists, who fight for the voices of "frightened voters." The laws adopted for political purposes, discriminating against minorities, contribute to the growth of public confrontation, the division of society along ethnic and religious lines, and the growth of xenophobic

sentiments, but nevertheless contribute to the ideological, political, and electoral goals of radicals of different stripes. Therefore, we see the strengthening of radical positions in power with the simultaneous growth of xenophobia and crimes motivated by hatred.

With the exception of two countries - Germany and Russia - there was an increase in violent crime in Europe in 2017. Minorities have become more at risk. At the same time, racist crimes continue to be committed the most, although criminal cases on the basis of gender hatred and transphobia are growing at a tremendous rate.

Germany gives a certain hope for a change in this trend. In contrast to Russia, which showed maximum decline in violent crime (32.5 per cent) with the growth of the total number of criminal cases, primarily on charges of hate speech (4.9 per cent), in Germany there was a change in both trends. This indicates a radical shift in the fight against hatred, when the decline is based on two indicators - violent and non-violent crimes. But is it possible to hope that the trend will affect other EU countries? It seems that there is no direct correlational dependence in this case.

If we look at the situation in the country in recent years, we will see that the only concession to the radical right-wing trend on the part of the government was the EU-Turkey immigration deal, largely due to the efforts of Germany, and the decision to expand the list of “safe countries” at the expense of a completely unsafe Afghanistan in 2016. As a result, Germany was closed to virtually all refugees, except Syrians, and among the deported were the Afghans, who previously enjoyed the unconditional protection of the German state. In addition, in 2017, Germany joined the European states that restricted wearing a *burqa* or *niqab* in the civil service, though this did not hurt many of the Muslims.

However, the German government did not go the way of rapprochement with radical right-wing forces, for example, with the “Alternative for Germany,” or the way of the mass promotion of assimilations measures of integration. A competent government outreach aimed at promoting the image of refugees in the German public consciousness as victims of war and terror, rather than seeking

economic benefits, together with the professional work of the police, security services, and refugee reception facilities, has done its job - with a fall in the total number of offenses related to hatred by 26.4 per cent and a decrease in the number of violent crimes by 30.5 per cent. This is significant progress, which can be a good example for other EU countries.

However, at this point, most countries demonstrate their lack of preparedness in front of these new challenges. Only a few indicators suggest that in the next few years there may be a turning point, which in some countries will lead to a reduction in intercommunity disunity, an increase in tolerance and the consolidation of society and, in others, on the contrary, to increased tensions, intensified unpopular measures of assimilations integration, and further limiting of the rights and freedoms of citizens.

RECOMMENDATIONS

1. In the field of national legislation:

1.1. It is necessary to abandon the use of coercive measures by the state which are aimed at the assimilation of national and religious minorities. One needs to recognize the existence of national and religious minorities in countries where the fact of their existence is disputed. Unequivocal accession to the *Framework Convention for the Protection of National Minorities* (FCNM) is a principal condition for the cohesion of multiethnic societies. The adoption of appropriate laws on national and religious minorities that would guarantee their rights is essential. Finally, one must guarantee to national minorities the right of national-cultural autonomy.

1.2. It is recommended to create, in the monitored countries, a separate constitutional body with broadly defined powers. This agency would deal with issues related to equality, the protection of minority rights, and the fight against discrimination.

1.3. It is necessary to develop a mechanism for state control over educational, cultural, and religious institutions. Such a mechanism would serve as a barrier against radical propaganda.

1.4. It is necessary to ensure that racism, as well as religious and ethnic discrimination, would be considered, in all European countries, as aggravating circumstances if these were factors in the commission of a crime.

1.5. In order to prevent the incitement of hatred and to reduce violent crime, it is necessary to bring national legislation in line with Article 4 of the *International Convention on the Elimination of All Forms of Racial Discrimination*. At the same time, criminal law and its implementation should follow ECRI General Policy Recommendation no. 15 regarding hate speech, assuring the correct use of the concept as well as the proportional use of sanctions to avoid illegitimate restrictions on the freedom of expression

1.6. It is necessary to overcome the discrepancies between central (federal) and local legislation.

2. *In the field of international law:*

2.1. It is necessary to develop a set of pan-European criteria for hate crime, taking as a basis the main provisions of the *International Convention on the Elimination of All Forms of Racial Discrimination* and the ECRI Pan-European Recommendation No. 7 (2017). The monitored EU Member States should propose the appropriate changes and promote a legislative reform to amend the directive on equal treatment.

2.2. To consider creating a supra-national legal authority, such as the International Anti-Discrimination Bureau with broad powers. Such a judicial authority would provide a platform for international organizations (represented by High Commissioners for Human Rights, National Minorities, and Refugee Affairs). Such a platform would not only offer assessment of certain legislative or law enforcement decisions and practices in the individual countries that discriminate against minorities, but would also be able to propose sanctions against

these violating countries. The lack of effective measures to combat discrimination at the state level has already led to the loss of credibility of the existing international bodies in the eyes of non-governmental organizations and citizens.

3. In the field of the state-level preventive and law enforcement practices:

3.1. In matters of relationships with minorities, it is necessary to abandon both the assimilation model of integration as well as the imposition of the concept of a nation-state on a society. According to the latter, a nation is understood as a monolithic entity composed of people who think in the same way and who all speak the same language and profess common values. These shared beliefs are manifested in the behavior of all. Uniformity and coercion should not be features of democratic societies. It is imperative to differentiate between "values" and "language competence." Multilingualism and plurality of opinions, traditions, and cultures should be pillars in the monitored countries. The culture of the majority is not what should unite a society, but, rather, such general supra-ethnic and nonreligious tenets as democratic and common European values, idea of a united Europe, etc. Only such a society can be united and solid, as well as free from ethnic and religious discrimination.

3.2. It is necessary to develop international standards and recommendations on the collection of statistical data on hate crime. Statistical data should be timely published without fail on the web portals of state bodies.

3.3. Concerning the issue of the deportation of refugees, one must re-evaluate the criteria for assessing so-called "safe" countries. Refugees from these states are currently denied the right to asylum almost automatically. This especially concerns Afghanistan and Iraq. Moreover, countries such as Spain, Italy, and Greece should ensure that law enforcement authorities comply with human rights standards at the borders, in line with the ECtHR jurisprudence. This would

involve putting an end to collective pushbacks of migrants by border police forces

3.4. It is necessary to implement programs that adequately help victims of hate crime.

3.5. Teacher education and teacher training courses in all monitored countries should include a separate subject that deals exclusively with anti-discrimination practices.

3.6. It is mandatory to introduce educational programs that would combat institutional racism through training courses for civil servants and police officers. As a way to safeguard against institutional racism and discrimination, there is a need for a continuous evaluation of police actions by the prosecutor's office or other relevant authorities.

3.7. The encouragement of ethnic and religious diversity among the ranks of the representatives of law enforcement agencies, as well as in other relevant areas of national public administrations, is also critical.

3.8. State institutions dealing with inter-ethnic and inter-religious issues need to develop new programs whose aim would be to establish interpersonal and intergroup contacts between representatives of different communities. According to Intergroup Contact Theory, interpersonal contact between representatives of minority-status and majority-status groups is the most effective way to reduce prejudice between the groups. The same goes for ensuring regular contacts between members of minority communities and the police.

3.9. In those cases where more and more minority communities feel insecure, it is necessary to publish and to widely disseminate an open-source dossier that would include information on media and government initiatives that aim to combat extremism. Such a report or database should include a description of the laws that can be applied, as well as working scenarios for the interventions that would protect the rights of minorities, as well as success stories of de-radicalization.

3.10 It is also necessary to welcome and to promote the experience of social media and civil society organizations in combatting the spread of hate speech both online and offline.

4. In the field of international practices:

4.1. European law enforcement agencies must also find a way to interact and to co-operate, through exchanging information on radicalized personalities who incite hatred towards minorities.

4.2. It is necessary to take drastic measures towards international protection of human rights defenders. The recent arrests of NGO activists, who were engaged in the fight for the protection of minority rights, including those arrests that took place within the EU countries themselves, are unacceptable and should receive a unified rebuke by the entire European community. It is necessary to create, within the framework of international organizations, a register of persons who are subject to reprisals for their work on the protection of minority rights in individual countries. These people should be taken under international protection.

4.3. It is necessary to establish an international research group that would analyze the legislation and law enforcement practices that are being applied towards minorities. The purpose of such an undertaking is to make recommendations for the legislative and executive authorities in monitored countries.

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