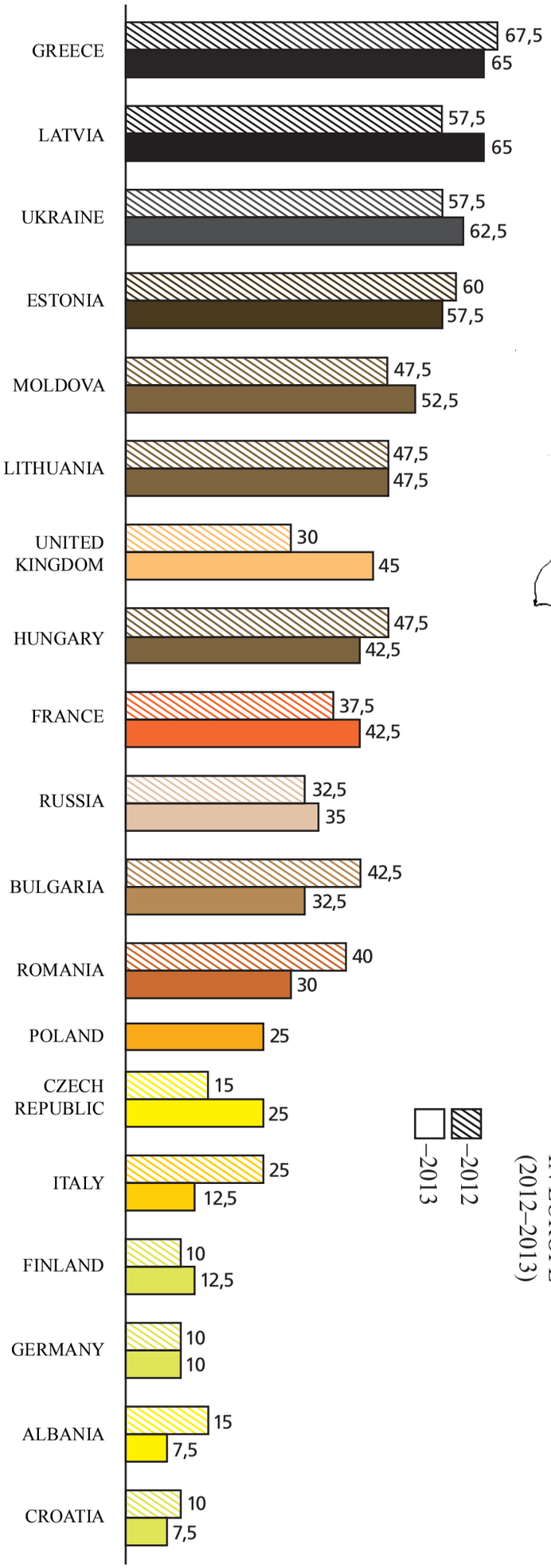
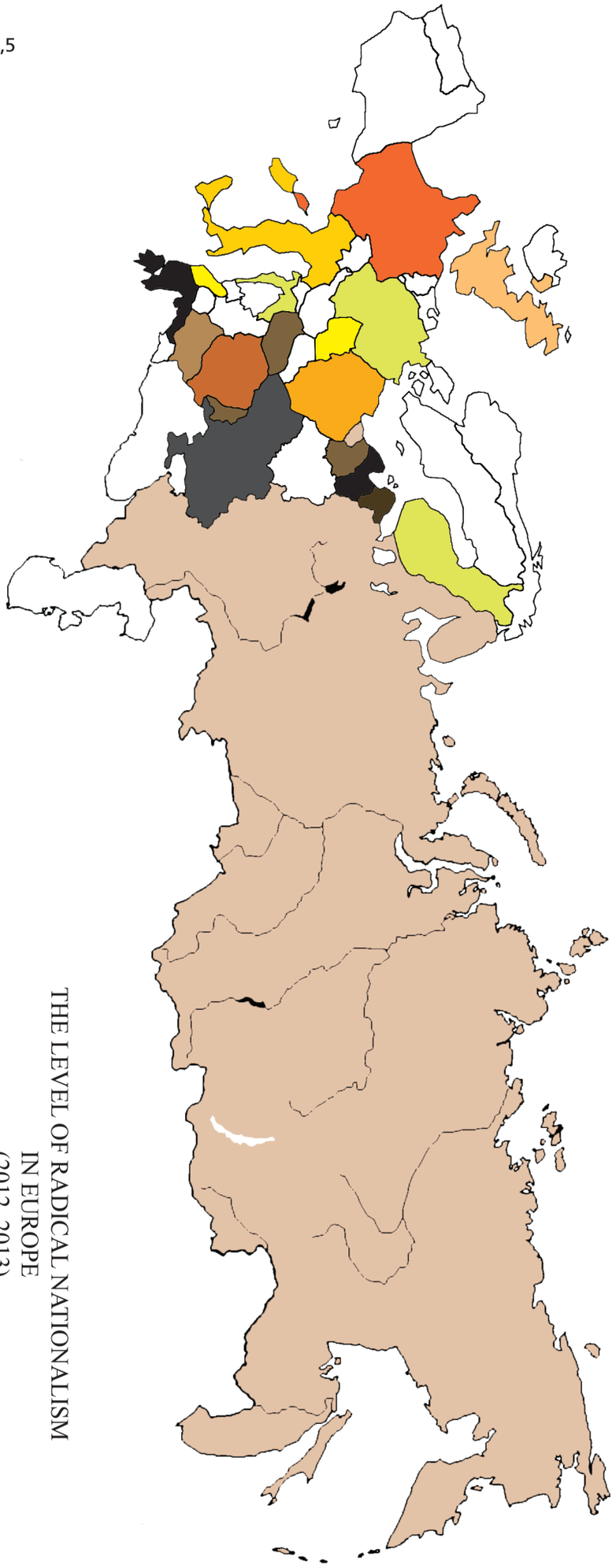




THE LEVEL OF RADICAL NATIONALISM IN EUROPE (2012–2013)

International Human Rights Movement "World without Nazism"

THE WHITE PAPERS OF HATE

2014

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Foreword

This book represents the second study into manifestations of xenophobia, neo-Nazism and radical nationalism in Europe. The first study was conducted last year and covered the period between January and December 2012. The new *White Papers of Hate* analyses the situation in 2013. The two books allow for comparative analysis of the trends in European society in terms of this issue during the two periods. Furthermore, while the first analysis covered 18 European countries, the second study now includes another country — Republic of Poland, whose great contribution to European stability is well known.

The analysis of a large amount of factual data in 19 countries provided us with objective information and enabled us to rank the radical nationalist threat in Europe. The study also identified the general trends in social development of European countries in terms of radical nationalist (neo-Nazi) threats, and provided relevant recommendations.

Based on the conducted research, we can conclude that the level of this threat is different in various European countries, depending on several factors: economic conditions, globalisation and attractiveness of markets, labour market (inflow and outflow of labour force); willingness of the state to abandon old assimilation policies towards the indigenous and "new" ethnic minorities and satisfy their cultural, educational and religious interests; government's understanding of the problem and willingness to combat manifestations of neo-Nazism and aggressive nationalism in cooperation with civil society institutes.

Even though these factors are different in each country, we arrive at a disappointing conclusion — radical nationalist trends are common in any, even most prosperous society. In almost all Old World countries radical nationalists are represented at least at a local legislative level, and in some countries they have their own factions in parliament. There are countries where radicals are part of the ruling coalition. No less disappointing is the fact that, following sentiments of their electorate, respectable democratic parties also pick up radical rhetoric. In other words, radical nationalism became an everyday reality. In some places, this reality is intrusive and unsafe; in other places, it is barely noticeable. However, it exists and it must be accounted for.

What is the threat to society? Our research indicates that the development of aggressive nationalist and neo-Nazi trends is fraught with a significant deterioration of public stability, division of society not just on political, but also

ethnic and religious grounds. As a consequence, this leads to civil unrest and increased interethnic tensions. This cannot but affect the socio-economic development of the country, its investment appeal and multiple other factors. However, the most important outcome of these trends is a direct threat to democracy — curtailment of democratic processes, violations on the freedom of speech and large-scale violations of human rights.

The world has already experienced the rise of Nazism in Germany through democratic means. Let us not forget that at the time, radical nationalists have been brought to power in many other countries, in one way or another. We all know the results of these events. We remember how quickly the democratic principles have eroded — principles, the inviolability of which was sworn by all political leaders at the time; how hard the world tried to ignore the Holocaust and violations of fundamental human rights; how human values were given up in favour of short-term political goals.

History always repeats itself. Today, the world experiences similar conditions that brought Hitler to power many decades ago. These include the economic recession, the revision of previous World War history in some countries, the acute problem of ethnic minorities in Europe, the problem of refugees, etc.

Our common goal is to prevent the repetition of the past. This study is a joint contribution of antifascists and scientists from across the world to solve this problem.

Boris Spiegel,
President, HRM "World Without Nazism"

Synopsis

White Papers of Hate is based on fundamental research conducted by the International Human Rights Movement World Without Nazism in 19 countries of Europe in 2013.

Research consists of an aggregate analysis of neo-Nazi and radical nationalist manifestations in relation to factors of social stability/instability in each country. Analysis involved the legal framework in the period of monitoring, law enforcement practices in regards to minorities, manifestations of racism and intolerance and their legal implications, level of xenophobia in the society, political programmes and activities of radical nationalist parties and groups, international factors, and many others (14 criteria in total). Analysis involved both the factors contributing to development of nationalism and the factors preventing this development. The largest source for this research was 2013 Monitoring of manifestations of radical nationalism, conducted by World Without Nazism, as well as various media reports.

This is a second edition of *White Papers of Hate*. The first edition, published in December 2013, covered the year 2012, which allowed for a comparative analysis between two different periods in the current edition. *Radical nationalism rating* is the main result of the analysis. It represents a set of coefficients that reflect the real state of affairs in all 14 criteria that affect the development of radical nationalism in each country.

In 2012, *Greece* ranked first in the rating with 67.5 negative points. This country was recognised as the most nationalistic in Europe. In 2013, due to a tougher government policy aimed at combating neo-Nazism the situation somewhat improved. Many leaders — MPs of the radical Golden Dawn party — were deprived of immunity and convicted in court. As a result, neo-Nazi activity in Greece was slowly decreasing towards the end of the year and its support in society some-

what declined. In 2013, Greece received 2.5 less negative points in the radical nationalist rating than in previous year.

Nevertheless, it still maintains its leadership in the list of most nationalistic countries in Europe. The level of xenophobia in Greek society is still unusually high. Even after scandalous trials over neo-Nazis, they still have the support of 9% of voters. Public activities of Golden Dawn party remained at the same level and went beyond statements in parliament — including those that blatantly glorified Adolf Hitler. Neo-Nazis wearing black shirts with party logos were still seen distributing food to "pure Greeks" and illegally checking documents in food markets to identify foreign nationals. This creates ethnic tensions in the country and consequently contributes to Golden Dawn's popularity in Greek society.

Migration remained a relevant problem in 2013. The existing immigration legislation in Greece works only occasionally, especially in combating illegal immigration. Discriminatory practices against immigrants are common in general. I a number of refugee centres (Iasmos, Mytilini, Phylace, Komotini, Tychero, Metaxades, Amygdaleza and Corinth) human rights activists noted complaints about the quality of life — poor sanitary conditions, lack of medical help, lack of hot water, restricted access to phone and toilets, and air pollution. In some places, children were kept together with adults. Lawlessness and lack of legal means of subsistence among a significant portion of both illegal and legal immigrants, who are denied the right to work, is the root cause of increased crime rate in Greece. This subject worries the Greek electorate, which is successfully exploited by national radicals.

Racist violence in Greece is still punished extremely rarely — mainly due to police reluctance to investigate such incidents.

Unfortunately, hate crimes, discrimination of minorities and immigrants, as well as glorification of Nazism and denial of the Holocaust — all these manifestations remained at the same level and require hard work of the political elite and society.

In 2013, close to the Greek approached Latvia (–57.5 in 2012). The deterioration of the situation in Latvia was caused by two main factors — general increase of xenophobia in Latvian society and strengthened positions of the radical nationalists from the "National Association" in municipalities, after a stunning victory in June 2013 municipal elections where the bloc doubled its results. Besides increased electoral support for radical nationalists, Latvia had in 2013 such new for this country incidents as sport fans xenophobia and attack on a leader of local antifascists on March 16 — in a regular memorable date of veterans of the Waffen SS. For the first time in

many years in 2013 in Latvia took also place the ethnic clash that occurred among pupils. Snowball fight escalated into inter-ethnic conflict, when about 10 pupils from the Russian school (Russian language education) attacked three pupils of the Latvian school (Latvian language education). The conflict ended with bodily injury of moderate severity. All of this indicates that Latvian society became more xenophobic in 2013.

It is worth noting the low tolerance level of the ruling elite of the country and even human rights officials. Latvian Human Rights Ombudsman Juris Jansons made statements opposing the right of minorities to education in their native language, which will go down in history as an example of human rights mandate used for discriminatory purposes. Xenophobia in the media and mass statelessness (non-citizenship) is another cause for concern, given government's reluctance to solve the non-citizenship issue, who do not even have the right to vote at a municipal level.

In this regard, the activity of Latvian security services raises a lot of questions. For the last years, special services officially and publicly positioned antifascists and their Organizations as hostile to the state. In many ways, this was caused by increased influence of nationalists on the central government — in 2013, Latvia was the only EU country with radical nationalists in government.

Meanwhile, the legislation on minorities in Latvia became even tougher in 2013. In particular, the changes in 2013 to the Law "On Citizenship" expanded opportunities for denial of naturalization, including for political reasons; and the provisions of Article 4 of the Law "On the Status of Deputies of city council," came into force in 2013, stated that the Deputy can be deprived of the mandate for the lack of knowledge of the Latvian language.

However, Greece and Latvia are not the only countries where radical nationalism poses a serious threat. Many other countries have much higher tolerance coefficients, but experience problems in other fields, demonstrating poor performance ok *key criteria* underlying the assessment of radical nationalism.

These criteria include:

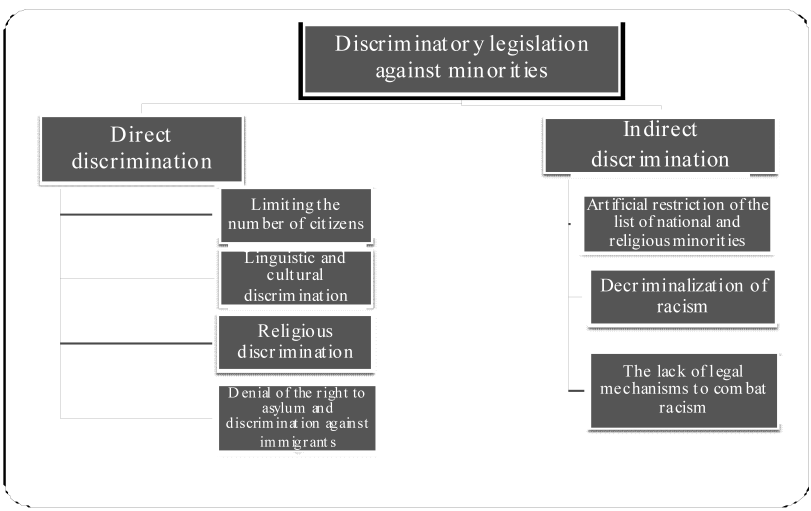
- Discriminatory legislation and practices.
- Xenophobia.
- Rate of hate crime and its prevention.
- Influence of radical nationalist forces on the government and civil society.
- Glorification of Nazism.
- Influence of antifascist movement on the government and civil society; government attitude towards antifascists.

Discriminatory legislation and practices

When assessing discriminatory provisions in legislation, it must be noted that discrimination can be *direct* or *indirect*. With regard to the topic of this research, we can distinguish the common legislative regulations in a number of countries that enshrine ***direct discrimination***. This especially concerns restrictions in civil rights of certain groups of the population. The easiest way to do this is **limit the number of citizens** and automatically deprive non-citizens of their basic rights. Unlike in 1930s, this discriminatory act looks more seemly — Europe does not currently have racial laws, but there are laws that deny citizenship to whole social groups due to their geographical origins or their ancestral history.

The modern mechanism in reducing citizenship is the institution of "non-citizenship" — characteristic for *Latvia*, *Estonia* and *Croatia*, in several other *former Yugoslav republics*, partially in *Italy*, *Greece* and *Turkey*.

In Latvia, non-citizens consist of 300,000 Russian-speaking residents; in Estonia — 100,000 Russian-speaking residents. In both countries, these persons did not receive citizenship after the collapse of USSR. Non-citizens in these two countries are the people who (or whose ancestors) migrated to these territories from other Soviet republics after June 1940 — when Latvia and Estonia were incorporated in the Soviet Union. To naturalise, non-citizens, most of whom were born on the territory of current Latvia and Estonia, must pass a procedure, which equates them to immigrants, and pass a state language test at a high level, which is often impossible for elderly people.



Non-citizens in Croatia (around 20,000 people) are ethnic Roma, who were forcibly displaced from other countries of the former Yugoslavia or who cannot prove their Croatian roots. Majority of these persons do not even have old Yugoslavian documents, have poor knowledge of Croatian language or are completely illiterate, which prevents them from passing the citizenship test.

A similar situation is in other states of the former Yugoslavia, as well as in Italy. In Greece, Turkey, and Macedonia are living the former Greek citizens deprived of their citizenship on the basis of Art. 19 of the Greek Citizenship Code.

Non-citizenship is accompanied by deprivation of voting rights, restrictions on a number of professions, especially in public sector, restrictions on property rights and more.

Another form of direct discrimination is **language and culture discrimination**.

This type of discrimination consists of:

- Full or partial conversion of all minority schools to the official language of education.
- Restriction on the use of minority languages in toponymy.
- Restriction on the use of minority languages in communication with government institutions and in the affairs of private enterprise.
- Establishment of special punitive authorities that control the compliance with these regulations.

As of 2013, the list of countries with clear language and culture discrimination included *Latvia*, *Estonia*, *Lithuania*, and partially *Greece*, *Moldova* and *Bulgaria*.

Legislation of some countries contains **religious discrimination**. Education Act in *Greece* has been amended to prohibit the teaching of Koran in Thracian schools. There are also problems in Muslims' participation in appointing Islamic hierarchs.

Ukraine in December 2012 amended the Law "On freedom of conscience and religious Organizations," complicating registration of these organizations, establishing Ministry of Culture as a regulating body over religious activities of foreign nationals. Public religious events can only be held with the permission of authorities.

Germany and *Finland* discriminate against the "unofficial" religious organizations, or those that do not have the status of public legal corporation. These organizations are not eligible for collection of a special church tax. First of all, this concerns Muslims in Germany and all religions except Orthodox and Evangelical Lutherans in Finland.

Since 1925, *France* has a law prohibiting government funding for all religious Organizations that have no cultural or historical ties with France (Islam, for example). Since 2001, France has an anti-sect law,

which allows dissolving religious organizations. Furthermore, the country has an infamous anti-niqab law since 2011.

Czech Republic in 2005 adopted a Law on Religious Organizations, which significantly restricted rights of religious organizations of establishing their own institutions — charities, medical and educational institutions.

Discrimination of refugees is contained in legislations of *Bulgaria*, *United Kingdom*, *Russia* and *Czech Republic*.

Bulgaria, on November 2013, introduced amendments to the law "On provision of asylum and refugees." Thus, asylum seekers are placed in "closed centers," which are essentially detention centers, and can be held there under guard for up to 6 months — up to 12 months by court ruling. *United Kingdom* in 2013 introduced amendments to the Immigration Act, which came into force in summer 2014. The new law restricts access to social and medical benefits for immigrations who did not obtain refugee status, which is against Article 8 of the European Convention on Human Rights.

Russia on July 26, 2013, amended its migration legislation with provisions that allowed for deporting a foreign national from the Russian Federation and banning his entry if he was brought to administrative liability at least two (!) times in three years. Thus, two traffic violations could be punished by deportation of a foreigner from the country.

Czech Republic in 2013 adopted a new law "On the stay of foreign nationals," which also facilitated the process of depriving a foreign national of residency. Now, a foreigner may be deported for debt, overdue payments, administrative fines, etc. Furthermore, the country introduced a financial requirement for foreign residents, which, according to experts, was primarily aimed against the low-income Ukrainian and Vietnamese residents.

Indirect discrimination can manifest in the following ways: **decriminalisation of racism and other forms of hate, intentional exclusion of certain groups from the official list of ethnic and religious minorities** and **lack of legal mechanisms to combat manifestations of hate**.

Europe has a number of countries that do not recognise racism and religious hatred as an aggravating circumstance. This usually means that majority of manifestations of hate is qualified as everyday incidents. Countries to which this applies include *Romania*, *Hungary*, *Bulgaria*, *Albania*, *Poland* and partially *Italy* and *Finland*. For example, in Italy, racism is considered an aggravating circumstance only if there are hate appeals to a *mass* audience "for the purpose of changing its behaviour," which is obviously almost impossible to prove.

Manipulation of the official list of minorities is the most common practice in Europe. *France* and *Greece* (with the exception of Western

Thrace) do not recognise minorities at all, supposedly to avoid segregating the society on racial grounds. This is a classic example of a European nation-state, founded on cultural/religious traditions of the titular nation. De facto, around 10% of these countries' population are ethnic minorities, but their governments do not undertake any obligations to ensure their national and cultural rights. Instead, these states are engaged in integration into a mono-national society, which usually implies assimilation. This concerns religious minorities as well as ethnic minorities. For example, several years ago Greek Education Law was amended with provisions that prohibit teaching Koran in Thrace — home for a large Turkish diaspora.

By formally rejecting its national and religious minorities, the state is also rejecting an educational system for these minorities. This gap in education is usually filled with various extremist, often Islamic, groups that impose their own values in private or even illegal ethnic schools. As a result, the government not only loses control over diasporas, but also breeds extremist communities who have direct impact on interreligious tensions and public order. It is worth noting that neither France nor Greece have joined the Framework Convention for the Protection of National Minorities or the European Charter of Regional or Minority Languages.

There is a list of countries that artificially limit the list of official minorities. These countries joined the Framework Convention for the Protection of National Minorities, but made substantial reservations.

Latvia, *Estonia* and *Poland* limit the list of their minorities by citizenship. Thus, these countries hold no obligation to ensure minority rights for 400,000 Russian-speaking non-citizens in Latvia and Estonia, as well as 1.5 million Ukrainian migrant workers in Poland. *Austria* recognises only German-speaking citizens as its minorities. *Denmark* — German-speaking peoples of South Jutland. *The Netherlands* — recognises only Frisians. *Germany* recognises only those Sorbs, Danes, Frisians and German Gypsies (again — citizens of Germany). Rights of national minorities in Germany do not apply to 3 million Turks, 1.5 million former Yugoslavians, and 200 thousand Poles that live in Germany, regardless of their citizenship.

Slovenia has a similar situation — it recognises only autochthonous Italian, Hungarian and Roma minorities). The same applies to *Sweden* (Swedish Finns, Jews and Gypsies), *Macedonia* (Turks, Albanians, Vlachs, Serbs, Roma and Bosnians), *Bulgaria* (does not account for Macedonians and Pomaks, considering them "Turkified Bulgarians") and Romania (does not recognise the Balkan-Romance nations, including Moldovans, considering them ethnic Romanians).

As we can see, non-indigenous peoples, mostly immigrants, suffer from this the most. However, Poles in Germany, for example, have lived

on its territory for many centuries and had the status of a national minority before Adolf Hitler's rise to power.

Ukraine is the only country in Europe that has absolutely no mechanism of accountability for racism and other forms of hate. Ukraine's Ministry of Justice is still reluctant to amend its Decree 8.10.1998 № 53/5 that specifies expert Organizations in various fields, but does not include interethnic relations. Therefore, no assessment on the presence of incitement to ethnic enmity can be considered an expert opinion. In these conditions, qualification of hate crime remains entirely within the competence of the law enforcement, who often abuse this responsibility by qualifying manifestations of hate as everyday incidents.

Almost all monitored countries conducted discriminatory practices against ethnic and religious minorities. This mainly concerned Romani and Sinti. This phenomenon is most common in Greece, Czech Republic, Bulgaria, Hungary, Poland, Ukraine, Romania, as well as in France and Italy, who continued the deportation of Roma (citizens of Bulgaria and Romania), which was a direct breach of Schengen agreement. One of the most common forms of Roma discrimination is forced eviction, without proper documents and often without provision of alternative accommodation, as well as segregation in education, employment and healthcare discrimination, police abuse.

Discrimination of the Russian-speaking irredenta was common in *Latvia*, *Estonia*, *Ukraine* and *Moldova*. Discrimination of Muslims is common in *Greece*, where besides aforementioned discrimination in education, there is also government intervention in the appointment of Muslim clergy; *France* — Law prohibiting hijab in public places; *Poland* — prohibited ritual slaughter (concerns Jewish minority as well) ; *Russia* — denied construction of mosques; *Bulgaria* — discrimination in employment in the public sector. Discrimination of Greek and Macedonian minorities is common in *Albania*, and Serbs — in *Croatia*.

It must be said also about the discrimination against migrants. These facts take place in *Greece*, *Bulgaria*, *United Kingdom*, *Russia*, *Germany*, *Italy*, *Ukraine*, *Croatia* and the *Czech Republic*.

Xenophobia

A crucial factor of radical nationalism is the level of xenophobia in society and government. Xenophobia is the unreasoned fear of that which is perceived to be foreign or strange. In this case, it is the fear of people of other nationalities, religion, etc.

Xenophobia can manifest in several ways: xenophobia in mass media, street xenophobia (graffiti, demonstrations, rallies) and domes-

tic xenophobia. This phenomenon is a good indicator of the general level of enmity towards certain groups of the population.

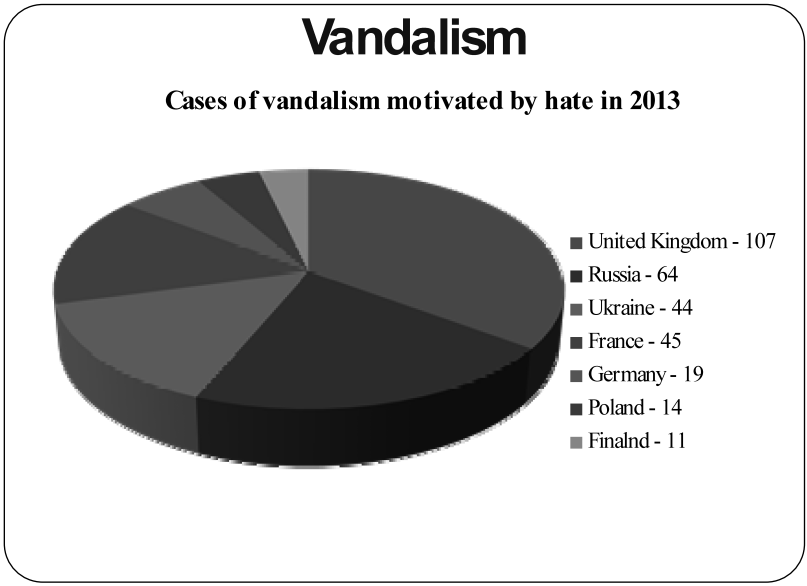
Of the monitored countries, most xenophobic were *Greece* (80% of citizens hold anti-immigrant, anti-Roma or anti-Islamic views), *United Kingdom*, *Italy* (both countries have more than 60% of anti-immigrant sentiments), *France* (70% — anti-Islamic, 49% — anti-Semitic), *Latvia* (70% — anti-immigrant sentiments). In *Hungary*, more than 70% of the population hold anti-Roma views, 63% — anti-immigrant views; in *Russia*, more than 65% of respondents hold anti-immigrant views, particularly in large cities — more than 50% anti-Caucasus, 45% against Central Asians and Chinese. In *Czech Republic*, 89% of the population holds anti-Roma views. In *Romania*, 67% holds anti-Roma views. 44% of Croatian citizens are against Roma, 38% — against Serbs. 38% of Ukrainian citizens hold anti-Semitic views. Xenophobia is often reflected in sports — high levels of racism in sports always indicates high level of xenophobia in society in general.

Hate crime

Hate crime is a predictable product of xenophobia. It includes **vandalism** of religious buildings, including cemeteries, **interethnic and interreligious clashes, violent attacks, murders, terrorist attacks** based on ethnic or religious hatred and a number of other actions that are assessed differently in every country.

Analysis of this crucial factor of radical nationalism is difficult due to different approaches to statistical treatment of hate crime. There are countries where statistical record of hate crime (officially or unofficially) is not publicised or not conducted at all (Greece, Bulgaria, Italy, Albania, Finland, Romania, France, some of the Baltic States and numerous others). Some countries do not consider hate motives as an aggravating circumstance in the commission of certain offences (such as crime motivated by gender hatred). Therefore, officially the highest hate crime rate is observed in the United Kingdom (more than 50,000 hate crimes according to official figures of police, and almost 290,000 according to crime survey), which practices full statistical transparency; whereas Greece and Romania — where such statistics are de facto concealed — have the lowest rate of hate crime.

However, some figures can be considered as reliable. For example, *United Kingdom* decisively had the highest number of vandalism incidents against religious institutions (107). 56 of those were targeted at Muslim buildings, and 49 — at Jewish and 2 — at Christian Churches. However, it must be noted that majority of these incidents occurred within a month after the murder of Lee Rigby by Islamic radicals (May



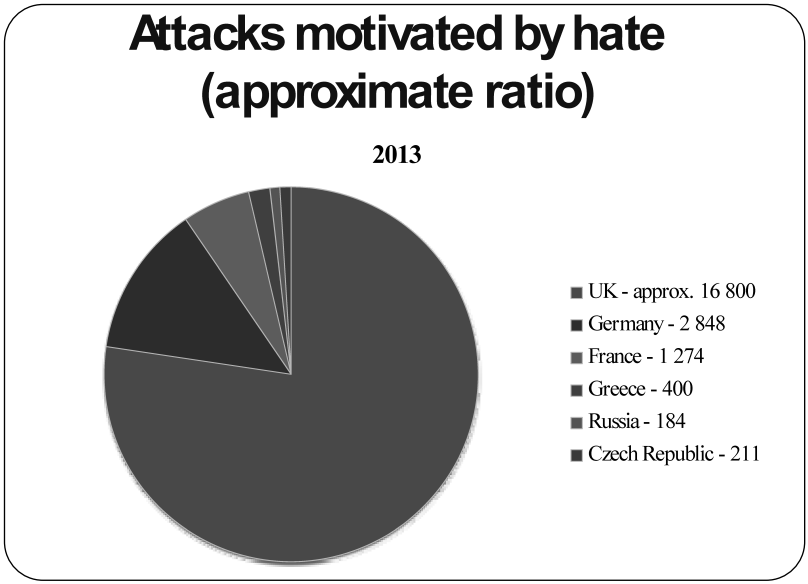
22, 2013), which caused a wave of anti-Islamic sentiments. It must be borne in mind that, according to the UK government-funded organization "TELL MAMA," all in 2013 there were more than 700 crimes against Muslims and Islamic Institutions.

In 2013, interethnic clashes were recorded in 4 monitored countries: *Czech Republic*, *France*, *Hungary* and *Russia*. An atypical interethnic conflict also occurred in *Latvia*, among school students. In Hungary and Russia, nationalists made provocative and sometimes successful attempts to transform everyday conflicts into interethnic ones; in France, clashes were caused by Muslim protest against the so-called "anti-niqab" law.

There have also been multiple violent attacks with "political overtones." In the monitored period, *United Kingdom* was once again at the top of this list (approx. 16,800 attacks), which had a record high of such attacks after Lee Rigby's murder. UK is followed by *Germany* (2,848), *France* (1,274), *Greece* (400 as reported by NGOs), *Czech Republic* (211) and *Russia* (184).

When assessing hate crime, population of a country must be taken into account — equal hate crime rate in two countries with different populations must be assessed differently.

An important indicator of radical nationalism is the *struggle against hate crime* and governments position towards nationalism in general. In this regard, the three leading countries are the *United Kingdom* (9,000 convictions on charges of hate crime), *Germany* (2,500) and *Russia* (583).



An important aspect in combating hate crime is transparency. First of all, this concerns crime statistics. As a general rule, countries that hide their statistics have the most difficult situation in this field. This is usually followed by qualification of hate crimes as everyday offences, reluctance to report such crime, etc.

Influence of neo-nazi and radical parties on the government and civil society

Influence of neo-Nazi and radical parties on the government and civil society is another crucial factor of radical nationalism. Most prominent example of such parties is Golden Dawn in *Greece*, which successfully combines parliamentary work with massive public actions that contribute to its popularity. It was only after the murder of Pavlos Fyssas — an antifascist musician — in September 2013 that the government was forced to take several decisive measures to supress the activity of this party. However, the party still manages to attract 9% of votes, as of late 2013 — early 2014.

Next, it is worth mentioning *Ukrainian* Svoboda party and several other extreme right parties that in late 2013united to form the Right Sector — most dangerous militant group that has direct influence over government authorities.

In *Hungary*, nationalist Jobbik party has put forward a whole range of anti-Semitic and anti-Roma initiatives, and consequently received 21% of votes in 2013 parliamentary elections.

In *Latvia*, nationalist party "Visu Latvijai" is part of the parliamentary coalition and has substantial influence over policies towards minorities.

It is also worth mentioning national conservative parties of France, Finland (True Finns), Bulgaria (Ataka), the United Kingdom Independence Party that was extremely successful in European and national elections.

To summarise, every country in Europe has a nationalist party in one form or another, many of these parties are represented in their respective parliaments.

Glorification of nazism and collaborationism

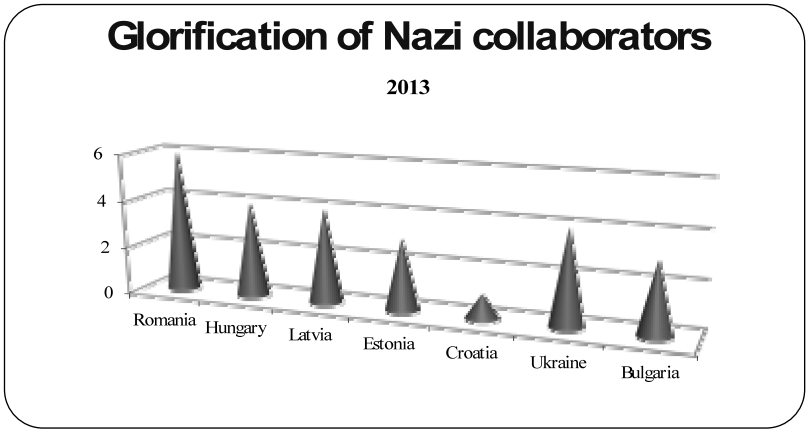
A relatively new, but no less important factor of radical nationalism is glorification of Nazism. This phenomenon, as well as demands to revise the results of the Second World War, has a direct link with discrimination of ethnic minorities. Glorification of Nazi collaborators turns the nations who were fighting against them in the past into current enemies. Usually, these are ethnic minorities.

Currently, there are five countries glorifying Nazism. First — *Romania*, where glorification of Antonescu is conducted at presidential level, by prominent politicians and in mass media. Romania regularly holds solemn events commemorating the fallen soldiers of the Romanian occupying army; there is an active pro-fascist Iron Guard; there is Holocaust denial, etc.

Second — *Hungary*, which has the same events, albeit without direct involvement of the government. A large bust to Marshal Horthy was installed in Budapest Freedom Square; Hungarian media, particularly the press affiliated with Jobbik party, glorifies this Hitler's ally and his regime. However, it is worth noting that Hungary recently adopted the law criminalising Holocaust denial.

Third — *Latvia*, which has annual processions of Waffen SS in Riga city centre and regular erection of monuments to the auxiliary police. There have been legislative attempts to include the Day of Latvian SS Legionnaires in the official calendar.

Glorification of Nazism is common in *Estonia* as well. To a lesser extent this applies to the annual gatherings of Waffen SS legionnaires from around the world in a place Sinimäe because in recent years, these meetings have turned into private closed event. But it is primarily the 21 th gathering of the "Union of Estonian freedom fighters," which was



held in Polva on 06.07.13. Minister of Defence Urmas Reinsalu sent a greeting letter for participants of the gathering, where he expressed his gratitude for resisting the occupational totalitarian regimes and for their loyalty to high ideals of freedom. It is also the publications and dissemination of relevant printed materials, military and sports games for children and adults, and etc...

In *Ukraine*, radical nationalists glorify SS Galicia Division (in 2013 — mainly western regions, i.e. in Galicia). In *Bulgaria*, nationalists held "Lukov March" to commemorate the pro-fascist WW2 General Hristo Lukov. There have been some reports of glorification of Nazism in *Croatia*.

Persecution of antifascists

The last crucial factor of radical nationalism is the persecution of antifascists. These cases were recorded in many countries, and sometimes expressed in legal prosecution. In some cases, antifascists commit offences themselves — usually at public protest actions, with attacks on police and on members of rival demonstrations.

However, there are also cases of unlawful prosecution. *Latvian* and *Estonian* special services declare antifascists as enemies of the state in their public annual reports. In these two countries, and partially in *Lithuania*, governmental services have the practice of ban the entry to the country for antifascist activities. In 2013 the Latvian authorities tried to prevent antifascist events, such as international conferences dedicated to revival of Nazism in Europe.

These are the main criteria of radical nationalism. Analysing them along with several secondary factors we obtain the following picture:

RADICAL NATIONALISM RATING IN EUROPE
(2012/2013)

Position		Country	Score	
2012	2013		2012	2013
1	1	Greece	–67.5	–65
3	2	Latvia	–57.5	–65
4	3	Ukraine	–57.5	–62.5
2	4	Estonia	–60	–57.5
7	5	Moldova	–47.5	–52.5
6	6	Lithuania	–47.5	–47.5
12	7	United Kingdom	–30	–45
5	8	Hungary	–47.5	–42.5
10	9	France	–37.5	–42.5
11	10	Russia	–32.5	–35
8	11	Bulgaria	–42.5	–32.5
9	12	Romania	–40	–30
—	13	Poland	—	–25
15	14	Czech Republic	–15	–25
13	15	Italy	–25	–12.5
17	16	Finland	–10	–12.5
16	17	Germany	–10	–10
14	18	Albania	–15	–7.5
18	19	Croatia	–10	–7.5

The above table indicates that there have not been significant changes in both the high-risk group of countries, which are most susceptible to radical nationalism, and the relatively stable countries that demonstrate high tolerance coefficients. Nevertheless, there is a number of countries that demonstrated a clear increase in xenophobia and radical nationalism in 2013.

Besides Greece and Latvia, which gained the most negative points in 2013, it is worth noting the clear deterioration in the performance of *Ukraine*, *Moldova*, *United Kingdom* and *Czech Republic*.

Ukraine worsened its position in the radical nationalism rating, receiving 5 more negative points and moving from 4th position in 2012 to 3rd in 2013.

The primary cause of this deterioration was the activity of radical nationalist forces, which was expressed in large public actions and adoption of several laws at local legislative level that legalised the ideology and practice of radical nationalism. Above all, this concerns western regions of Ukraine; however, there has been a series of vandalism acts against Muslim religious buildings in the east — Crimea in particular.

It is worth noting the lack of political will of Ukrainian central and regional authorities, who were reluctant to combat the neo-Nazi threat, which was actively exploited by Svoboda's radical nationalists in parliament and various non-parliamentary forces that formed the Right Sector in late 2013.

As was already mentioned, lack of government's political will that borders on direct connivance is caused by a unique phenomenon in European politics — lack of any accountability mechanism for manifestations of hate. Ukraine lacks any official expertise in offences related to interethnic and interreligious relations. As a result, majority of hate crime in this country was reported as common offences and a law enforcement officer was the only institution responsible for registering an offence in one form or another. This leaves criminals without liability and punishment, which was actively exploited by extreme right forces in 2013.

This year, the level of xenophobia in Ukrainian media and in legislative authorities has grown significantly, particularly originating from Svoboda MPs. There was virtually no prosecution for xenophobic statements made online. Furthermore, there is still no official data on acts of vandalism motivated by hate. With a few rare exceptions, law enforcement did not categorise racist violence and vandalism as politically motivated offences.

Incitement to violence motivated by hate is a common occurrence in modern Ukrainian politics. Svoboda party, which joined the parliament after 2012 elections, made several such calls (including the infamous "Russia to the gallows" and "Glory to Ukraine/nation — death to the enemies"). These slogans became part of everyday political discourse. Svoboda activists often used direct calls to urinal against the government. For example, on March 13 leader of Svoboda party Oleg Tyagnibok declared the start of "Ukrainian revolution" in front of TV cameras, calling for reprisals against dissidents.

Most ambitious calls to violence were targeted at leftists and were repeated at every large public action. Most noticeable was incitement to violence against left-wing activists on December 4 at Euromaidan. After leftists, the next target of hatred in Ukraine were Jews, LGBT and immigrations.

In 2013, radical nationalist ideas of Svoboda party and Right Sector were spread to the united opposition, which came to power after the

events in February 2014. Joining the parliamentary oppositional coalition in 2012, Svoboda party imposed their agenda on other parties. Opposition started demanding the release of nationalists arrested for hate crime, calling them "political prisoners," and proposing to ban Russian language, among other initiatives of this kind. Nationalist influence in the opposition culminated in Euromaidan movement in late 2013, eventually leading to revolution in February 2014. Nationalist activists demonstrating at Maidan (Freedom Square in Kiev) were displaying OUN-UPA flags of the Second World War under the official slogan of the Euromaidan movement: "Glory to Ukraine — Glory to Heroes."

In 2013, Ukraine had around 60 large-scale public actions, organised or attended by nationalists from Svoboda party. Majority of these actions, especially in the regions, were attended by central or local MPs. Often they were accompanied by violence.

In 2013, 44 acts of xenophobic vandalism were recorded in Ukraine, as opposed to 23 such incidents in 2012. Official statistics report 26 attacks motivated by hate, resulting in 56 victims. However, the true number of such attacks is much higher. Glorification of Nazism remains a relevant problem in Ukraine.

Moldova also worsened its standing in the 2013 radical nationalism rating (5th place in 2013, 7th place in 2012). This was caused by growing xenophobia in the society and increased activity of radical nationalists. As a result, the monitoring reported more violence motivated by hate; one of the incidents was fatal.

The largest source of xenophobia in this country is the mass media and political activists, who are intentionally splitting the society along ethnic lines — promoting the idea of Romanisation (joining with Romania) and revising the history of World War Two, which is rejected by the Russian-speaking community in the country.

Anti-racist and anti-extremist legislation is only partially observed in Moldova. Hate crime, albeit not very common, was poorly investigated. There were incitements to hatred aimed against specific political views, LGBT, as well as various ethnic or religious groups. A discriminatory campaign is conducted against Russian language.

In 2013, influence of extreme right parties on civil society, local and regional government had increased. There were several cases of vandalism, as well as racial violence, one of which resulted in death.

Revision of Second World War and glorification of Nazi collaborators is common in Moldova, expressed in glorification of Romanian dictator Antonescu and divisions of the Iron Guard.

United Kingdom, despite its achievements in combating radical nationalism, also worsened its position in the rating (12th place compared to 7th in 2012). This was due to a number of mistakes in enforcement of immigration legislation, violation of refugee rights and the overall

tightening of immigration laws during the monitored period. Discriminatory amendments to Immigration Act sharply aggravated the position of immigrants, making them more vulnerable to abuse of authorities. In particular, new legislative provisions complicate access to labour market and social welfare for illegal immigrants, which, by and large, contradicts Art. 8 of the European Convention of Human Rights.

Increased rate of hate crime against Muslims in UK also led to its poor performance this year. Most notable were acts of vandalism against Muslim buildings and violent attacks against Muslims themselves. These incidents were clearly triggered by the heinous murder of British AF soldier Lee Rigby by Islamic fanatics on May 22, 2013. Rigby's murder instantly caused a wave of Islamophobia in the British society.

Finally, it is worth mentioning the *Czech Republic*. While it has not significantly changed its position in the rating (14th place in 2013, 15th place in 2012), its general environment has deteriorated sharply (25 negative points compared to –15 in 2012).

Largely, this was due to interethnic clashes that occurred in places of Roma settlement in summer 2013. Czech government was obviously unprepared for a sudden rise in interethnic clashes and incitement to hatred, which lead to increased xenophobia and growth in radical sentiments in the society.

Czech Law on Foreign Residents was amended with discriminatory provisions for certain foreign nationals.

In terms of stability, similarly to last years, we can distinguish Italy, Finland, Germany, Albania and Croatia. *Italy* significantly improved its position, receiving 12.5 negative points less than in 2012.

Italy demonstrated effective law enforcement towards hate crime and neo-fascist Organizations. It seems that its government, under pressure of ECRI, begins to take the neo-Nazi threat seriously. This concerns both the judiciary and the law enforcement. It is worth adding that Italy did not have any instances of abuse of anti-extremist legislation and no persecution of antifascist, unlike in previous periods.

However, there are some alarming conditions Italy, Germany and Croatia, that may under certain circumstances bring these countries out of relative stability and into the high-risk group. A striking example of this sudden change is the Czech Republic, which has demonstrated high tolerance levels in 2012, but occupied the headlines in 2013 regarding anti-Roma riots...

Research methodology

This study is based on the monitoring of neo-Nazism, radical nationalism and xenophobia in 19 European countries, conducted by the International Human Rights Movement "World Without Nazism" in 2013.

The aim of the analysis is to examine trends and developments of neo-Nazi and extreme right sentiments in various countries, formulate possible future scenarios of socio-political development and draw up recommendations on minimising the level of xenophobia and the radical nationalist threat.

Analysis was conducted in the following areas:

- Factors that influence the development of radical nationalism in certain countries.
- Factors that constraint and hinder the development of radical nationalism.
- Consequences that may have certain tendencies for social and political development of the country and the world as a whole.
- Possible solutions (recommendations) to relevant problems in the country.

Research was conducted using pooled analysis of criteria (indicators) that were used to determine the factors of stability/instability in society. According to this method, each factor of stability was assigned a fixed positive score, and each factor of instability was assigned a corresponding negative score. If a particular indicator is limited or partial in its effects on the social and political processes, it was assigned a 50% score from the total indicator value. Thus, we were able to assess partial decisions or insignificant processes.

As a result, via simple arithmetic addition, we obtained an average score of radical nationalist threat level assigned to a particular country.

The following criteria for the factors of stability/instability were analysed:

FACTORS OF STABILITY

No.	CRITERIA	SCORE
1	**Legislation and law enforcement practice preventing the development of radical nationalism**	
	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5
	Presence and development of anti-discriminatory legislation	5
	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5
	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5
2	**Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism**	5
3	**Activities aimed at promoting tolerance and preventing extremism**	5
4	**Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups**	
	Presence and development of migration laws	5
	Government's compliance with such legislation (law enforcement practice)	5
	Social assistance for immigrants	5
5	**Presence, popularity and size of anti-fascist and anti-racist movements**	
	Presence of anti-racist and anti-Nazi movements and parties	5
	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5
	Presence of anti-racist and anti-fascist civic initiatives	5

Table, cont.

No.	CRITERIA	SCORE
6	**International Aspect**	
	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5
	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	5
	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	5

FACTORS OF INSTABILITY

No.	CRITERIA	SCORE
1	**Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism**	
	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5
	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	–5
	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–5
	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5
2	**Xenophobia and inflammatory statements made by members of the authorities and media**	–5

Table, cont.

No.	CRITERIA	SCORE
3	**Unlawful use of anti-extremist legislation**	–5
4	**Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups**	
	Discriminatory practices against immigrants	–5
	Use of ethnic crime as justification for discrimination against immigrants	–5
	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5
5	**Incitement of religious and ethnic hatred**	
	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5
	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5
6	**Radical nationalist groups and parties**	
	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5
	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5
	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5
	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–5
	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5

Table, cont.

No.	CRITERIA	SCORE
7	**Public actions of extremist and nationalist groups**	
	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5
	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5
	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5
	Presence of "football xenophobia" and racism amongst sports fans	–5
8	**Racist attacks, violence and terror**	
	Vandalism in cemeteries, attacks on religious buildings	–5
	Inter-ethnic clashes instigated by xenophobia and radical nationalism	–5
	Cases of violence, including murder on racial, ethnic and religious grounds	–5
	Cases of hate crimes	–5
	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5
9	**Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial**	
	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5
	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5

Table, cont.

No.	CRITERIA	SCORE
	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5
	Historical revisionism, Holocaust denial	–5
10	**Persecution of veterans and partisans of the anti-Hitler coalition**	
	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	–5
	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	–5
	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5

The above analysis suggests a **conclusion** that involves the following aspects:

1) Human rights

- *Guarantees against any form of minority discrimination;*
- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.);*
- *Differences between the rights and freedoms of the titular nation and ethnic minorities;*
- *Legislation enshrining inequality of minorities;*
- *Rulemaking in protection of minorities;*
- *Freedom of speech violation;*
- *Legislation and law enforcement practises concerning immigrants.*

2) State of the society

- *Violation of human rights and lack of equal rights, freedoms and opportunities for all national minorities residing in the country, leads to a reduction in opportunities for residents' self-realisation,*

split of society, exclusion of minorities from public processes, weakening of the state.
- *Identity — how manifestations of xenophobia and extremism affect the identity of minorities, as well as majority's identification of minorities (growth of social phobias).*

3) Socio-economic development of the country

Do manifestation of various forms of xenophobia and extremism affect the identity of minorities, as well as identification of minorities on the part of the majority (growth of social phobias):
- *Standard of living;*
- *Economic turmoil, instability;*
- *Decline in production growth, emigration of the labour force.*

4) Security and geopolitical stability in the region

- *Political stability in the country;*
- *Impact of xenophobia and extremism in the country on the issues of external security, on relations with third countries and the international security in the region as a whole.*

The analysis allows us to make **recommendations** for reducing xenophobia and radical-nationalist threat. These recommendations involve the following aspects:

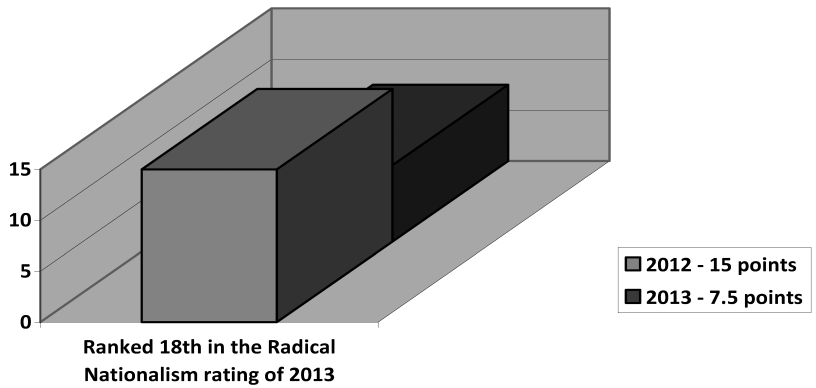
1) General recommendations on the accession to international agreements and conventions.

2) General recommendations on adjustments to the legal framework.

3) General recommendations for the executive bodies on law enforcement and human rights.

In addition, the analysis is used to generate a **rating of xenophobia and radical nationalism**, which is then presented on the map of Europe.

ALBANIA


15
10
5
0
Ranked 18th in the Radical Nationalism rating of 2013
2012 - 15 points
2013 - 7.5 points

ASSESSMENT CRITERIA FOR THE STABILITY/INSTABILITY FACTORS

1. Legislation (central, regional, and municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Section 3, Article 18 of the Constitution of Albania has an odd disclaimer that suggests that there are cases when discrimination is "objective and justified."[1]

In November 2011 the Constitutional Court of Albania ruled in favour of excluding the "ethnicity" category from both the Civil Status Act and the population census. While exclusion of this category from the Civil Status Act is generally consistent with the European Protection of Human Rights regulations, excluding it from the population census where completing it is strictly voluntary and only represents the self-identification of the respondent, is somewhat illogical. The expert opinion is that this is Albanian government's attempt to twist statistics in order to make the number of national minorities living in Albania appear smaller than it really is. All of this resulted in a situation where minorities residing outside the so-called "Minority Zones" have practically lost the ability to prove their identity.[2]

The Albanian Criminal Code does not contain any statements about racial hatred and other prejudices serving as a motive aggravating the seriousness of the offense. Despite the assurances of the Albanian authorities that courts will be taking these factors into consideration when issuing verdicts, as well as statements that it "contradicts the Albanian legal system,"[3] the European Commission against Racism

and Intolerance (ECRI) has on multiple occasions suggested for Albania to amend its Criminal Code in such a way that racism, as well as other prejudiced actions, would be treated as aggravating circumstances.

In the middle of August Albania introduced a new law that simplifies the process of citizenship acquisition for all the ethnic Albanians residing in the adjacent territories. Albania's neighbouring countries saw this as another step towards creation of "The Great Albania," which, hypothetically, is supposed to include parts of Greece's, Macedonia's, Serbia's and Montenegro's territories. [4]

- Legislation, limiting the voting rights of the permanent residents of the country based on their ethnic background or country of origin.

No such legislation was present in Albania during the observed period.

- Presence of the norms in the legislation or other normative documentation that legalises the ideology of radical nationalism, its attributes and practices, as well as public propagation in media and mass communication.

No such norms were present in Albania during the observed period.

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Members of Greek and Macedonian ethnic minorities claim that outside of the "Minority Zones," established during the Enver Hoxha's totalitarian regime (1944–1985), there still are numerous locations inhabited primarily by Greeks and Macedonians. A huge scandal was caused by the population census of 2011, where people of Greek and Macedonian origins that live outside the "Minority Zones" were under a threat of financial penalties forbidden to report belonging to any ethnicity other than the one stated in their passport (during Hoxha's regime all members of ethnic minorities who lived outside "Minority Zones" had their nationality recorded as "Albanian"). [5]

In August 2013 local city council of the Premeti (Prëmeti) city attempted to expropriate an Eastern Orthodox church from the local Greek Christians in order to turn it into a culture centre. [6]

Albania has a Gypsy and Balkan-Egyptian community discrimination problem; members of these minorities encountered discrimination in such areas as housing, employment, health services, and education

in 2013. There were cases of local schools refusing to admit students from Gypsy families.

On August 7th 37 Gypsy families, including 88 children, were forcibly evicted from the former "Rug Kavai's art realisation centre" in Tirana. Eviction was performed by a construction company and no notice or alternative housing options were provided, despite Albanian legislation clearly stating that both are required for an eviction to take place. The construction company argued that "it doesn't owe anything to the Gypsies, who have no rights for this land." Police assumed the position of non-involvement on this case. Later Albanian authorities offered the evicted families to take up residence in former military barracks. However, according to the data collected by the Public Defender, these premises (which in 2012 Albanian government planned to host another group of Gypsies in) were completely unsuitable for living. On September 29th it was reported that the Gypsies accepted an offer to be transferred to another set of barracks. These new barracks had been partially renovated, which at least made them habitable. It was ascertained later, however, that the owner of the latter property had not been established prior to this arrangement, which resulted in the Gypsies not receiving the property ownership documentation until the end of the year. In addition to that, the new barracks were located in a remote area. The government had also made promises to provide the Gypsies with medical aid and to enrol their children into local schools, but by the end of the year the latter still had not been done.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and hate inciting statements made by members of the authorities and media

Albanian press regularly publishes anti-Greek and anti-Serbian articles — such actions are tied to general prevalence of xenophobic views towards these minorities. Simultaneously, in 2013 a large quantity of articles justifying the actions of the Albanian authorities and local nationalists in their confrontation with Greeks and Greek Orthodox Church was published. For example, after the previously mentioned Eastern Orthodox Christian church expropriation conflict in Premeti on August 16th 2013, the local media unanimously took a belligerent position against Christians and started calling them aggressive, even though the church building, which had been confiscated by the government during the communist era, was officially returned to the religious community several years ago. [7]

On January 28th it became public knowledge that "Korchinskaya Mitropoliya" of the Autocephalous Orthodox Church of Albania (Kisha Ortodokse Autoqefale e Shqipërisë) succeeded in banning the "Beratian Mother of God" play, which was written by Albanian writer and political activist Namik Dokle, from the local theatres. Orthodox Christians accused the play of being a "deliberate blasphemy and an insult to the church." [8]

Albania's Deputy Minister of Defense and leader of the monarchical Royalist Party Ekrem Spahiu made several homophobic statements during the political debates that aired on March 21st. [9]

Functionary of the Albanian Socialist Party Artan Lame made an offensive statement about the LGBT community in an article published by the daily Tirana "Shqip" newspaper on March 23rd, where he referred to homosexuality as a "psychological deviation." [10]

On August 12th 2013 Kreshnik Spahiu, leader of the Red and Black Alliance, attacked the Greek nationalist "Golden Dawn" Party and the Greek government in his Facebook post, where he accused the "Golden Dawn" Party of oppressing Albanian citizens and the Greek government of not stopping them. He also accused indigenous Greek citizens of allegedly humiliating Albanians in Greece and called them "bandits." [11]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practices preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, antiracist and anti-extremist legislation, and legislation directed against incitement of ethnic and religious hatred in the country.

Section 3 of the Albanian Constitution names "national equality," "religious coexistence," and "mutual understanding and coexistence between Albanians and ethnic minorities" as some of the fundamental values that the state needs to respect and protect. Section 9, Article 2 of the "Albanian General Law" prohibits the creation of any political parties whose actions incite racial, religious, regional, or ethnic hatred. Article 10 speaks of equality of all religions and independence of religious associations. Article 20 defines the rights of ethnic minorities. According to it, members of national minorities have the same rights as the indigenous Albanian citizens, as well as the right to express their ethnic, cultural, religious, and linguistic identity, study and teach in their mother tongue, and form organisations and societies with the purpose to protect their interests and their identity. [12]

The Albanian Criminal Code has two sections dedicated to the fight against xenophobia — Article 165 ("Inciting Racial Hatred") and Article 266 ("Public Inciting of Hatred"). [13] Articles 131–133 regulate the legal actions against crimes involving obstruction of religious organisations' activities. [14] In May 2013 Albanian Parliament accepted an amendment to Article 50 of the Criminal Code, which adds hatred for sexual minorities (nonstandard sexual orientation or gender identity) as motive for crime to the list of officially recognised aggravating circumstances.

- Presence and improvement of anti-discriminatory legislation.

Ban for discrimination is contained in Article 18 of Albanian Constitution.

In Albanian Criminal Codex the regulations prohibiting discrimination are contained within Article 253, according to which any origin, gender, health, religious beliefs or political views, union activity, or ethnic discrimination is punishable by fine and a prison sentence of up to five years. [15]

Albanian anti-discriminatory legislation, immutable in the past despite the changes of ruling parties, has lately been largely defined by the country's desire to join the EU (Albania submitted the paperwork necessary to become a candidate for EU membership in April 2009).

This explains many revolutionary measures that have been taken in the recent years — like the official ban of LGBT discrimination and introduction of the "Protection against Discrimination" legislation on May 9th 2010. This legislation outlaws any discrimination against gender, race, skin colour, nationality, language, sexual orientation, political, religious or philosophical beliefs, financial status, education or social status, pregnancy, ethnic origin, age, family or marital status, civil status, place of residence, health condition, genetic predispositions, or belonging to any specific group. [16]

- Compliance with anti-Nazi, antiracist, and anti-extremist legislation by the authorities (central, regional, municipal), law enforcement and judiciary, as well as their compliance with legislation directed against incitement of ethnic and religious hate and compliance with anti-discriminatory legislation.

Article 7 of the "Protection against Discrimination" law states that "Every action or lack thereof conducted by government authorities or legal entities that are part of the private or public sector, which creates grounds for individuals or groups of people to be denied equality or to be treated unjustly and unequally, compared to how other people would have been treated in identical circumstances, is discrimination."

The fight against racism and discrimination is led by the Albanian Ministry of Interior Affairs, Ministry of Labour, Social Affairs, and Equal Opportunities, and Ministry of Education and Science. According to Article 13 of the "Protection against Discrimination" law, protecting employees from discrimination is employer's responsibility. Article 19 of the same law puts headmasters of the educational institutions in charge of preventing discrimination in schools, universities, etc.

The official state discrimination counteraction position is held by the Commissioner for Protection against Discrimination (MPCSH). This position was established in compliance with the "Protection against Discrimination" law (2010). The commissary is elected for the period of five years and must provide an annual report on his actions. He has the right to conduct administrative investigations if discrimination complaints are received and he can also administer penalties — including large fines, suggest new regulations that would help with preventing discrimination to the state authorities, etc. All discrimination complaints are handled within 90 days of their receipt.[17] It is mentioned in the 2013 report of Amnesty International that "implementation of the new protection against discrimination regulations is often way behind their ratification." It was mentioned that the authorities were paying considerably less attention to the statements and recommendations made by the Public Defender.[18]

- The Countermeasures against hate crimes (criminal cases against organisers and participants, convictions).

Albanian government made an official statement in response to the OSCE's (Organisation for Security and Co-operation in Europe) query, in which it stated that like such countries as Azerbaijan, Italy, Tajikistan, and Uzbekistan, Albania is not willing to make information related to hate crime statistics public.[19] Therefore this study does possess some fragmented data of such crimes taking place (provided by the official representatives of Albanian government upon requests from international organisations), but absolutely no information on their clearance rate.

- Unlawful use of anti-extremist legislation.

  No such incidents were registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
–	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	0	0
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	12.5	12.5

4. Statements made by government representatives, members of the ruling party, and influential politicians against xenophobia and radical nationalism

The Commissioner for Protection against Discrimination, Irma Baraku demanded for E. Spahiu and A. Lame to apologise for their homophobic statements.[20]

In August 2013 Albanian Minister of Labour Spiro Ksera expressed his support for the evicted Gypsy families. He publically stated that

finding shelter for the 37 evicted families is a task of utmost priority and his ministry will do everything in its power to right this wrong.[21] Irma Baraku also expressed her discontent with the eviction of the Gypsy families.[22]

Prime Minister Sali Berisha called the situation with the Gypsies "unacceptable."[23]

On May 21st 2013 while presenting at a high-level OSCE conference in Tirana, Albanian Prime Minister also stated that it is necessary to develop a mutual trust in the fight against discrimination.[24]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

Several such activities are known to have taken place in Albania. For example, in years 2009–2013 a state programme promoting gender equality and consolidating the legislative and institutional instruments for implementing gender equality legislation into practice took place.

In 2010 Albania introduced a new campaign designed to attract children from Gypsy families into local schools.[25] There is a national strategy dedicated to "improving the living conditions of the Gypsy ethnic minority," however, according to the data gathered by the Amnesty International, its actions are not very effective.[26]

In 2013 Albanian Ministry of Health managed to secure the right for Gypsies to receive health insurance cards, for young mothers and pregnant women to receive needed medical services and for children to be included in the vaccination programme.[27]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and improvement of migration laws.

Until recently Albania was a migration donor country, which annually lost thousands (if not tens of thousands) of its citizens to immigration. For example, in 2011 Albania's neighbour — Greece, was hosting 400,000 Albanians. It is worth pointing out that this did help at least partially relieve the pressure on the labour market of Albania, which was one of the few European countries to ratify the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (in 2007). It also ratified the European Convention on the Legal Status of Migrant Workers in 2007. In March 2003 even a special law was issued — No 9034, "On Emigration of Albanian Citizens due to Employment Reasons," Article 1 of which declared that Albania guarantees care and protection to its emigrant citizens and will maintain and develop connections with their countries of residence.[28]

Article 16 of the Albanian Constitution dictates equality of rights, freedoms, and responsibilities for indigenous Albanian citizens, legal foreign immigrants, and Albanian residents without citizenship. In turn, Article 39 prohibits mass deportation of foreigners.[29]

In March 2013 Albanian Parliament accepted a new amendment to the "Law on Foreigners," which adapted it to the EU norms as much as possible. This amendment abolished the necessity for EU citizens to obtain a work permit in order to find employment in Albania, as well as gave EU citizens same rights as Albanian citizens for medical and social aid. The amended version of the "Law on Foreigners" is consistent with Directive 2009/50/EC on Entry and residence of highly qualified workers, as well as with the introduction of EU Blue Card, which also regulates employment of highly skilled professionals from Third World countries. The new "Law on Foreigners" adapts the aforementioned directive to the specifics of Albanian population and economy. Laws regulating entry and exit from the country are also fully consistent with Directive 2004/38/EC[30] on the right to move and reside freely. This means that Albania has implemented a visa-free regime for EU citizens and opened its borders for everyone in possession of a "Schengen Visa."

The regulations for refugees and asylum seekers are governed by the "Law on Asylum in the Republic of Albania" implemented in 1998.

- Authorities' compliance with such legislation (law enforcement practice).

In general the migration legislation in Albania is adhered to; however, it is essential to take into consideration that due to lack of any real inflow of immigrants Albanian authorities do not have any serious law enforcement practice in this field.

- Discriminatory practices against immigrants.

Due to low inflow of immigrants this issue is not significant for Albania.

- The use of the "ethnic crime" theme in order to discriminate against immigrants.

No such incidents were recorded in 2013. This issue also is not significant for Albania.

- Social assistance for immigrants.

Immigrant employment, health services, and social aid questions are regulated by the "Law on Foreigners," "Law on Asylum," and "Government Decision on the Entrance, Stay and Treatment of the Foreigners."[31]

According to these pieces of legislation, all legal immigrants — EU citizens, refugees, and immigrants from Third World countries that have permanent or temporary Albanian residence, have the right for the same social benefits as the indigenous Albanian citizens.

It is vital to remember, however, that this social aid for Albanian citizens is quite peculiar. First, it is almost three times less than the official minimum wage (according to the data obtained in 2012 — 144.4 EUR[32]), and second, a whole series of aspects this social aid covers is strictly nominal. For example, many local medical facilities remain underfunded. Funding level in different regions depends on what political party is in control. I.E. because socialists have more influence in the south, under their rule the funding of northern medical centres is cut and the money is transferred to support the south, and vice versa. Same applies to vacancies in other institutions on government payroll, including schools and kindergartens. The feeble balance is maintained only in the centre of Albania, where socialists and democrats have roughly the same amount of influence.

Considering that now for many years Albania had over 12% of its population earn wages below the subsistence level,[33] it is reasonable to assume that immigrants that apply for social aid are automatically put below the poverty line.

Therefore, even though Albania has officially given legal foreign immigrants same rights as Albanian citizens, de facto these rights are of not much real help to either of these two groups. However, due to low immigration level this has not yet reflected on either the socio-eco-

nomical position in the country, or the society's treatment of immigrants.

- Negative attitude of the community towards immigrants, foreigners, and various ethnic groups.

Regretfully, during the observed period no polls exploring this issue were conducted. However, the information gathered by earlier polls and certain indirect data suggest that the biggest manifestation of xenophobia in Albania is the so-called "Greekophobia." The events that took place in Premeti (see section 1) are graphic evidence of its vastness.

Another danger noticed by observes is Albania being infiltrated by radical forms of Islam, which leads to explicit intolerance towards other religions from the newly converted Islam disciples. [34]

Homophobia is also apparent in Albanian society. On April 3rd 2013 it became known that, according to the poll conducted by the European Social Survey, 53% of Albanians believe that "gays and lesbians should not be allowed to live as they want to." [35]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
–	Discriminatory practices against immigrants	0	0
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	10	10

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media, mass communications, and graffiti.

Such calls were mostly registered from members of the "Red and Black Alliance" (see section 9). Homophobic remarks of the Deputy Minister of Defense and leader of the monarchical Royalist Party Ekrem Spahiu are also worth mentioning. [36]

- Presence and popularity of radical nationalist literature, films, music. Ultranationalist rock bands and their concerts.

No such occurrences were registered in 2013; However, A. Hitler's "Mein Kampf," released in Albanian language in 2012, started selling in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultranationalist groups, movements, political parties (both in the centre and in the localities).

The main Albanian nationalist far-right party is the "Red and Black Alliance" (RBA),[37] which was created on March 20th 2012, replacing a public movement with the same name that was founded in March 2011. However, after the disastrous results of the first elections the party participated in, its activity plummeted drastically and even the organisation's official website barely received any updates until January 2014.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The main topics covered by the RBA leaders are Greekophobia and calls for the creation of "The Great Albania." The party's representatives regularly accused leaders of the Democratic Party (ruled 2005–2013) in "indulging" Greece and handing it a part of Albanian territory.[38]

In February 2013 K. Spahiu accused the leaders of Albanian Greek community of treason for organising a nationwide search for remains of Greek soldiers that had fallen in Albania during the Second World War, and called them "mercenaries of Golden Dawn."[39]

On January 8th The Red and Black Alliance submitted a petition to Central Election Commission demanding to conduct a referendum in

order to discuss creation of Albanian federation in Kosovo.[40] In April 2013 K. Spahiu made Kosovo joining Albania one of the central items on his agenda.[41]

- The influence neo-Nazis and radical nationalists have over the civil society, including oppositional and human rights organisations.

The idea of "The Great Albania" is reasonably popular in the country (in 2012 it was supported by 64% of the interviewed). It was exactly these views that motivated the leader of the far-right radicals K. Spahiu to reform his public movement into an official political party in 2012.

However, as it often is with such situations, far from everyone who empathises with the national idea is willing to support the far-right radical parties that exploit it to their advantage. In December 2012 14% of the interviewed claimed to be willing to vote for the "Red and Black Alliance," yet in June 2013 only 0.59% of the electorate actually gave their voices for it.[42] This indicates that radical nationalists do not have much real influence over the Albanian society — voters, even if concerned with the national idea, still understand the importance of other more pressing issues. Interests of Albanian citizens are currently more in the field of European integration, which, they are hoping, will improve the economic condition of the country and will provide them with certain social benefits. Right now they are more concerned with the corruption level than with the idea of "The Great Albania."

- The influence neo-Nazis and radical nationalists have over the local legislative/executive bodies.

Such influence is minimal: in 2012 only one person — head of the Perrenjas (Përrenjas) city council, M. Karriqi[43] — joined the ranks of the Red and Black Alliance.

- The influence neo-Nazis and radical nationalists have over the central legislative/executive bodies.

At the Parliament elections on June 23rd 2013 less than 1% of the electorate supported the nationalists, which resulted in them not having any seats in the Parliament.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	0	0
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–10	–10

9. Public actions of extremists and radical nationalists

Indicators

- Participation of neo-Nazis and radical nationalists in mass actions prohibited by the authorities.

According to the data collected during the observed period, no events organised by far-right radicals were banned by the government in 2013.

- Participation of neo-Nazis and radical nationalists in mass actions permitted by the authorities.

The "Red and Black Alliance" organised several rallies and pre-elections meetings in both large and small Albanian cities in order to recruit followers.

On April 7th, May 1st, and January 5th the "Red and Black Alliance" arranged a meeting with all its followers in Tirana. [44]

In addition to that, on January 5th nationalists participated in civil protests against the change of the General Plan of the Capital, and in March they took part in a students' rally, which was organised to attract public attention to the low standards of living issue. [45]

- Participation of neo-Nazis and radical nationalists in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

RBA rally in Perrenjas was joined by the head of the Perrenjas city council — M. Karriqi.[46]

- Presence of "football xenophobia" and racism amongst sports fans.

Far-right party "Red and Black Alliance," which started off as a public movement, was originally founded by several groups of football fans who actively participated in RBA events in 2013. However, no incidents of football xenophobia specific to football games or stadiums were registered in 2013 during the observed period.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
–/×	Presence of "football xenophobia" and racism amongst sports fans	–2.5	–2.5
	Total for the section 9	–12.5	–12.5

10. Racist attacks, violence and terror

As was mentioned previously, Albania has a policy of not releasing statistical data measuring hate crime levels to the public, thus the information provided below might be incomplete.

- Vandalism in cemeteries, attacks on religious buildings.

Several cases of Orthodox churches being desecrated are known to have taken place in 2013, i.e. the burning of Virgin Mary's Immaculate Conception Church in the city of Fier (January 20th),[47] and the attack on Virgin Mary's Church in Premeti (August 16th).[48] Around the 19th of August a local outburst of nationalism related to the Premeti church case drove unknown assailants to stone the Greek embassy in Gjirokastra (Gjirokastër).[49]

With regards to the Premeti case — it is important to take note that there exists an official court ruling in favour of confiscating the building the church is currently located in.

- Interethnic clashes instigated by xenophobia and radical nationalism.

  No such incidents were registered in Albania in 2013.

- Cases of violence, including murder on racial, ethnic, and religious grounds.

A priest was assaulted and suffered bodily harm during the attack on the Virgin Mary's Church in Premeti. An Albanian citizen of Greek origin was attacked in Premeti on the 19th of August. [50]

- Cases of hate-driven murders.

  No such incidents were registered in 2013.

- Terrorist attacks on the basis of radical nationalism and religious fanaticism.

  No such incidents were registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5	0
	Total for the section 10	–15	–10

11. Presence, popularity, and scope of antiracist and anti-Nazi movements and parties

Indicators

- Presence of antiracist and anti-Nazi movements and parties.

The rights of the Greek minority in Albania are protected by the non-government organisation called "Democratic Union of the Greek Minority," also known as Omonoia (Greek:), which was founded on 1990, and the "Unity for Human Rights Party" that was created by

Omonoia (according to the results of the 2013 elections, the party working in tandem with the socialists gained 1 seat in the Parliament[51]). Albania also has an organisation called "Prespa," which is dedicated to protecting the rights of the Macedonian minority.

There are also several organisations protecting the rights of the LGBT community in Albania: "Alliance against LGBT Discrimination," "Pro-LGBT," and "The Pink Embassy."[52]

- Antiracist and antifascist movement activities (pickets, rallies, demonstrations).

In 2013 there were no mass demonstrations or rallies organised by human rights organisations to protest the discrimination against ethnic and religious minorities, or LGBT.

- Presence of antiracist and antifascist civic initiatives.

Roma Education Fund (REF) provided financial aid that helped procure a school bus for the children from Gypsy families in Tirana. It was due to the fund's persistence and support that the Gypsy children were admitted into schools.[53]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
–	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	2.5	0
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	12.5	10

12. Glorification of German national-socialism and Nazi Germany collaborators

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

  No such incidents were registered in 2013.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to

soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

No such incidents were registered in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  No such incidents were registered in 2013.

- Historical revisionism, Holocaust denial.

  No such incidents were registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
–	Historical revisionism, Holocaust denial	0	0
	Total for the section 12	0	0

13. Criminal prosecution of veterans, partisans of the anti-Hitler coalition, and antifascists

Indicators

- Public calls for repressions against the veterans and partisans of the anti- Hitler coalition, as well as antifascists.

  No such incidents were registered in 2013.

- Restrictions on human rights and antifascist organisations imposed by the authorities, bans to entry or exit imposed on antifascists by the authorities, inaction of the authorities.

  No such incidents were registered in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and antifascists.

  No such incidents were registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation of the monitored countries in the most significant international agreements on combating racism and discrimination against ethnic minorities.

By 2014 Albania had already signed and ratified the following international documents: International Convention on the Elimination of all Forms of Racial Discrimination (1994), The Convention on the Elimination of All Forms of Discrimination against Women (1994), and Equal Opportunities for Civic Participation for Foreigners Agreement (2005).

However, to this day Albania still has not signed the Framework Convention for the Protection of National Minorities (FCNM) and The European Charter for Regional or Minority Languages (ECRML) — the two fundamental documents regulating the rights of ethnic and linguistic minorities.

- Accession to new international agreements, as well as resolutions of the United Nations and other international organisations dedicated to combating Nazism, combating discrimination, or protecting rights of minorities, during the monitored period.

During the observed period Albania has not accepted any new international agreements or UN Resolutions, as well as any resolutions proposed by other international organisations, that would help battle Nazism, or racial and minority discrimination.

- International declarations and initiatives of the monitored countries and the leading politicians against discrimination, neo-Nazism and xenophobia.

On May 21st the Organization for Security and Co-operation in Europe (OSCE) held a high-level tolerance and anti-discrimination conference in Tirana. The main subject of the conference was fighting intolerance, discrimination, and hate crime on the territory covered by OSCE. [54]

During his presentation at the conference Prime Minister of Albania, Sali Berisha urged all countries to develop mutual respect and understanding as well as to fight intolerance. [55]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	2.5	2.5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
×	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	5
	Total for the section 14	2.5	7.5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

In 2013 Albania was ranked 18th in the Radical Nationalism rating, thus significantly improving its position compared to 2012. This happened due to a drastically decreased number of hate crimes as well as due to government's support for the fight against intolerance — both local and international. A High level OSCE Tolerance and Anti-discrimination Conference held in May 2013 in Tirana became a valuable tool not only for the Albania's president to use in his upcoming elections campaign, but also to really draw attention to the battle against radical nationalism.

Basically, in 2013 the nationalist forces lost all the public influence they had, which was clearly displayed by the parliament elections' results. However, it is worth noting that discrimination against minorities — specifically Gypsy people — still exists in Albania, where there are cases of illegal evictions and failure to provide equal rights and opportunities in the fields of education and health services. The relationship issue with the Orthodox Greek community has arisen quite unexpectedly also.

1. Human Rights

- *Protecting the minorities from all forms of discrimination.*

Minorities in Albania are legally protected against discrimination by several Constitution articles, as well as by the Protection against Discrimination Law (2010) and the Law on Foreigners (2013). Another valuable tool in the battle against discrimination is the Commissioner's Special Protection against Discrimination Institute.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Albania signed neither the Framework Convention for the Protection of National Minorities (FCNM), nor The European Charter for Regional or Minority Languages (ECRML), which, therefore, makes the question above inapplicable to this particular situation. The Albanian government is very reluctant to act when it comes to improving the legal position of ethnic minorities, which, basically, leaves the country in the same position it was in during the Enver Hoxha's regime, when all members of minorities who had not been conveniently settled into "Minority Zones" had no rights to use their mother tongue at work or in educational institutions.

- *Differentiation in rights and freedoms of the titular nation and ethnic minorities.*

Such differentiation is definitely present in Albania and is most evident when it comes to minority members' inability to use their mother tongue at work and in educational institutions whilst living outside of the official "Minority Zones." This issue mostly concerns Greeks, who constitute 3% of the total Albanian population, as well as Serbs and Macedonians. In addition to that, discrimination against Gypsy and Balkan-Egyptian communities is also still present in the spheres of em-

ployment, health services, and education. Cases of evictions of Gypsies were present in 2013 as well.

- *Legislation enshrining inequality of minorities.*

De jure Albanian Constitution proclaims equality of all nations inhabiting Albanian territory; however, de facto the Constitutional Court's decision to exclude the "ethnicity" category from both Civil Status Act and population census is basically an attempt to force members of ethnic minorities residing outside the "Minority Zones" to assimilate into the Albanian community, as they will be from now on viewed as Albanians because of this.

- *Rulemaking in protection of minorities.*

An example of such rulemaking would be the introduction of the "Law on Foreigners" and the amendments to the Criminal Code, which outlaw discrimination against members of LGBT.

- *Freedom of speech violations.*

No such incidents were registered in 2013.

- *Legislation and law enforcement practices concerning migrants.*

Albania has a well-developed migration legislation, which is mostly directed at protecting its own citizens living abroad as immigrants. Money transfers from Albanian emigrants working abroad are estimated to constitute roughly 7% of Albanian GDP. Despite this, Albanian emigrants are still stripped of their voting rights. The number of immigrants living in Albania appears somewhat insignificant when compared to the number of Albanian emigrants living and working abroad, which is why the socio-economic and political position of immigrants is not an immediate issue for the country.

2. State of the society

- *Risk of violation or noncompliance with the acting laws directed at protecting the rights of minorities; Risk of discriminatory practices against members of minorities.*

Based on the data acquired over the observed period, it appears that Albanian authorities do not always follow the letter of law when it comes to discrimination legislation. The same data suggests that creation of the position Commissioner for Protection against Discrimination's has not proven particularly effective either. The government's attempt to exclude the "ethnicity" category from the Civil Status Act and population census serves as proof that Albanian authorities are planning to follow in Greece's steps and unify language and nationality poli-

cies, which could lead to future conflicts between ethnic minorities and general weakening of Albanian society.

- *Subject of identity — how manifestations of xenophobia and extremism affect the identity of minorities, as well as identification of minorities on the part of the majority (growth of social phobias).*

Albanians claim that they can "feel the hostility" of Greeks and Serbs, who "threaten the independence" of their country. Many of them view the Greek minority as a "fifth column." At the same time the idea of "The Great Albania," which includes seizing territories currently belonging to Serbia, Montenegro, Macedonia, and Greece, has found mass support of the Albanian population. Members of ethnic minorities feel discriminated in Albania and view the attempt to abolish the "ethnicity" category in the population census as forceful assimilation. All of this points to presence of imperialistic and chauvinistic tendencies in Albanian society, as well as to readiness of authorities to indulge these inclinations. Xenophobia and government's attempt to make members of ethnic minorities abandon their identities — even if only on paper — can lead to heated relations not only with the aforementioned minorities, but with the neighbouring countries as well.

3. Socioeconomic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

In the "Standard of Living" rating created by the Legatum Institute Albania is ranked 83rd.[56] However, such a low standard of living was not caused by xenophobia or imperialistic inclinations. This situation was mostly caused by reasons purely economic.

- *Economic turmoil and instability.*

In 2013 Albania registered minor economic growth of approximately 1% (0.5% in 2012). Investment-wise Albania is one of the least attractive countries in the region. This is caused by a rather small volume of economy — compared to European levels — and low consumer demand (caused by low household income and high volume of emigration, as well as by decreased international subsidies). A few other reasons for the economic state Albania is currently in include high level of corruption and strained relations with neighbouring countries, who are quite irritated by the multiple attempts to commence the "Great Albania" project.

- *Decline in production growth, emigration of the labour force.*

For the last 20 years Albania has been a provider of workforce for the European labour markets. Over half a million people have emigrated from the country. This astronomical level of emigration was caused primarily by economic reasons; however, it is possible that among those 500,000 people were many members of ethnic minorities — dissatisfied with how they were being treated in Albania and searching for a better life. On the one hand, workforce emigration was one of the major causes of manufacturing reduction; on the other hand, however, money sent by emigrants provided a major boost to the Albanian economy. The problems started when the Subprime Mortgage Crisis began in 2008, and thousands of emigrants, including Albanians, subsequently lost their jobs and joined the ranks of the unemployed in Greece, Germany, Italy, as well as in other countries.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

At the present time the nationality issue and the imperialistic ideas of "The Great Albany" do not seem to have any major influence on the formation of Albania's political landscape. The electorate is currently more concerned with other issues: corruption level, economic growth, social policies, creation of new jobs, and, finally, European integration.

Public activity of the "Red and Black Alliance" is currently negatively affecting only the ethnic minorities. Intercalated with the rights of members of ethnic minorities being circumscribed outside the "Minority Zones," this is leading to an unexpressed growth of inter-community tension in the country. Also, progressive stabilisation of the economic situation, coupled with inevitable disappointment with the European integration (which was exhibited by every single "new" EU member) will push the far-right nationalistic ideas into the centre of attention, which presents a direct threat to the security of the country.

Another instability factor is the import of radical Islam into Albania.

- *Impact of xenophobia and extremism in the country on the issues of external security, on relations with third countries and the international security in the region as a whole.*

Albania's obvious support for organisations that are considered extremist not only in Serbia, but even in Greece (i.e. "Kosovo Liberation Army"), conspicuous anti-Greek propaganda spread by the "Red and Black Alliance," attempts to create the "Great Albania" — all these actions have somewhat undermined Albania's relationship with its neigh-

bouring countries (excluding Kosovo). These actions are also seen as a sign of support for their actions by Albanian separatists residing in neighbouring countries, which gives them addition incentive to be more active in their endeavours, thus bringing even more instability to the region.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

In order to actively begin the reformation of its national policy Albania has to join the two fundamental international human rights regulations: The Framework Convention for the Protection of National Minorities (FCNM) and The European Charter for Regional or Minority Languages (ECRML), which are vital for reaching the European level of regulating issues related to discrimination prevention and protecting the rights of ethnic minorities.

2. *General recommendations for adjustments to the legal framework*

It is advised for Albania to remove the section defending discrimination in cases when "it is objective and justified" from the Constitution. Revoking the Constitutional Court's decision to exclude the "ethnicity" category from the population census and allowing people to decide for themselves whether or not they want to disclose this information would also be a step in the right direction.

Introducing amendments to the Criminal Code that would ensure that racism and other forms of prejudice are treated as aggravating circumstances in cases when they served as motive for a crime is also absolutely vital.

3. *General recommendations for the executive bodies in the field of law enforcement and human rights*

The Albanian authorities should abolish the "non-recognition of minorities outside of Minority Zones" policy inherited from E. Hoxha's totalitarian regime (especially with regards to questions of language and education).

Another important step that ought to be taken is releasing the hate crime statistics to the public — including clearance rates — thus making it possible for international organisations to accurately assess the situation in the country and to make sure that adequate amount of effort is put into preventing such incidents, as well as other discriminatory practices, from happening. A more active enforcement of currently "dormant" pieces of legislation (specifically, ones about inciting racial

hatred) against organisers of public meetings and rallies from the "Red and Black Alliance" could also improve the political and social situation quite significantly. Checking if actions of the "Red and Black Alliance" and its leaders are compliant with Albanian Constitution and the Criminal Code might bring some valuable benefits as well.

It is also possible to direct the activity of the Commissioner for Protection against Discrimination's towards the mistreatment of Gypsy people from Balkan-Egyptian ethnic minority with regards to employment, health services, education, and housing. This would require providing the Commissioner with appropriate resources, however.

It is essential to develop a set of regulations that would ensure that Gypsies, as well as other socially unprotected groups, are entitled to receiving either social housing, or subsidies that would help cover the costs of private housing. Finally, it would also seem appropriate to introduce legislation that would prevent people from being forcefully evicted into the streets.

LIST OF SOURCES

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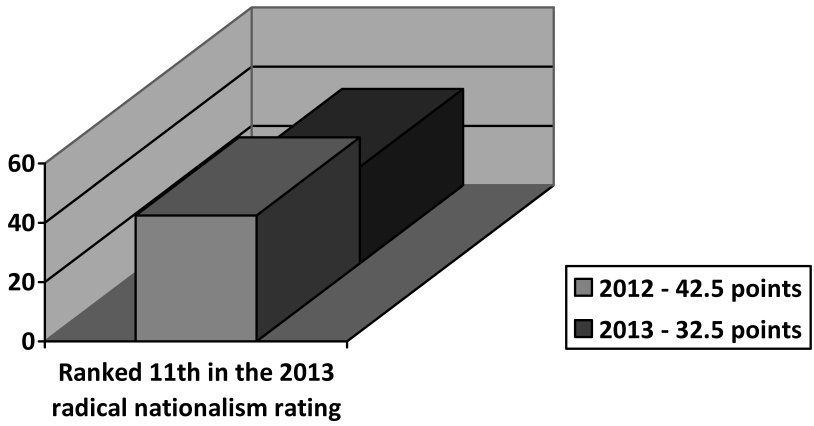
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	12.5	12.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	10	10
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–10	–10
9	Extremist and radical nationalist public actions	–12.5	–12.5
10	Racist attacks, violence and terror	–15	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	12.5	10
12	Glorification of German National Socialism and collaborators of Nazi Germany	0	0
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	2.5	7.5
	Total	–15	–7.5

BULGARIA


60
40
20
0
Ranked 11th in the 2013 radical nationalism rating
2012 - 42.5 points
2013 - 32.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Bulgaria has a ban on public speaking in foreign languages, which can be regarded as discrimination of Turkish and Roma political activists, who cannot address their electorate in their native tongue.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

At the time of monitoring, such legislation was not present in Bulgaria.

- Presence of legal norms or other normative documentation, which legalises the ideology of radical nationalism, its attributes and practices, as well as their distribution in the mass media and mass communication.

At the time of monitoring, such legislation was not present in Bulgaria.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

The main subject of discrimination in Bulgaria are the Roma (Gypsies) (4.9% of the population).[1] On June 27, European Commission published a report about Roma integration, which said that Bulgaria

does not provide enough funds for the education of Roma, their recruitment in rural areas, their medical care, etc.[2]

Most cases of discrimination against Roma were related to access to housing. Majority of Roma live with no access to water, electricity, far from schools and medical centres. In 2006, European Committee of Social Rights recognised this situation as violation of Roma rights, but it has not changed. 50–70% of Roma houses are considered to be illegally built, and therefore their residents can be evicted at any moment.[3] In April 2012, European Court of Human Rights ruled that eviction of Roma from the established community outside Sofia, capital of Bulgaria, violates the right to life. It ruled that government authorities must consider the risk of homelessness and prove that the eviction is "proportionate" to the pursued goal.[4] Nevertheless, in 2013 there were attempts to illegally demolish Roma houses in Sofia.[5]

Romani children are segregated in schools, or placed in schools for mentally disabled. Their parents are discriminated in employment.[6]

59% of Roma women did not have medical insurance (compared to 22% of non-Roma). Only 15% of women and 27% of men knew about anti-discrimination laws.[7]

In Kyustendil, local administration banned Roma from accessing the public beach, and banned the movement of trucks owned by Gypsies in the city. At the same time, mayor of the city reported to the Human Rights Ombudsman that this information is false, not providing any evidence.[8]

Bulgarian politicians often coerce Roma into voting for the "right" candidates.[9]

Turkish minority (8.8% of the population) are subjected to discrimination to a lesser degree.[10] They have problems accessing employment in the public sector, particularly in law enforcement, judiciary and prosecution. According to "Movement For Rights And Freedoms" party, which represents the interests of this part of the population, 5 thousand Turks were wrongfully dismissed in the past 4 years (2009–2013), under the rule of "Movement For European Development of Bulgaria" (GERB).[11] There is a problem with the return of religious institutions to the Muslims in Bulgaria.

Bulgarian authorities do not recognise the existence of such minorities as Pomaks (Muslim Bulgarians) and Macedonians. They are not represented in the National Council for Cooperation on Ethnic and Demographic Issues, under Council of Ministers.[12]

Roma, Turks and other minorities, despite paragraph 2, Art 36 of the Constitution, are unable to educate their children in their native language. It can be taught to children only up to 8th grade, as an optional subject. Thus, we are talking about forced assimilation. Representatives of Bulgarian authorities claim that ethnic minority children do not want to study their native language themselves, perceiving it as unpromising.[13]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and inflammatory statements by members of the authorities and media

In October, Minister of Internal Affairs Tsvetlin Iovcev said, "There is no country that has ever benefitted from accepting refugees on its territory."[14] On November 9, speaking at a rally against a mosque in Karlovo, chairman of the city council Stoyo Karadzenski said that Muslims will not be allowed to open a mosque near the place of birth of an independence fighter Vasil Levsky, whom Bulgarians respectfully refer to as "the apostle of freedom." Mayor of Karlovo Emil Kabayanov confirmed, in turn, that he will do everything possible to protect the interests of Karlovo citizens.[15]

On November 15, leader of National Unity party Boyan Rosate (Stankov), spoke on TV7 programme "Morning Bulgaria" where he announced his intention to organise "civil patrols" in Sofia, with government's permission. Patrols would watch districts populated by refugees and Roma, and intervene "in case of emergency." Rosate was essentially trying to legalise paramilitary formations that have been illegally operating in the country for many years.[16]

On July 30, Bulgarian rap musician Misho Shamara made multiple anti-Semitic remarks on Bulgarian television, addressing former Minister of Finance Simeon Dyankov, calling him a "crappy Jew."[17]

On September 17, Alfa television channel (controlled by Ataka party) presented a weather forecast for Great Bulgaria of 10th century, including territories of Greece, Macedonia, Albania and Serbia. [18]

Head of the National Salvation Front of Bulgaria V. Simeonov owns SKAT television channel, which actively promotes national-patriotic ideas often bordering on radicalism. [19]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

The core of Bulgarian anti-racist legislation is the country's Constitution, the Law "On protection against discrimination" (2004, amended in 2006) and the Criminal Code.

Article 6 of Bulgarian Constitution states: "There shall be no restrictions on the rights or privileges on the basis of race, nationality, ethnicity, gender, origin, religion, education, opinion, political affiliation, personal or social status or property status." Article 29 states that no person can be subjected to forced assimilation. Paragraph 2 of Art 36 notes, that citizens for whom the Bulgarian is not first language, have the right, alongside the compulsory study of Bulgarian language, to study and use his native language. Article 54 asserts the right of national minorities to develop culture, while Article 37 proclaims freedom of conscience. Article 44 prohibits organisations whose activities are directed towards inciting racial, ethnic or religious enmity. [20]

Article 4–5 of the Law "On protection against discrimination" bans discrimination on racial or religious grounds (see below)

Criminal Code contains Article 108, which establishes criminal liability for those who preach fascist or other anti-democratic ideology. Article 162 of the Criminal Code deals with crimes against ethnic and racial equality, both violence and abetting. Article 163 concerns the

participants of large-scale attacks on the grounds of hate; Article 164–166 concerns crimes on religious grounds. [21]

While Bulgarian Criminal Code mentions motives of crimes that should be considered by the courts (Art 54), the country's legislation has no mention of norms recognising racial, religious or other prejudices as aggravating circumstances in the commission of crimes.

Bulgaria also lacks the law regulating the rights of national minorities, which means that provisions of the Framework Convention for the Protection of National Minorities are not being followed. Furthermore, there is no legislation to combat the crimes against LGBT members. [22] Thus, Bulgarian anti-discrimination legislation cannot be called perfect.

- Presence and development of anti-discrimination legislation.

The main normative act of anti-discrimination legislation is the Law "on protection against discrimination," adopted in 2004 and amended in 2006. Article 2 of the Law states that its purpose is to provide each person with the right to quality execution of the laws, equal opportunities, effective protection against discrimination. Article 2 and 5 states that the law is directed against discrimination (direct and indirect) on the basis of gender, race, nationality, ethnic origin, citizenship, origin, religion and beliefs, education, political affiliation, personal or social status, disability, age, sexual orientation, family status, financial status, as well as protecting against sexual harassment, incitement to discrimination, persecution and racial segregation, as well as protecting from the presence and construction of architectural environment that restrain access for disabled people. Article 12 prohibits employers to implement restrictions on the grounds specified in Art 4, except for those cases, when it is due to the specifics of the job. Article 18 states that employers, cooperating with trade unions, should take effective preventative measures against all forms of discrimination at the workplace. Article 30 places similar responsibilities on heads of educational institutions in the case of discrimination of students. [23]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, the existing legislation is enforced. In accordance to the Law "On protection against discrimination," a Committee for Protection against Discrimination was created. Commission is a collegial body composed of 9 members, whose term of office is 5 years. The Commission is authorised to issue an order to eliminate discriminatory measures, necessary for execution, as well as to issue fines on violators of

the law on discrimination, challenge discriminatory regulations, conduct investigations and provide assistance to the victims of discrimination. The statute of limitations for the cases investigated by the Commission cannot exceed three years.[24]

Since 1997, Bulgaria has a National Council for Cooperation on Ethnic and Demographic Issues under the Council of Ministers. It is the main national body for consultation and coordination of public policy in respect of persons belonging to ethnic, religious and language minorities. Cooperation between authorities and national minority organisations are conducted through this Council.[25] Activities of the National Council are developed in several directions, including: providing for equal opportunities and equal treatment of all Bulgarian citizens, prevention of manifestations of racism and xenophobia, as well as prevention of any discriminatory practices on ethnic grounds; improving access to healthcare and education, as well as improving employment and living conditions for persons belonging to ethnic minorities, with an emphasis of the most vulnerable citizens in the context of socio-economic conditions; preservation and development of cultural, religious and language identity of minorities.[26]

In 2011, a Memorandum of Cooperation was signed between the Ministry of Interior and OSCE/ODIHR dedicated to the subject of hate crimes.[27]

For several years, Ministry of Interior has been conducting staff trainings on prevention of discriminatory behaviour, as part of the fight against discrimination and hate crimes, primarily affecting the issues of identification of discrimination in minority communities.[28]

In November 2013, Human Rights Ombudsman appealed to the Bulgarian Prosecution inquiring about the legality of Boyan Rosate's "civil patrols." It was found that police never gave permission for their establishment, and Prosecutor General assured that activities of such "patrols" will not be allowed.[29] In late November, police warned Rosate that his organisation has no authority to organise civil patrol units.[30]

In Bulgarian schools allow for elective classes being taught in student's native language, if appropriate form is submitted. However, in 2013 the number of such applications fell from 114 to 9 thousand.[31]

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

Bulgaria is among the countries that do not have any statistics on hate crime, even though its authorities have never stated that they intentionally do not provide them.[32] As practice shows, the lack of statistics prevents organising a systematic fight against hate crimes, which only leads to the aggravation of the situation. However, certain cases

indicate that hate crime is becoming a big problem in Bulgaria, while it is not being appropriately combated.

European Roma Rights Centre published a report on April 5, 2013, which noted that people who commit racist offences are rarely brought to justice (or receive the minimum sentence).[33]

Authorities tried to present attacks on refugees in November-December 2013 as everyday crime.[34] Neo-Nazis that attacked young antifascist activists from 23 of September Movement, who were holding an action in support of immigrants, were also not brought to justice. However, at a meeting with representatives of Amnesty International, Deputy Interior Minister Plamen Angelov admitted that government has been ignoring this situation for too long.[35]

- Unlawful use of anti-extremist legislation.

  No such cases were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	2.5	2.5
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
–	Unlawful use of anti-extremist legislation	–5	0
	Total for the section 3	10	15

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

On March 21, Prime Minister of Bulgaria Marin Raykov met with head mufti of Bulgaria Mustafa Hadji. Prime Minister noted that in the period of social trials, “we must avoid manipulations based on religion, since they can lead to radicalisation of certain groups.” He

explained that the government will not allow for such radicalisation. Raykov stressed that Muslims in Bulgaria, regardless of their ethnicity or other character, are an integral part of Bulgarian nation. "We want them to be sure that we won't allow for exploitation of former wounds.[36]

On May 9, President of Bulgaria Rosen Plevneliev, speaking at the annual EU forum in Florence said, "I have decided to declare from this high tribune to all populists and nationalists of Europe, who are currently irresponsibly speculating on the topic of Bulgarian and Romanian Gypsies. The fact that Bulgarian and Romanian Gypsies are being called social criminals is an action that sends us back to the World War Two period, when white stars were painted for Jews.[37]

On May 29, new Bulgarian Prime Minister Plamen Oresharsky talked about his desire to "overcome the split in the country" in Parliament. He also stated his intention to solve the problem of national minorities, especially Roma.[38]

On September 28, Interior Minister of Bulgaria Kristian Vigenin called France's treatment of Bulgarian Gypsies "absurd." "Make allusions to deportation — that is too much," he said, adding that the number of Bulgarian Roma in France is insignificant and they do not cause any problems.[39]

On November 6, Human Rights Ombudsman Konstantin Penchev expressed his concern with a wave of racial, ethnic and religious violence. "I am categorically against incitement to racial hatred, violence and discrimination, or any actions that could enhance fears and tensions between different racial, ethnic, national, religious or social groups and make civilised dialogue and understanding impossible. In recent days, there have been several events related to violence in public spotlight. They caused a resurgence of racism, xenophobia and prejudice, creating an atmosphere of intolerance and confrontation in society. Competent government bodies must be especially rigorous in investigating acts of xenophobia and racism; not formally classify them as committed on "hooligan motives," as it often happened in previous cases."[40]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

At the moment, Bulgaria has a series of programmes aimed at combating xenophobia: Decade of Roma integration (2005–2015), Framework programme for Roma integration into Bulgarian society (2010–2020), Strategy for the integration of Roma for the period of 2012–2020. Priority directions of these programmes are education, health, housing, employment, culture, non-discrimination and provision of equal opportunities.[41] In 2011, a project of mapping the Roma ghettos was started with the support of EU.[42]

In 2004, a Strategy of educational integration of children and students from minority groups was approved. For its implementation, the Centre for Educational Integration of Children and Young People from the Minorities (COIDUEM) was created in 2005. Centres tasks include ensuring equal access to quality education for children and young people from ethnic minorities, their effective integration in the regulations and educational practice, preservation and development of the cultural identity of children from ethnic minorities, and creating conditions for successful socialisation of children and young people from ethnic minorities.

In recent years, more than 4,000 Roma children of school age were moved from separate schools to general education.[43] This is a tangible result of government policies directed at eliminating educational segregation of Roma.

Healthcare strategy for vulnerable persons from the ethnic minorities was adopted in September 2005. Its main objectives are to overcome the negative trends in health of vulnerable ethnic minorities, to provide equal access to healthcare services, increase health insurance of ethnic communities, as well as to reduce the infant ant maternal mortality rate. The programme launched the activities of "health mediators," who are acting as liaisons between Roma communities and the medical and social organisations. During 2008–2011, 105 mediators were appointed in 57 communities.[44]

However, according to a report presented to the UN Human Rights Council in early 2012, the policy of Roma integration in Bulgaria remains an inadequate set of uncoordinated initiatives that are only needed to make an impression on the outside world.[45]

Public schools on all levels are offering an additional course of religious education, which covers Christianity and Islam. The course examines historical, philosophical and cultural aspects of religion. All officially registered religious groups may request their religious teachings to be included into the curriculum.[46]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Migration processes in Bulgaria are regulated by several legislative acts — the Constitution, Law on entry, stay and exit from the Republic of Bulgaria for citizens of the European Union and members of their families (2006), the Law "On foreigners" (1998), the Law "On Asylum and Refugees" (2002) and the Law "On citizenship."

Article 26 of the Constitution of Bulgaria states — "Foreigners residing in the Republic of Bulgaria have all the rights and responsibilities provided for in this Constitution, except the rights and responsibilities that the Constitution and laws require Bulgarian citizenship."[47]

Conditions of entry for EU and Swiss citizens are defined by the Law on entry, stay and exit from the Republic of Bulgaria for citizens of the European Union and members of their families, adopted in 2006, which corresponds to the Regulation 562/2006 of the European Parliament and Council from 15th of March 2006.[48] Conditions of entry to everyone else are determined by the Law adopted in 1990 "On foreigners in the Republic of Bulgaria." Article 3 of the Law on foreigners states that they have all rights and responsibilities except for those which require Bulgarian citizenship.

Permits for long-term (up to one year) and permanent (indefinite) residence are issued to foreigners that arrived for treatment, education, participation in scientific research, migrant workers, who have received permission from the Ministry of Labour and Social Policy, entrepreneurs employing at least 10 Bulgarian citizens, investors and their agents, foreign specialists, who arrived through international agreements, spouses of Bulgarian citizens, spouses and children of permanent residents (however, if the marriage has lasted less than 5 years, spouse shall be deported after the divorce), representatives of foreign companies, non-profit organisations and foreign correspondents.

Bulgaria is one of the countries that have their own programme "residence permit in exchange for investment," in accordance to which

a permanent residence permit is given to foreigners after a five-year stay in the country or after an investment of 0.5 million U.S. dollars. Amongst the grounds for the right of permanent residence are also achievements in social and economic sphere, in the field of national security, science, technology, culture or sport. All information about foreigners is entered into a single register, under the responsibility of the Ministry of Interior.

After receiving a permanent residence permit, employment of immigrants is only possible upon obtaining a permission from the Ministry of Labour and Social Policy. Upon receiving the permanent residence permit, their employment — according to Article 33 of the Law on foreigners — does not differ from the employment of Bulgarian citizens in any way. Legal entities are also subjected to a fine, if employing illegal immigrants. Secondary violation is punished by an increased fine. The ban on entry to Bulgaria, according to Article 42 of the Law on foreigners, is valid for 10 years. [49]

Granting of asylum is regulated by the Law on Asylum and Refugees, adopted in 2002.

According to the Law on citizenship, a foreigner can apply for Bulgarian citizenship after five years of residence. It can also be granted "in special cases or for outstanding contributions in the interests of Bulgaria. [50]

On November 14, 2013, Bulgarian government made amendments to the Law on Asylum and Refugees, according to which all asylum seekers will be placed in "closed facilities" — essentially, places of detention. [51]

Illegal immigration is punished by a fine or a prison term of up to five years (maximum term for EU countries). However, on May 14, court of Haskovo ruled that illegal entry is not considered a crime if a person applies for asylum at first opportunity. Abetting illegal immigration, even if not for profits, is also punished (this includes humanitarian assistance for immigrants). Renting out apartments to illegal immigrants is also punished by a fine. [52]

- Government compliance with such legislation (law enforcement practice).

Bulgaria is a country of mass labour emigration. In 2013, 2.5 million Bulgarian nationals worked abroad — more than in Bulgaria itself. [53] As a result, Bulgarian population shrunk by 21% in the past 20 years, which is a record for Eastern Europe. [54]

On the other hand, the civil war in Syria and Greece's strict measures to protect Turkish borders made Bulgaria a gateway into the "European fortress" for many Middle Eastern refugees. Distribution centre in Elhovo is engaged in receiving illegal immigrants,

as well as two detention centres in Lyubimets and Busmansti. In autumn 2013, former gym in Elhovo was repurposed as a detention centre for immigrants. The centre contained 500 people; many slept on the floor, there was insufficient toilet facilities and other necessities. [55]

By late 2013, Bulgaria had 11,000 asylum seekers (60% of them were Syrians, followed by Afghanis). By September, previously operating refugee centres were overcrowded and establishment of new centres was launched. Altogether, four new centres were opened — two in Sofia and one each in Vrazhdebna and Harmanli. According to Amnesty International, refugees lived in unsatisfactory conditions, without access to basic services, including food products and healthcare. In November 2013, asylum seekers in Harmanli (approx. 1,400 people) were placed in unheated buildings, as well as containers and military tents. Not all of them had beds, many slept on thin matrasses on the floor. There was not enough toilets, food (some refugees did not eat for several days), blankets, and hygiene items. Children did not attend school, only private school were available. Refugees felt as if they were prisoners.

There were reports of corruption, when refugees were allowed to leave the camp for a fee. Similar situation arose in other new centres, completely unequipped to receive refugees.

As a result, by mid-November 100 refugees in Harmanli were prepared to start a hunger strike, demanding better conditions. [56]

Many asylum seekers were not registered and did not receive the necessary documents due to insufficient staff in the State Agency for Refugees. In total for 2013, 1,556 persons received refugee status, and 6,748 were rejected. 5,738 foreign nationals were given a humanitarian status, 7,800 assessments were suspended and 361 statuses were revoked. [57]

On November 6, Bulgarian government announced an immigrant "containment plan." 1.5 thousand additional police officers were placed at borders together with their counterparts form other EU countries. Bulgaria began constructing a fence along the 33km of Turkish border. [58] By early 2014, Bulgarian authorities completely blocked the border with Turkey, which significantly reduced the number of refugees and sped up the application process. [59] Human Rights Watch recorded dozens of instances (late 2013 — early 2014) when Bulgarian border officers returned Turkish immigrants back to their country; in several cases — with the use of violence. [60]

- Discriminatory practices against immigrants.

Immigrants can be detained for 6 months, until they receive refugee status or until deportation. This is despite the fact that accord-

ing to the law, refugees cannot be detained unless they are considered a threat to national security or public safety. Administrative Court may extend the arrest warrant for another 12 months.[61] It is worth mentioning the unacceptable living conditions in refugee centres (see above), and the new amendment to the Law on Asylum and Refugees — according to which asylum seekers are placed in "closed facilities" — essentially detention centres.

- Use of ethnic crime as justification for discrimination against immigrants.

Host of Storm on the Eyes show on Alfa channel M. Tasheva (member of the extreme right Ataka party) discussed Syrian refugees (see above) as source of crime in Bulgaria. Tasheva forecasted that in the nearest future these refugees will "start raping Bulgarian women, cutting their heads off, as they are used to in Syria." In this regard, the Bulgarian Helsinki Committee filed a complaint with the Committee on the Protection from Discrimination.[62]

- Social assistance for immigrants.

Article 28 of the Law on foreigners states, that for foreigners under the age of 18 years, who found themselves unaccompanied by parents or legal guardians, the State Agency for Child Protection provides the necessary financial support to meet their basic needs, medical care, as well as access to free education in Bulgarian public and municipal schools, until the final settlement of the investigation into their stay in the country, but no later than them reaching the age of 18.[63]

According to Article 26 of the Law on Asylum and Refugees, children under the age of 18, have the right to education in public and municipal schools in the Republic of Bulgaria.

According to Article 29 of the Law, refugees have the right to accommodation and food on the road or at the reception centre, as well as the right to social support, mental healthcare, medical insurance and free medical care to the extent determined for Bulgarian citizens (the same applies to people who have received temporary protection, according to Article 39. Furthermore, according to Article 32, foreigner with a refugee status can receive financial support for renting accommodation for up to six months. According to Article 49 of the Law on Asylum and Refugees, there is a network of integration centres for refugees, which operate courses of Bulgarian language, vocational training, etc.

In 2011, a special National programme for the integration of refugees had been adopted, aimed at strengthening their social, economic and political integration into the Bulgarian society.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

Study conducted by Swedish sociologists N. Bergen and T. Nilsson and published in May 2013 showed that 30% of respondents would not like to live near Asian or dark-skinned people. More than half of Slavic Bulgarians have a negative attitude towards local Roma.[64]

Homophobia is also common in Bulgaria. Orthodox activists made several threats against the LGBT community, forcing to reschedule their parade in Sofia from June to September. Police and city authorities stated that they cannot guarantee safety of parade participants.[65] Synod of the Bulgarian Church, issued a statement, which called homosexuality a "particularly wilful violation of God's will and His blessing." "We therefore call upon the authorities to cancel the upcoming gay parade as a threat to moral foundations of our society and health of our children and Bulgarian nation as a whole."[66]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	–2.5	–2.5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

Most calls for ethnic hatred come from the extreme right party Ataka, the National Salvation Front, as well as a whole number of journalists, known for their xenophobic views. In general, these appeals are

directed against three groups of the population: Roma, sexual minorities, and recently — against Syrian immigrants (see Section 6)

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

In the 2000s, Bulgaria had a significant presence of ultra right-wing musical groups, however, currently have all been disbanded.[67] Similar bands from abroad are also not touring in Bulgaria. Obviously, the interest in this kind of "cultural nationalism" is not high amongst Bulgarians.

This cannot be said about radical nationalist literature. In recent years, books such as "My Struggle" ("Main Kampf") by Adolf Hitler, works by Goebbels, as well as foreign and Bulgarian nationalists and Holocaust deniers, such as R. Harwood, A. Panaiotov, B. Stankov, etc., are enjoying increased popularity and are freely sold. There is a number of publishers of such literature. Most popular among them is the "Zhar Ptitsa" ("Firebird"), owned by Galin Yordanov.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

Bulgaria has several large radical right-wing organisations. First of all, it is the parliamentary party "Ataka" (Attack) — 9.4% votes at 2009 parliamentary elections, and 7.3% at 2013 elections). The second largest nationalist party is VMRO (Bulgarian National Movement). Bulgarian National Union (BNU) organisation, created in 2001, is positioning itself as the heir to the Union of Bulgarian National Legionnaires — a fascist organisation of the interwar Bulgaria.

On November 9, 2013, a Nationalist Party of Bulgaria (NPB) has been founded, openly professing racial hatred.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

In its programme, "Attack" talks about Bulgaria as a mono-national, mono-confessional and mono-cultural state, where there cannot be multiple faiths, ethnicities and cultures. The party advocates banning state media publications in languages other than Bulgarian. They are also proposing to introduce strict sanctions for "blasphemy against Bulgaria," introduce "national betrayal" to the Criminal Code and hold a trial against "traitors." Economic policy of "Attack" party involves "Bulgariasation" of trade, manufacturing and banking, essentially closing these fields to non-Bulgarians.[68] The party also proposes asserting Orthodoxy as an official religion in Bulgaria, and introducing religious education in primary school. "Attack" also advocates the need to create a state programme to control and eradicate gypsy crime.[69]

The Bulgarian National Movement (VMRO), positions itself as "patriots, traditionalists and conservatives." The party advocates "unification of Bulgarians" referring to the accession of part of Macedonia to Bulgaria. VMRO also stands for introduction of Orthodox Christianity as a state religion. Of other confessions, only the "traditional" ones will be allowed to operate in Bulgaria.[70] Regarding Roma, which VMRO accuses of parasitism, the party proposes to introduce labour service and cancel the "unreasonable," in their view, social benefits.[71]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

Extreme right wing radicals have a certain influence in the rural areas of Bulgaria. Their 7%-10% level of support is so far the maximum (as of September 2013, their support fell to 4.5%[72]), so one can conclude that the influence of radical nationalists in Bulgarian society is limited.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Radical nationalist influence over the local government authorities remains insignificant. They lost the 2011 elections and only managed to bring forward one candidate into the post of Municipal Adviser of Sofia — a member of VMRO Angel Djambazki.[73]

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

"Attack" party received 7.3% votes at the 2013 parliamentary elections, earning 23 seats and becoming the fourth largest faction.[74] National Salvation Front, which split from Ataka party did not pass the 4% barrier.[75] VMRO has not been represented in parliament since 2001.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–2.5	–2.5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–/×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–2.5	–2.5
	Total for the section 8	–15	–15

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

None of the activities of radical nationalists were prohibited by the authorities.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

On February 16, a procession in honour of a former nationalist leader Hristo Nikolov Lukov was held in Sofia, under the name "Lukov March." The event gathered about 2000 people, including neo-Nazis from other countries — Germany, Belgium, Romania, Croatia, Spain, Italy and Austria.

On June 18, it was reported that residents of Kyustendil protested the return of a historical mosque to the Muslim community.[76]

On November 9, hundreds of people gathered in Karlovo to protest the transfer of Kurshum-Jamiye mosque to Muslims. The rally, also attended by residents of other cities, was held under the following slogans: "Karlovo thanks the whole Bulgaria for its support," "Apostle, we won't allow," and others.[77]

In November, "civil patrols" were noted in Sofia, consisting of nationalists who circled districts inhabited by Roma and refugees. Furthermore, groups also patrolled the bordering regions, searching for illegal immigrants.[78]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Islamophobic rally in Karlovo on November 9 was attended by chairman of the city council Stoyo Karadzhenski and Mayor Emil Kabayanov.

- Presence of "football xenophobia" and racism amongst sports fans.

Lately, football racism is becoming increasingly widespread in Bulgaria. Groups of radical right-wing football fans are emerging across the country, and the radical nationalist parties are gladly banking on them. Majority of NPB members are football fans.

During a football match between Liteks FC and Levsky FC on April 20, fans of the former team celebrated Adolf Hitler's birthday.[79] They displayed a Happy Birthday banner with a swastika. Another banner read, "He was right" — i.e. Hitler was right.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–15	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

On December 29, 2013, Sherif Halil Pasha in Shumen mosque was desecrated. Vandals wrote "Death to you" on the pediment of the mosque.[80] According to media reports, 200 mosques have been desecrated in Bulgaria in the past 20 years.[81]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

No such cases were recorded by the monitoring in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

As was already mentioned, Bulgaria has no official date on hate crime. Nevertheless, media and non-governmental organisations recorded several incidents of this kind. Most such incidents occurred in Sofia, capital of Bulgaria.

On January 19 in Sofia, an attempt to assassinate a known politician Ahmed Dogan — leader of the "Movement for Rights and Freedoms" party, which represents the interests of the Turkish minority in Bulgaria, was made. Assassin's gun misfired.[82]

On February 24, neo-Nazis attacked a group of antifascists who were distributing leaflets in Sofia. One person was injured.[83]

In November — December, at least seven attacks on refugees occurred in Sofia. They followed after rumours of a 20-year-old girl being stabbed by an Algerian refugee.[84] On November 4, a 17-year-old Syrian male was attacked and on November 9 an attack was made on a Bulgarian Turk. On November 10, a Mali national was stabbed. On December 1, two Syrian immigrants were attacked.[85]

- Nationalist or religious terrorist attacks.

Monitoring did not record such events in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	–5	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5	0
	Total for the section 10	–20	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

The Bulgarian Antifascist Union (BAU) is the largest anti-fascist organisation in Bulgaria, with divisions located throughout the whole country. This organisation is the only one in Europe that owns two printed publications — newspaper "Heat" ("Zharava") and newspaper "My Faith" ("Moyata Vyara") — published together with the Bulgarian Writers' Union.

There is also a civil initiative "People Against Racism" (http://stopnazi-bg.org), created in 2010. The initiative appeals to all caring people to "take a clear position regarding the frequent manifestations of neo-Nazism, xenophobia and racism of the radical right-wing groups in Bulgaria" and demand the authorities to combat manifestations of xenophobia and extremism. [86]

Furthermore, Bulgaria also has a youth anti-fascist movement "23 September," led by a historian Boris Boev, an active member of the Bulgarian Antifascist Union.

Since 1992, Bulgarian Helsinki Committee is operating in the country, conducting monitoring of human rights violations, including the problems of xenophobia and discrimination. [87]

"Open Society" institute is working to support Roma, helping them to defend their rights and combat discrimination. [88]

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On February 24, People Against Racism movement held a demonstration against Lukov March in Sofia. [89]

On November 17, a demonstration against fascism, xenophobia and intolerance in Sofia was gathered on Facebook. The action was meant to demonstrate that Nazi movements have no place or future in Bulgarian society. The action was held after a series of racial, ethnic and religious attacks in Sofia. [90]

On December 14, Yastrebino village held a commemorative action dedicated to four children executed in 1943. They were killed because their families were involved in antifascist resistance.

16th Silver Larks Festival of antifascist and patriotic song and 13th Alesha Festival of front music were held in October 2013. Georgy Dimitrev Museum and a number of antifascist memorials were restored.

On November 8, Sofia held a 16th Congress of the International Organisation of Antifascist Resistance Fighters, organised by the Bulgarian Antifascist Union.

BAU and its supporters commemorated a number of historical dates:

April 11 — International Day of Political Prisoners, prisoners of concentration camps and victims of fascism, June 2 — Day of the fallen in the struggle for the liberation of Bulgaria; May 9 — Victory Day, February 23 — Defenders of the Fatherland Day, September 9 — Victory Day in Bulgaria, in September — the anniversary of the September Antifascist Uprising in Bulgaria in 1923.

On May 9 (Victory Day), Stable Development for Bulgaria Foundation and Russian Cultural Information Centre in Sofia organised a conference dedicated to this event.

In 2013, two Russian-language antifascist newspapers “Zharava” and “Moya Vera” were published in Bulgaria.

- Presence of anti-racist and anti-fascist civic initiatives.

On September 21, a gay parade was held in Sofia. It was originally scheduled for June 22, but threats from Orthodox activists caused it to be rescheduled for a later date. No officials were present at this event. The procession passed by presidential, government and parliament buildings, demanding to legalise same-sex marriage. [91]

A group of volunteers, calling themselves Friends of Refugees, organised regular distribution of food products for refugees. Doctors Without Borders opened a clinic in Harmali to counter the lack of medical help in refugee centres. [92]

Orthodox monastery in northwest Bulgaria harboured dozens of Syrian refugees. Some families also provided accommodation for asylum seekers.

On November 10, Chief Mufti of Bulgaria posted a statement on its website, urging Muslims not to succumb to provocations of various extremist individuals and communities. [93]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

In 2013, there were several such incidents in Bulgaria. On February 1, a monument to Soviet liberators in Sofia was desecrated. Face of one of the bas-reliefs of the monument to Soviet army was painted with white, green and red paint — colours of Bulgarian national flag.[94]

On May 21, it was reported that a monument to those who saved Jews from deportations to Nazi death camps in 1943 in Plovdiv was desecrated.[95]

In July 2013, more insulting graffiti was found on the Soviet Army Monument in Sofia.[96]

On November 7, figure sculpture "Partisans" by Lyubomir Dalchev were painted pink. The monument is located near the building of Bulgarian Socialist Party in Sofia. The pedestal was covered in angry anti-communist calls. The same happened to the monument dedicated to the Patriarch of Bulgarian socialist movement Dmitry Blagoev in Blagoevgrad.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

Such cases were not recorded by the monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such cases were not recorded by the monitoring in 2013.

- Historical revisionism, Holocaust denial.

In 2013, several publications were released in Bulgaria, aimed at revising the history of World War Two and the role of Red Army in the liberation of Bulgaria. For example, Professor of NBU Tsvetkov accused USSR of aggression against Bulgaria on September 5, 1944, calling the Red Army "occupational."[97] Professor also denies the widely known fact of pro-Soviet and pro-Russian sentiments in Bulgaria at the time. Several other articles of this nature have been published.[98]

Furthermore, materials denying the Holocaust were spread on Bulgarian internet, as well as promotions for books by a well-known Holocaust denier Jürgen Graf.[99]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	0	–5
	Total for the section 12	–5	–10

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such cases were not recorded by the monitoring in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such cases were not recorded by the monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists..

Such cases were not recorded during the observed period. However, it is worth noting that the social and medical support of veterans of the antifascist movement is just symbolic in Bulgaria. Many active members of the antifascist resistance, who contributed to the defeat of fascism, currently find themselves in a difficult financial situation.

In 1995, an Act was passed, recognising participants of the antifascist resistance as participants in the Second World War allied with the anti-Hitler coalition, not providing for any financial benefits for antifascists. However, four years later, even this law was cancelled. Later, public representatives from the Bulgarian Socialist Party introduced a bill to the National Assembly, according to which the members of antifascist resistance would receive the deserved moral appreciation, however, this bill never passed as well.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

To date, Bulgaria has signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, and the Framework Convention on the Protection of National Minorities.

Bulgaria has not signed the European Charter European Charter of Regional Languages and Minority Languages, the Convention on the Participation of Foreigners in Public Life at Local Level, or the Additional Protocol to the Convention on cybercrime, which criminalises the acts of racist or xenophobic character committed through computer systems. [100]

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

B During the observed period, Bulgaria did not join any international agreements, or resolutions of United Nations or other international organisations aimed at the struggle against Nazism, racial discrimination, protection of minorities, etc.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

No international initiatives or statements concerning the struggle against racism and discrimination from Bulgaria's side were noted.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

In 2013, Bulgaria improved its standing in the radical nationalism rating, moving from 8th place to 11th. During the monitored period, there have been no murders or terrorist attacks motivated by hate. However, it seems that one of the terrorist attacks in 2012 — against Israeli tourists in Burgas — was organised by Iranian intelligence and Palestinian groups.

However, the situation remained the same in all other factors of radical nationalism. There have been discriminatory practices against minorities (Roma primarily), the level of xenophobia in society also remained the same. Treatment of immigrants and refugees, nationalist activities in public and parliament, violence against minorities and a wave of vandalism — all this indicates that the threat remains the same.

A new phenomenon for Bulgaria was the wave of vandalism against monuments related to the Second World War, Soviet soldiers, antifascists and Righteous of the World. No such incidents were recorded in 2012.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Minorities in Bulgaria are partially protected by certain Articles of Bulgarian Constitution, the Criminal Code, and the Law "On Protection against Discrimination."

At the same time, the anti-discriminatory articles of the Criminal Code are not used in practice; the Criminal Code does not contain provisions that recognise racial, religious or other prejudices as an aggravating circumstance in the commission of crimes. Bulgaria also lacks the law governing the rights of national minorities. Therefore, there is no legislative mechanism in the country for implementing the provisions of the Framework Convention for the Protection of National Minorities, which the Republic has formally joined. As a result, their protection is carried out through a series of normative acts, which do not include a number of important areas — education in particular. Furthermore, there is no legislation on combating crimes against LGBT. Thus, minorities in Bulgaria cannot be fully guaranteed against discrimination.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fun-*

damental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)

Lack of a legislative mechanism prevents Bulgaria from effectively carrying out the provisions of the Framework Convention for the Protection of National Minorities. Furthermore, Bulgaria did not join a number of international agreements on human rights. The adopted national and international programmes for Roma integration, support of minorities, etc. are performed poorly at places, which is evidenced by the occasional attempts of regional authorities to evict Roma from their homes without providing them with alternative accommodation.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such differentiation exists in practice. Roma are facing discrimination in access to housing, education and labour market. The main problem of Bulgarian Turks remains the lack of education in their native language. So far, the authorities are refusing to admit the existence of such ethnic minorities as Macedonians and Pomaks, which creates a threat of their forced assimilation.

- *Legislation enshrining inequality of minorities.*

It is worth drawing attention to the legislative ban of public speeches in languages other than Bulgarian, which is discriminatory towards the rights of national minorities to participate in public and political life. Bulgarian Parliament's refusal to cancel this ban in June 2012 shows the ruling elite's reluctance to change this state of affairs.

- *Rulemaking in protection of minorities.*

Such cases were not recorded during the observed period.

- *Freedom of speech violations.*

Such incidents were not recorded during the observed period.

- *Legislation and law enforcement practices concerning migrants.*

Bulgaria has a well-developed migration legislation and programmes for immigrant integration. However, the whole system was could not sustain the explosive immigration growth and, as a result, law enforcement practices significantly deteriorated by the end of 2013. This concerns the living conditions in refugee centres, which resemble prisons, and attitude of the law enforcement towards immigrants.

2. State of society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

The legislative framework directed at protection of minorities is imperfect in Bulgaria, and the performance of Bulgarian law enforcement is unsatisfactory. This is expressed in the absence of hate crime statistics, in attempts to classify such crimes as domestic and in failure to execute the legislative acts aimed at combating xenophobia and discrimination. This is actively exploited by radical nationalists, who are actively inciting ethnic and religious hate in the country, finding the support of 10% of Bulgarian population.

On the other hand, Bulgarian authorities are reluctant to accept the educational and linguistic rights of a several ethnic minorities, leading to tensions in their environment, which is trying to resist the forced assimilation. All this poses a threat to stability and cohesion of Bulgarian society.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

Against the background of the recent economic crisis, xenophobia is continuously capturing new layers of Bulgarian society. Xenophobia directed at Roma is widespread and supported by the media. Bulgarians perceive the Roma as "the nation of thieves and slackers," receiving benefits at Bulgarians' expense. Another widespread phobia is directed at Turks, since Turkish minority is perceived as the "fifth column." Macedonians and Pomaks are also in a difficult situation, as the authorities are basically denying them the right to exist, considering them Bulgarians. They are facing the direct danger of forced assimilation and loss of identity. A new wave of xenophobia is developing after the mass influx of Syrian.

In the face of growing xenophobia, imperfection of the legislative base and a malfunctioning anti-racist criminal legislation, national minorities prefer to solve their problems by immigrating to more developed countries, and creating similar problems in these countries.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to the prosperity index, conducted by Legatum Institute, Bulgaria ranks 48th, finding itself in the last five European countries

(Albania being the only country that ranked lower),[101] 23% of the population live below the poverty level.[102] However, decline in the standard of living was not related to xenophobia and extremism. The main cause lies with economic factors.

- *Economic impacts and instability.*

Bulgarian GDP grew by 0.5% in 2013, while the unemployment rate is at 12%. According to researchers, poverty is the main trigger for xenophobia. Poverty contributes to the growth of anti-Roma xenophobia, as a significant part of the population believes that Roma are "eating their lunch." The reduction in production rate leads to emigration of the labour force. Currently, we can note the mass emigration of gypsies, mainly caused by xenophobia (along with poverty).

- *Decline in production growth, emigration of the labour force.*

The reduction in rate of production leads to emigration of the workforce population. Currently, we can note the mass emigration of gypsies, mainly caused by xenophobia (along with poverty). This emigration, in turn, became the cause of serious socio-political crisis in countries like Italy and France, which are not prepared to accept such a large group of immigrants, even within the European Union.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

The increasing pressure on minorities, which make up a large part of the country's population, along with the passiveness of the government, could lead to an increased social conflict and instability in Bulgaria. Bulgarian gypsies are finding themselves in the most difficult position, being currently forced to return from the more prosperous countries like Italy and France, which are refusing to accept them. In Bulgaria, they are once again faced with the years of unsolved socio-political issues that affect them directly. This could lead to a surge in ethnic conflicts in the nearest future.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Growth of xenophobia which, along with poverty, became the reason for mass emigration of Roma into Italy and France, has already led to tensions with these two EU countries. The conflict was only resolved by Bulgarian government's agreement to accept the Roma immigrants back in 2012. There are also certain problems in relations with the former Yugoslavian republic of Macedonia, which is openly worried about the rhetoric of certain Bulgarian politics on the "reunification of Bulgarian lands."

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Bulgaria should ratify the European Charter of Regional and Minority Languages, Convention on the Participation of Foreigners in Public Life at Local Level and an Additional Protocol to the Convention on Cybercrime, which criminalises the racist and xenophobic acts made through computer systems. This would be an important catalyst to align the seriously imperfect regarding minority rights internal legislation of the country with the international provisions.

Given that the glorification of Nazi past has become commonplace in Bulgarian life (Lukov march, erection of monuments to the soldiers of Hitler's bloc, desecration of antifascist and Soviet monuments), it seems appropriate to recommend Bulgaria to join the resolution directed against glorification of Nazism and certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance, which is annually adopted by the UN General Assembly.

2. *General recommendations for adjustments to the legal framework*

Bulgaria is recommended to adopt amendments to the Constitution and other legislative acts that regulate the use of minority languages, opportunities to study in native language, etc. It is also important to adopt the "framework" law on national minorities. Furhtermore, amendments should be made to the Criminal Code, which would make it possible to recognise racism and other manifestations of hate towards specific groups of the population as aggravating circumstances in the commission of crimes. It is also necessary to remove the legislative ban on public speeches in languages other than Bulgarian, as it violates the rights of ethnic minorities to participation in public and political life.

3. *General recommendations for the executive bodies in the field of law enforcement and human rights*

Bulgaria should recognise the presence of Macedonian and Pomak ethnic minorities, and take steps towards the establishment of an education system in minority languages, including the Turkish minority. It is necessary to increase the efficiency of integration programmes for Roma and stop the practice of their eviction without providing alternative housing. Consideration should be given to the system of measures to eliminate discrimination of Roma population in medical and educational fields.

Given the rise of xenophobia in Bulgarian society, which is accompanied by the established facts of incitement of ethnic hatred and even extremist attacks against members of national minorities and antifascists, the government should demonstrate political will and start using the "dormant" anti-racist articles of the Criminal Code.

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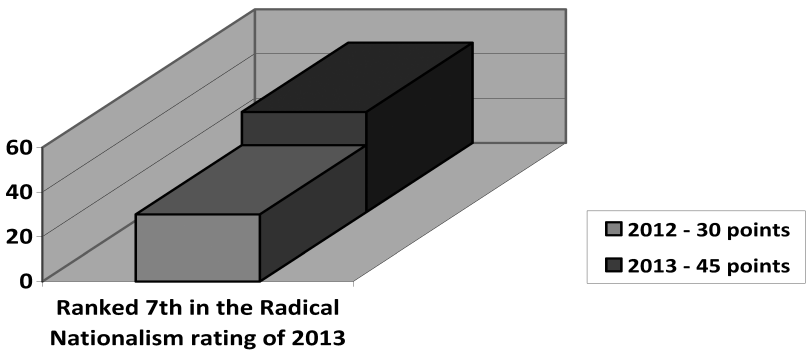
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	10	15
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–2.5	–2.5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–15	–15
9	Extremist and radical nationalist public actions	–15	–15
10	Racist attacks, violence and terror	–20	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–5	–10
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	5	5
	Total	–42.5	–32.5

UNITED KINGDOM


60
40
20
0
Ranked 7th in the Radical Nationalism rating of 2013
2012 - 30 points
2013 - 45 points

ASSESSMENT CRITERIA FOR THE STABILITY/INSTABILITY FACTORS

1. Legislation (central, regional, and municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Great Britain is the home of one of the oldest democratic systems in Europe, which has a legislation that almost completely abolishes any forms of discrimination and racism. Moreover, the United Kingdom is one of the few countries in the European Council that have joined all of the international agreements directed at protecting the rights of minorities. It is essential to take note that everything described above was achieved with no existing Constitution and a precedent-based legislation.

Nevertheless, even the British legislation has certain discriminating norms, the existence of which is defined by historical events and traditions, rather than the necessities of the contemporary society. For example, the British Act of Settlement (1701) [1] does not satisfy the requirements of the European Convention for the Protection of Human Rights, as it deprives any Catholic person, or anyone married to a Catholic person, of the right to inherit the British throne. The same law bares a discriminatory attitude towards women, as it clearly states, that the right of the British throne succession belongs to the first-born male, and only in the case of absence of a male heir can the throne be inherited by a monarch's daughter. However, the British Parliament is already at work attempting to resolve this issue.

Some elements of discrimination are also present in the legislation regulating the religious relations within the country. The English law

prohibits any religion-based discrimination, as well as "inciting religious hatred," where "religious hatred" is defined as hatred towards a group of people that practice religious beliefs different from the majority. However, the legislation does not clearly define the term "religious belief," which means that the final decision is always left to the court.

In the United Kingdom there are only two officially recognised types of church: Anglican in England and Presbyterian in Scotland. Wales and Northern Ireland do not have any religions officially recognised by the state. The ministers of the officially recognised religions can be on government payroll in case they work in prisons or hospitals.

On October 9th 2013 the process of amending the United Kingdom Immigration Law has been set in motion. These amendments, the purpose of which is to limit immigration into the United Kingdom and make the process of foreigners attaining the necessary immigration status more difficult, are likely to gain legal force in year 2014. The described above goal to decrease immigration is likely to be achieved through limiting illegal immigrants' access to the job market and to Great Britain's social assistance programme,[2] which goes against the article 8 of the European Convention for the Protection of Human Rights. Factually, the British legislators are betting on limiting the immigrants' access to social and medical programmes. In addition to that they are also planning to change the interpretation of the mentioned article of the European Convention, which they refer to as a "loophole for criminals who are trying to avoid deportation."[3]

The amendments to the legislation will make it more difficult for illegal immigrants to reside on the United Kingdom's territory and will simplify the process of their deportation. Now the immigration status will be checked when an individual is issued a driver's license; also the number of chances to appeal a deportation resolution will be decreased from 17 to four, in addition to which immigrants will also lose the right to be released on bail. Apart from everything mentioned above, it has also been suggested to eliminate all access to free medical care for the immigrants, as well as to make private landlords responsible for checking the immigration status of their tenants.[4]

Following the new immigration policy regulations, in June 2013 Jeremy Hunt — the Secretary of State for Health, announced updated financial conditions for the new immigrants. Immigrants who are entering the country now must provide a £ 1,000 financial guarantee in order to prove that they are capable of covering the costs of minimal health insurance during the first 5 years of their residence in the UK. Hunt also announced a plan to join the NHS (National Health Service) to the electronic immigrant registration system of the Home Office (HO), which will allow to quickly determine the immigration status of the new patients.

There is some evidence that the government has been discussing such measures as banning the children of immigrants from attending educational institutions, for which it was offered to allow schools the power to check the immigration status of their students. These plans have since been abandoned, however, due to them being in contravention of article 28 of the UN convention on the rights of a child.[5]

This legislation can be viewed as an attempt of the UK Coalition Government to fulfil their pre-election commitment, made as far as 2010, to decrease the number of immigrants entering the country annually from 100,000 to 10,000.[6]

These innovations have already sparked extensive critique from the human rights activists. For example, in the statement issued by the United Council of Migrants it is pointed out that implementing such amendments to the legislation would result in the increase of sickness and mortality rates among the immigrants due to their inability to use non-free medical care. They have also expressed their concern regarding giving private landlords the power to verify the immigration status of the foreigners. The human rights activists are concerned that this might lead to a significant growth of racial discrimination directed at the tenants, as it will be much simpler for the landlords to refuse the third country citizens their services altogether, rather than accept the responsibility for providing housing to a possible illegal immigrant.[7]

As the Chairman of the Board, Dr Hywel Francis (MP) stated, changes to the Immigration Law would cause an atmosphere of hostility to develop around immigrants, which could result in an unforeseen aftermath, such as violation of human rights and racial discrimination.[8]

In 2013 Great Britain has also been extensively criticized by the 12 leading human rights organisations for not adjusting its legislation in accordance with the European norms of human trafficking prevention (Directive N 2011/36/EC), despite the promises of the Prime-minister D. Cameron to do so. The adjustments in question would amend the legislation in such a way, that the underage victims of the human trafficking would be guaranteed to have a guardian appointed for legal assistance, as well as be state reimbursed for legal services expenses and be state defended in court.[9]

- Legislation, limiting the voting rights of the permanent residents of the country based on their ethnic background or country of origin.

  The British legislation does not have such limitations.

- Presence of the norms in the legislation or other normative documentation that legalises the ideology of radical nationalism, its attributes and practices, as well as public propagation in media and mass communication.

The British legislation does not have such norms.

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Racial discrimination still is an important issue in Great Britain. According to the statistical data, black UK citizens are seven times more likely to get stopped in the street for a random search than individuals of Caucasian appearance. In most cases they are stopped without a good reason. [10]

The human rights organisations have protested a Home Office advertising campaign that was designed to persuade illegal immigrants to return home. The campaign started in July 2013. Advertising vans with a sign "In the UK illegally? Go home or face arrest. Text HOME to 78,070 for free advice, and help with travel documents. We can help you to return home voluntarily without fear of arrest or detention" [11] have been circulating around six London boroughs. Sometimes the text was supported by false statements like "106 arrests were made in your area last week." [12]

The campaign was recognised as racist due to the phrase "go home" being well known to have been used by British racists in 1960–1980. [13] The only difference being that this time it was printed on... a government poster. The government Advertising Standards Authority (ASA) received over 200 complaints from the local residents on the issue. Ultimately, the campaign was cancelled. Curiously, a drastic increase of hate crimes has been registered shortly after the end of the campaign. For example, a mosque in Northamptonshire was desecrated with the same exact phrase "Go home!". [14] Same messages have been received by over 200 individuals with third world country origins, including the head of an anti-racism charity "The Monitoring Group" — Suresh Grover, who also happens to be a British citizen. [15] It is obvious that in this particular case the government has induced a drastic outbreak of racist initiatives.

In October 2013 Home Secretary Theresa May announced that the campaign will not be repeated, although she did leave open the possibility of using billboards instead of advertising vans in the future for instigating immigrants to go back to their home countries. [16]

In the UK Child Commissioner's report published on March 20th 2013 it was indicated that the British education system is not free of racial prejudice. [17] This statement was based on the school expulsion statistic, according to which children from Gypsy families are expelled 4 times more often than white children, and black children from families that have emigrated from the Caribbean are 3 times more likely to get expelled than white children. [18]

One example of racism being present in UK schools is the case of two 14-year-old Muslim students being expelled from the Catholic

school in Accrington, which they had been attending at the time, for refusing to shave off their beards, which was required by the school policy.[19] Muslim students of the Birmingham Metropolitan College considered it a racist action to be forbidden to wear Paranja to school due to security regulations.

Members of the Muslim Council of Britain (MCB) saw displays of racism in the new History curriculum, as, according to their point of view, it fails to recognise Muslim contribution to the history and culture of the United Kingdom, as well as to the history and culture of Europe in general. The Historical Association and the Royal Historical Society agree with the points presented by the MCB and in a joint statement claim the curriculum has been drafted "without any systematic consultation."[20]

A nationwide supermarket chain "Tesco" was found guilty of "indirect discrimination" against two Muslim employees by restricting their access to the prayer room. The two employees in question have been financially compensated for the damage that was caused to their religious feelings. It was one of the first religious discrimination cases that Muslim plaintiffs were able to win in the British court of law.[21]

An education centre of the "A4e" organisation has been found guilty of firing its employee Rohim Ullah based on racial prejudices — and was consequently bound by law to pay a financial compensation of £ 50,000 for unlawful termination.[22]

A study conducted by BBC and published in October 2013 shows that black clients are often subjected to racial discrimination. Real estate agents confessed that landlords are reluctant to lease their property to people from Africa or the Caribbean. They claim that 99% of the property owners are unwilling to see these people as their tenants due to racial preconceptions.[23]

According to the data collected as a part of an anti-racism charity called "Show Racism the Red Card" (SRTRC), Great Britain has lately witnessed a significant increase of Islamophobia, as well as other similar phobias. Various experts claim that Christians are also being discriminated against, which, in most cases, is the result of "excessive tolerance," prevalent in British society.

The Christians of Great Britain share an opinion that the amount of discrimination against them is increasing. Mostly such a tendency is occurring due to an increased frequency of discriminating practices being implemented, which can be seen even in the policies of largest retail companies, who refuse to decorate their shops with appropriate Christian symbols during major Christian holidays (i.e. Easter eggs).

The Bishop of Oxford, who is the head of Anglican Church Education Council, released the following comment regarding the issue: "There is a distinct programme dedicated to removing any items that can be viewed as related to Christian faith from the shop shelves." His

view is supported by the Bishop of Middleton, who claims that "Even though it seems impossible, the only gift — an Easter egg on a market that is mostly catering to a Christian community, is either banned, or marginalised by our largest retail companies.[24]

All this leads to the British Christian community generally believing that the country has cultivated an atmosphere of outright intolerance towards Christianity, which in a number of cases was caused by government policies.

For example, the British Humanist Association that carries out a government-appointed supervisory function of ensuring equality has developed certain recommendations for the employers. One of the points those recommendations contained was that the behaviour of the individuals preaching Christian faith in the workplace falls under the definition of harassment and should be treated accordingly, up to employment termination. Many see this as an example of positive discrimination, but the major part of the British Christian community views this as outright discrimination against their religious beliefs.

The British government has factually outlawed the Christian crucifix and in the year 2012 even announced their intention to petition the right of an employer to dismiss employees for openly displaying Christian symbols in European Court of Human Rights. Members of Whitehall claim that "openly displaying a Christian cross is not a part of Christian worship," hence banning such public display of Christian symbols does not violate the British citizens' right to freedom of religion or belief. Christians, in turn, have retaliated by pointing out that in the United Kingdom publicly displaying Muslim attributes is allowed even for "on duty" police officers.[25]

The Christian crucifix, as well as other Christian symbols ban situation has started several years ago. A British citizen by the name of Nadia Eweida, who was at the time a British Airways employee, was first suspended from work and then, after attempting to resolve the issue in court, had her employment terminated for "openly displaying a Christian cross with her uniform." The United Kingdom lost the case in the European Court of Human Rights in January 2013 and subsequently had to pay Eweida a financial compensation of 32,000 Euro.[26] In this particular case the arbiters decided that a violation of one of the European Convention of Human Rights articles, related to the freedom of religious beliefs, did take place. Three more similar cases have been lost, however.

Amongst the other discriminatory practices it would be worth mentioning surveying citizens on their religious beliefs in Northern Ireland.

A certain threat of discrimination has arisen due to the Same Sex Marriage Legalisation Law (2013), which contained an exclusion clause for the Christian churches in case of their refusal to register such mar-

riages. Muslims, on the other hand, did not receive such an exclusion clause and hence could hypothetically be held legally responsible for refusing to register same sex marriages.[27] Hovewer in December 2012 the Prime Minister of the United Kingdom stated that Muslims will also be given a right to refuse registerimng such marriages.[28]

Great Britain also has certain unique discriminatory practices related to the deep-rooted traditions of ethnic and religious minorities. These minorities are 400 thousand members of Hindu and Sikh coomunities that belong to the "Untouchable" and Dalit castes. The discriminatory practices mentioned above were bullying in schools and at work, as well as not being given promotions by their managers belonging to hinger Hindu and Sikh castes. These events took place despite the fact that the 2010 Equality Act gives the government the right to regulate caste discrimination.[29]

Another widely acknowledged concept in Great Britain is the so-called "positive discrimination," which is when an organisation (including government institutions) intentionally treats the disadvantaged minorities (Third World country citizens, LGBT community members, non-Christians, etc.) preferentially during the workforce selection process. Such a practice can, on the one hand, be beneficial for their integration into the society, but, on the other hand, can provoke discriminating actions towards the majority, i.e. the mentioned earlier situation with the Christians.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–2.5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–7.5	–10

2. Xenophobia and hate inciting statements made by members of the authorities and media

The British Secretary of State for Communities and Local Government Erick Pickles was accused of using media to spread negative stereotypes aimed against the Gypsy people in August 2013. The leader of the Gypsy community Joseph Jones claimed that the politician "opened an ethnic minority hunting season."[30]

In March 2013 Pickles accused Gypsy nomads of illegally occupying roadside spaces and other places with their waggons, in which they live. According to him, such illiegal space occupation creates a "bad reputation" for the nomad communities and can serve as a basis for inter-ethnic tension.

After several months the government released a new guide for eradicating such illegal waggon parking lots, which caused multiple protests from the Gypsies.[31]

In August the Gypsy settlements issue was revisited due to racist comments of the Essex county Thurrock Conservative Party councillor Mark Coxshall. In one of his interviews he referred to the Gypsy camps as "a cross between my big, fat, gipsy cesspit and Shameless." Police is conducting an investigation.[32]

In June the Westminster Conservative Party councillor Nickie Aiken accused the Gypsy community of being the prime cause of "unproportionally large number of crimes (committed by the members of the Gypsy commune), beggary and disturbances."

Other individuals to have stood out because of their xenophobic remarks in 2013 were the members of UK Independence Party (UKIP).

For example, in March 2013 a high-ranking member of the party was dismissed from running in the local elections in Bristol area after supporting the idea to create removal centres for immigrants, which could later be transformed into prisons. In the next interview he declared that "within three or four generations, this country will be a Muslim country. Unless we do something about it, we'll be the ones on the street begging for change."[33]

In May 2013 UKIP started an investigation against its councillor in Worcestershire, Eric Kitson, who shared a caricature making fun of Muslims on his Facebook page.[34]

On of the leaders of the party and a member of the European Parliament, Godfrey Bloom, spoke against providing help to the Thirld World countries, which he referred to as "bongo bongo land." Prime Minister David Cameron described the comments as "offensive." Bloom himself categorically refused all allegations of being a racist and claimed that "...there is no evidence in any dictionary at all that it implies racism."[35]

In September a UKIP Press Officer G. Tailor allowed himself a racially offensive comment, calling a female journalist, whom he was supposed to meet for an interview, "some form of ethnic extraction."[36]

In November 2013 Independence Party suspended the membership of the chairman of the local office in Crawley (West Sussex County) John Mac Canna over allegations that he posted racist comments on Facebook. What exactly Mac Canna had posted on his Facebook page was not revealed.[37]

In April the Chichester Conservative Party councillor John Cherry resigned after being caught in the crossfire of criticism for his racist comments about Pakistani students. He was claiming that Pakistani children would fail to "rise to the top," and that some nationalities were "uncertain what hard work is about."[38]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practices preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, antiracist and anti-extremist legislation, and legislation directed against incitement of ethnic and religious hatred in the country.

Introducing laws that are not only scattered between different types of discrimination (gender, race, skin colour, ethic and national origin, nationality, etc.), but also have a different scope of influence for a number of people has irreversibly established the British anti-discrimination legislation as a highly complex field.

Over one hundred various normative acts prohibiting discrimination are currently in existence in UK. There are two main reasons for this: first, constant improvement of the national legislation, and second, consistent increase of the obligations Great Britain needs to comply with according to the EU issued requirements.[39]

Main legislation aimed at preventing racism and extremism is the Race Relations Act (1976),[40] which prohibits discrimination based on skin colour, race, nationality, ethnic origin (acts of similar nature were previously passed in 1965 and 1968), and the Equality Act

(2010)[41] — a joint anti-discrimination law that was designed to harmonize the Equality Act of 2006 and the Equality Act (sexual orientation) of 2007. The latter act is also directed at shielding the population of UK from discrimination based on race, religious beliefs, sexual orientation, etc.

The English Criminal Law also has the so-called Public Order Act (1986), sections 18 and 19 of which outlaw any threatening, humiliating, or offensive statements or actions, which are either knowingly directed towards inciting racial hatred, or could possibly provoke such hatred (hate speech).

It is essential to keep note, however, that these acts are only enforceable in case the crime in question had both victims and eyewitnesses. Therefore the distribution of leaflets with racist content, does, in fact, fall under the jurisdiction of the act, but the leaflets themselves do not, which means they can still be distributed legally if it is done in secret and with no witnesses.[42]

A similar legislation in Northern Ireland makes it illegal to make threatening, humiliating, or offensive statements that could incite hatred towards a part of the population, or induce fear. Section 5 of the previously mentioned Public Order Act (1986) bans the use or display of any threatening, humiliating, or offensive statements within the hearing or viewing distance of the individuals who could feel "harassed, alarmed, or distressed" by such statements.

According to the same Public Order Act (amended), the law can differentiate between the deliberate crimes aimed to incite racial hatred or contributing to the creation of such hatred (part 3), and actions carried out deliberately to incite hatred based on differences in religious beliefs or sexual orientation (part 3, section A).

In Scotland the Criminal Justice and Licensing (2010) legislation and Criminal Law (prejudice aggravating the crime) (2009) protect the victims of hate crimes through setting a heavier punishment for the crimes committed out of racial or religious hatred (2010 edition). In addition to the ones mentioned above, such reasons for committing a crime as victim's sexual orientation, transgender identity or invalidity are also considered aggravating (2009 edition).

These laws are based on the necessity to maintain public order and on acceptance of the concept that any insults against an individual due to him or her belonging to a specific group are more threatening for the public order than the insults against non-group related idiosyncrasies of individuals.

It is also worth mentioning that in the year 2000 the Human Rights Act devised in 1998 finally took power,[43] thus bringing the legislation of the country in compliance with the European Convention for the Protection of Human Rights and Fundamental Freedoms.

- Presence and improvement of anti-discriminatory legislation.

The anti-discriminatory legislation of United Kingdom has a vast history.

The main piece of legislation aimed at prevention of discrimination in Great Britain is the already mentioned Equality Act (2010), which has a complex nature and prohibits discrimination in work relations, education, during the process of providing wares or services, and during the realisation of the freedom of unification.

An essential aspect of the British anti-discriminatory legislation is the use of closed list of possible bases for discrimination, which in the Equality Act (2010) received the name "protected characteristics." These characteristics are age, invalidity, sex change, marital/civil partnership status, pregnancy and maternity, race, religion and beliefs, gender, and sexual orientation (section 4 of the Act).

Section 49 of the same act made it illegal for the local educational institutions and the administrations of local independent and special schools to create circumstances that would hinder the new students' application and selection process based on their religious beliefs.

When speaking about discrimination, it is vital to mention the Employment Equality (Religion or Belief) Regulations (2003),[44] which is a plank of United Kingdom labour law that bans employee discrimination based on their religious beliefs; same rules apply to the equal treatment of employees despite their age (2006)[45] or sexual orientation (2003).[46]

Also, apart from the Equality Act (section 49), Great Britain has a number of laws directed at eliminating discrimination and guaranteeing equal rights for the minorities with regards to education. The fundamental legislation in this sphere is the Education Act (1996), which has been amended several times after its release. In Scotland the Education Act (1996) is complemented by such pieces of legislation as the Gaelic Language Act (2005), the Scottish Schools (Parental Involvement) Act (2006), etc.

The British anti-discriminatory legislation is generally compliant with the EU standards, specifically with the Council Directive 2000/43/EC, implemented on June 29th 2000, which ensures individuals being treated equally despite their race or ethnic origins; Council Directive 2000/78/EC, released on November 27th 2000, which establishes the standards of equal treatment in the sphere of employment and occupation; and finally, Directive 2006/54/EC of the European Parliament and of the Council, which ensures equal opportunities for male and female individuals in the employment and occupation sphere (amended).

The improvement of the anti-discriminatory legislation is closely managed by ensuring the compliance of the criminal legislation, regulating the treatment of defamation, with the principles of freedom of speech.

For example, in the national report UN Human Rights Council provided on Great Britain in 2012 it was stated that "the existing defamation legislation is a cause for distress, as it, according to various statements, is hindering such basic human rights as freedom of speech and freedom of opinion." It was due to this issue that in March 2011 government published the Defamation Act for public consultations and viewing in Parliament committee.

The new Defamation Act legislation is expected to provide a balance, where the victims of defamation will have an opportunity to defend their reputation in court, yet the freedom to express one's opinions will not be unreasonably limited by defamation lawsuits or the threat of such lawsuits. [47]

In 2012 work started on a new revolutionary legislation, which was later tested in the Greater Manchester County (accepted in 2013). This legislation introduces a classification system for hate crimes. It suggests treating such subcultures as "Emo," "Goth," "Punk," "Metalheads," etc. the same way as ethnic and religious minorities are treated. Therefore attacking members of these subcultures will also be considered a hate crime.

In 2013 a new legislation that prohibits posting job advertisements with discriminating requirements like a specific gender, age, ethnic origin, ownership of a private car, or a specific first language, has been introduced in Great Britain.

The human rights activists also criticised the government for delaying the caste anti-discrimination amendments to the Equality Act in 2013. The decision to put off the amendments until after the elections in 2015 was perceived as an attempt to deliberately prolong the process of making a necessary decision. [48]

- Compliance with anti-Nazi, antiracist, and anti-extremist legislation by the authorities (central, regional, municipal), law enforcement and judiciary, as well as their compliance with legislation directed against incitement of ethnic and religious hate and compliance with anti-discriminatory legislation.

Generally such legislation is strictly abided by. Nevertheless, there are still complaints about hidden forms of discrimination, such as individuals of Asian or African origin being detained by police more frequently, [49] and discrimination of individuals from Eastern Europe during the employee selection process or when being provided services in financial organisations, [50] etc. There have been cases of discrimination against Gypsies and nomads. The sport sphere is by far the worst at following the anti-discriminatory regulations — especially when it comes to the actions of football fans, even though many sports organisations are putting a lot of effort into rectifying the situation (see below). The other thing that attracts attention is the unproportionally

high number of deaths of foreigners and members of ethnic minorities due to police brutality and use of excessive force during and after apprehension.[51, 52]

The human rights activists also blame the government for the existence of institutional racism in the police force, where, according to their opinion, ethnic minorities are not sufficiently represented. As an example they provide the data collected during the population census of 2011, according to which London is 40% populated by minorities, of whom only 10% are represented in the police force and mostly in low positions.[53] Similar problems can be seen in the British Judiciary system. Another worrying issue is the intention of the government to withdraw £220 million from the legal aid budget fund, which was designed to help the poor — specifically the immigrants.[54]

In October 2013 a Sikh member of the military, who was forced to quit the army, brought the attention of the authorities to the bullying he underwent in the armed forces, which resulted in him twice attempting to commit suicide. The bullying was tied to his ethnic origin. His fellow soldiers called him a "terrorist" and a "shahid," as well as physically abused him. After taking the issue to the military authorities, the Sikh soldier was assigned to see a psychiatrist, yet no means of punishment were taken against the abusers.[55]

In June 2013 it was revealed that only 4 out of 115 local councils based in west and south-west England have adopted the measures required by the anti-discriminatory legislation regarding allocating special areas for the gypsy camps. Moreover, despite the government issued request to allocate the nomad Gypsies in the Gloucestershire County, the local court attempted to appeal this decision and change the territory of allocation to Newent.[56]

- The Countermeasures against hate crimes (criminal cases against organisers and participants, convictions).

It is worth pointing out that British courts have started to issue more guilty verdicts and assign progressively stricter punishments in the cases related to hate crimes.[57]

The total amount of the racial incidents, which include non-criminal cases (i.e. public antisocial behaviour), has been decreasing in England and Wales since 2009. In 2009–2010 55,134 incidents related to racial discrimination were documented, in 2010–2011 — 51,585, and in 2011–2012 went down to 47,678.[58] From that amount specifically hate crimes constituted only 43,748.[59] In 2012–2013 it was registered by police 47,548 incidents, including 42,236 hate crimes, which amounts to only 3% of the total crime rate.[60]

Of those 42,236 cases:

- 35,885 (85%) were race-related hate crimes (35,816 in 2012);
- 1,573 (3.7%) — hate crimes related to religious beliefs (1,621 in 2012);
- 4,267 (10.1%) were the hate crimes against sexual minorities 4,252 in 2012);
- 1,841 (4.36%) — crimes against invalids (1,744 — 2012);
- 361 (0.85%) were hate crimes against transgender people (315 in 2012).

Assaults have constituted roughly 40% of all the hate crimes listed above.

But according to the Crime Survey for England and Wales (CSEW) — a face-to-face victimisation survey in which adults aged 16 and over resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to interview, the total number of hate crime incidents is 278,000 cases. [61]

The number of hate crimes has also significantly increased in Scotland (compared to year 2012) [62] — 5,804 crimes. [63] This is 3.68% more than in 2012. In Northern Ireland was registered 2,987 incidents [64] (14.3% more than in 2012).

In 2012 the government announced the development of a new programme aimed to fight the hate crimes, called "Challenge it, Report it, Stop it," which is largely based upon involving the citizens to fight against the evil that are hate crimes, specifically by preventing such crimes from happening in the first place. [65]

The British police have been diligently monitoring all of the reported hate crimes and constructing a detailed statistic since 2008, which is the first step towards defeating this issue. The number of people charged with committing a hate crime in 2012 was 8,898. [66]

Yet at the same time the Human Rights Commission of the Northern Ireland, as well as the anti-Islamic action monitoring group "Tell MAMA" accused the British law enforcement of intentionally stalling the investigations and trying to keep cases related to assaults on Muslim people out of court. [67] According to the information provided by "Tell MAMA," from 1,432 anti-Islamic incidents that have been reported by the group over the period of 22 months, only 70 have actually caused the authorities to react. [68]

- Unlawful use of anti-extremist legislation.

In October 2013 the High Court of Great Britain had found the actions of the Home Office to be illegal when it deprived Hilal Abdul-Razzaq Ali Al-Jedda of his British citizenship. [69, 70] The Home Office suspected Al-Jedda, who had entered the country as a refugee from Iraq, to be involved in terrorist activity. When granted British citizenship, he

lost his Iraq citizenship, and yet despite that he was not only later deprived of his British citizenship, but was also forbidden to enter the country. The court found Home Office guilty of violating article 15 of the Universal Declaration of Human Rights, as well as the Convention on the Reduction of Statelessness (1954). At the same time several cases of Muslim British citizens being deprived of their citizenship while traveling abroad have been documented.[71]

In 2013 multiple cases became known, where human rights activists who demanded for the cases against Muslims and other ethnic minorities to be investigated, were illegally followed and eavesdropped on.[72, 73]

The Independent Police Complaints Commission (IPPC) also decided to bring a lawsuit against the Scotland Yard to the High Court, in which police officers are accused of illegally detaining and harassing Muslim people in airports under "sweeping the anti-terrorism" laws. The case claims possible abuse of power by police officers against 19 individuals.[74]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	15	15

4. Statements made by government representatives, members of the ruling party, and influential politicians against xenophobia and radical nationalism

In August 2013 the Prime Minister's Special Adviser on Youth and Crime, Shaun Bailey claimed that "Britain is still a fairly racist country." He encouraged the conservative politicians to address a number of vital issues in order to attract the votes of the ethnic minorities at the upcoming elections.[75]

Ed Miliband, the leader of the Labour Party, who was appointed as his Party's candidate for the Prime Minister's for the forthcoming 2015 Parliament elections, expressed a positive view towards immigration in the report he presented at the Labour Party conference on the 24th September 2013 in Brighton: "I am a son of two immigrant parents, and I am proud of what Great Britain has given to me and to my family. We have always welcomed people, who are a part of our society. If there are people, who want a Party that would shield itself from the rest of the world, then let me be candid: Labour Party is not your party!"[76]

At the same conference the Shadow Home Secretary, Yvette Cooper expressed her displeasure with the harsh position the government immigration coalition is holding and spoke out against racism: "We will always be holding a certain position — against Islamic extremists, who do not understand their own religion, against the right-wing racists, who don't really love Great Britain. We will never allow extremists to separate our people!" — stated Yvette.[77]

In October 2014 Prince William mentioned that he is pleased to see that the British football association is trying to push racism out of football. He made this statement at the celebration of the association's 150th anniversary.[78]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

An entire series of such events took place in Great Britain in 2013. The organisers of these events were mostly non-governmental organisations concerned with the problem of racism and neo-Nazism in UK. Below are provided some examples:

In February the organisation "Show Racism the Red Card" (SRTRC) organised and held a competition designed to prevent racism in British schools.[79]

In March the National Union of Students (NUS) held a large anti-racism conference in London.[80] The same conference also took place in Leeds.[81] Similar events, organised by the British Sociological Asso-

ciation, took place in February, April, May, and September in Leeds, as well as London in Birmingham. [82]

On June 26–28th in a conference titled "Racism and the means of fighting it through education and social practices: international experience" took place in Edinburgh Education and Racial Equality Centre in Scotland. [83] Several dozen anti-racism organisations from all over the world attended this event.

In August Professional Footballers' Association (PFA) and the British Premier League conducted a training activity for the 92 British professional clubs where the players were educated on the topic of tackling "racist language." [84]

In September the Birmingham Local Council opened a state school for Gypsy children who do not speak English and have behavioural deviations. These children previously did not have a right to an education, did not attend any schools and were under the threat of growing up completely illiterate. [85]

During the same month Islamic human rights organisations introduced a new campaign aimed at fighting the anti-Islamic propaganda spread by the English Defence League (EDL) in British schools. [86]

In October over 200 British scientists signed a protest letter against the introduction of compulsory fingerprint submission for foreign students of various universities. [87]

During the same month hundreds of cities in Great Britain had the "Black History Month" dedicated to African history, as well as to ethnic minorities in the country and the fight against racism. [88]

In addition to that, various local councils organised racism-prevention training for their employees. Regretfully, such initiatives were not picked up by the major state institutions. [89]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and improvement of migration laws.

The main normative act regulating immigration in Great Britain is the "Immigration Act" (1971). The other pieces of legislation intro-

duced later that affected the immigration right were the "Immigration Act" (1988), the "Asylum and Immigration Act" (1996), the "Immigration and Asylum Act" (1999), the "Nationality, Immigration and Asylum Act" (2002), and others.

An important role in the formation of migration legislation, including the legislation regulating the provision of asylum and the rights of refugees, is played by the "Human Rights Act" (1998). This legislation took effect in October 2000, which resulted in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) being granted the status of a state law, which means it now could be used in British court. Consequently the norms related to the right to enter and reside in Great Britain were adjusted according to the said convention. The crucial points of this adjustment was that the individuals now possessed the right to appeal a ban to enter the country, as well as the fact that the British government could not deport political immigrants back to the countries where they were likely to get tortured or killed any more. The legislation also establishes the right of an individual or a family for a private life that is not to be intruded upon.

On the April 6th 2008 the British Parliament passed a new bill that changed the immigration rules and introduced a five-level immigration category determining system.

According to the United Kingdom Immigration Law, all individuals can be divided into 4 major categories:

- British citizens.
- Citizens of Commonwealth (Australia, Canada, Cyprus, India, Pakistan, New Zealand, Nigeria, South Africa, Zambia, and other countries, most of which are former British colonies and territories currently dependant on Great Britain).
- Citizens of the European Union.
- Citizens of all other countries.

The citizens of the first three categories have a right to live and work in the UK almost without any limitations. That leaves the Immigration mostly dealing with the last category, which is where are the citizens of Russia and former USSR countries (with the exceptions of Lithuania, Latvia, and Estonia, which have joined the European Union).

The individuals belonging to the fourth category are required to obtain a visa and a Home Office work permit in case they want to find work in UK.

Britain has a rather advanced legislation regarding refugees. The main laws that were regulating this area in 2012 are:

1) The Immigration, Asylum and Nationality Act (2006).
2) The UK Borders Act (2007).
3) The Criminal Justice and Immigration Bill (2007).

Generally this legislation is consistent with the European immigration directives, such as the Council Directive 2003/9/EC of 27 January 2003 on minimum standards for the reception of asylum seekers in member states; Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted; Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status.

In a certain way the immigration legislation of the United Kingdom is steadily shifting towards a more rigorous approach, even if within the borders of the aforementioned directives. It is aimed at reducing the inflow of immigrants and tightening control over the ones seeking refuge. In this sense it is somewhat contradicting the Equality Act of 2010, which was designed to protect the refugees, especially the ones coming from the most vulnerable groups — ethnic and religious minorities.

In spite of everything mentioned above, UK, just like the other countries of the European Union, does sway its preference towards providing asylum to the refugees who are also highly qualified specialists. This led to Great Britain introducing the Points Based System (PBS) [90] in February 2008, which is based on the corresponding EU policy. PBS is a programme aimed at selecting qualified immigrant specialists, who are then granted the right to enter the country and find employment without having to first find an employer willing to pay for their visa, as it was before.

At the same time in February 2010 Great Britain avoided participating in the implementation of the new EU asylum provision directive that introduced new minimal standards for requesting asylum, because this new directive could have damaged the British asylum fast-track system (2003). Basically, accepting the new directive could have led to liquidation of the quick asylum refusal system due to the increase of categories of people whose requests for an asylum cannot be quickly rejected.

In 2012 both the government and the opposition acknowledged the necessity of further tightening the immigration legislation. Specifically, Ed Miliband, currently the leader of the British Labour Party and the Parliament Opposition, called for amending the existing immigration legislation in such a way, that it would take into consideration interests of "the people who already live and work in UK." In particular, Miliband suggested tightening the legislation that regulates the actions of recruitment agencies. [91]

As for the British government, the Prime Minister Dave Cameron thinks that England should let only the most talented in. The Prime Minister criticized the existing points-based system used when issuing

long-term visas and work permits, as, according to his point of view, it allows unwanted immigrants to enter the country. Cameron also suggested elevating the minimum income requirements for the people who enter the country with their families. It is also planned to reduce the number of visas issued to Non-EU citizens. Obtaining British citizenship will also be made more difficult.

This is being done in an attempt to fight fictitious marriages. In addition to the measures described above, government is also planning to conduct political system and history exams for the married couples where one of the spouses is a foreigner, as well as stricter language tests and additional marriage "authenticity" checks. Also, large fines will be introduces for providing work or housing to illegal immigrants.

Home Secretary Theresa May is also in favour of tightening the immigration legislation. Specifically, she is hoping to simplify the process of deporting the immigrants found guilty of criminal offences and terrorist activity.

So, Great Britain currently possesses an immigrant acceptance system and immigration legislation, which, on the one hand, caters to the labour market not in need of unqualified workforce, and, on the other hand, guarantees immigrants basic human rights in accordance with the Equality Act of 2010.

At the same time in 2013 it was possible to witness attempts to tighten the immigration legislation, including against EU citizens. Specifically, the United Kingdom decided to introduce a test that EU citizens needed to take in order to prove their right to receive social benefits. This resulted in the European Commission starting a lawsuit against Great Britain on the basis of their actions being discriminatory and in contradiction with the fundamental principles of the EU. [92]

In addition to the measures mentioned above, in 2013 UK also announced a plan to reform the Immigration Legislation in general (see section 1), thus trying to further decrease the number of immigrants and the social benefits they are entitled to.

- Authorities' compliance with such legislation (law enforcement practice)

In general such legislation is adhered to, although certain violations related to British policy regarding immigration reduction still take place. For example, the European Commission considers the additional immigrant testing system existent in the UK — the so-called "Right-to-reside test," to be a violation of the EU laws. Based on the results of this test government makes the decision on whether to provide the immigrants with various benefits and aid.

However, EU has its own standardised "Habitual residence test," which all the European Union member countries are legally required

to use as the basis for determining what benefits and aid are to be provided. The EU test is considered more liberal than the British one. This has resulted in the European Commission falling under the assumption that all the EU citizens residing in UK automatically lose their right for many types of benefits and aid. It is quite likely that this case will be passed on to the European Court.[93]

In 2013 a whole series of migration legislation violations were reported in Great Britain all related to deportation of individuals requesting asylum. In one case deportation has even resulted in death, which, Home Office argues, was caused by the unlawful actions of one of the private security agencies — G4S (working on government contract), during the deportation process.[94] During the same year it became known that court had classified almost half of the deportations carried out in 2012 illegal (over 12,000 people).[95]

There are multiple complaints about the bad treatment of people seeking asylum at the refugee centres. The most serious accusations were voiced against the Yarl's Wood Immigration Removal Centre, where the escaped refugees reported being sexually abused by the personnel.[96]

One more violation of the EU regulations is immigrant children being kept in the facilities meant for the adults, even though the government has sworn to stop this practice a number of times.[97]

- Discriminatory practices against immigrants.

According to the latest polls, over half young immigrants in Great Britain have experienced discrimination because of their backgrounds.[98] Many have faced discrimination in transport hubs, most frequently — in airports. Statistics have clear evidence of Asian people being detained on terrorism charges significantly more often than Europeans — they are 11 times more likely to get stopped, and such attitude is based not on any kind of special service information, but on simple racial stereotypes.

In 2013 immigrants also encountered prejudiced treatment from law enforcement and customs officers more often than other social groups.[99]

The immigration reduction topic is being increasingly frequently thrown around by the politicians in their election campaign speeches. The primary anti-immigration slogans user is the UK Independence Party, which during its election campaign resorted to this topic on multiple occasions and even requested for the local authorities to introduce discriminatory restrictions not only against immigrants from Third World countries, but also against Bulgarian and Romanian citizens, who are also citizens of the EU.[100]

- The use of the "ethnic crime" theme in order to discriminate against immigrants.

The ethnic crime theme is the go-to topic for the nationalist parties and organisations, such as the British National Party, English Defence League, UK Independence Party, etc. Their official goal is to "oppose what they consider to be a spread of Islamism and Sharia in the United Kingdom."[101] In year 2013 the question of abolition of working immigration restrictions for Bulgarian and Romanian citizens in other EU countries made it onto the agenda, which resulted in creation and exploitation of multiple anti-Bulgarian and anti-Romanian slogans. Members of the listed above organisations regularly accuse immigrants and just generally people with darker skin tone of extremism and blame them for increased crime rates in the streets of British cities.

Media and Mass Communication affiliated with these organisations regularly publish material not only on the topic of extremism, but also on average household crimes, if these crimes are committed by foreigners.[102]

This topic is what the leader of the main UK radical right-wing party — British National Party — Nick Griffin, who is also a member of the European Parliament, appeals to. Website of the party states that "Britain suffers from more than 27,000 crimes per day — the direct result of decades of softly-softly politically correct policing and a failed social engineering policy which has put the rights of yobs and criminals above that of victims." While not saying directly that immigrants are responsible for the growth of the crime rate, the website implicates that it is exactly so.[103]

In 2013 the topic of "ethnic crime" was actively raised by the UK Independence Party, mainly applied to the Bulgarian and Romanian natives. They have been joined by many Conservative Party advisors in various British cities. For example, the leader of the UK Independence Party, Nigel Farage promised to make this issue the centre of attention at the upcoming European Parliament elections in 2014.[104] An advisor to the Conservative Party and the leader of the local Tory branch in Westminster, Nickie Aiken used the term "ethnic crime" while referring to the gypsies being the cause of "disproportionate amount of crime, begging and mess."[105]

- Social assistance for immigrants.

Great Britain did not implement the Council Directive 2003/109/EC, which is the directive responsible for establishing the basic rights of the legal immigrants from foreign countries, effectively entitling them to the same rights as the "European" citizens. Consequently, the legal immigrants from non-EU countries do not obtain the permanent European resident status even after living in the UK for 5 years. But apart

from that they are entitled to pretty much the same social benefits as the UK citizens, such as the right to free medical care, free education, housing subsidies, and unemployment benefits.

Immigrants from non-EU countries also do not possess the right to apply for the EU Blue Card due to Council Directive EC 2009/50/EC also not being recognised by the UK. However, the existence of the Point Based System (PBS) makes it possible for the qualified professionals to enter the country and find a job without having an employer ready to pay for their visa lined up.

Nevertheless, the British authorities are planning to reduce the social aid. This will also affect the immigrants from the EU countries, because of the employment restrictions being lifted for the citizens of Bulgaria and Romania. Now, in order to receive the unemployment benefits for longer than six months, the EU citizens will have to prove that they are "actively searching for work." According to Cameron, the described above measures would lead to people coming to Great Britain "for the right reasons" and the country no longer being so attractive to the immigrants. [106]

- Negative attitude of the community towards immigrants, foreigners, and various ethnic groups.

Year 2013 had an entire series of cases when immigrants from the Third World countries had to abandon their homes in UK due to being harassed by their neighbours because of their race or religion. Such incidents took place in Manchester, [107] London, [108] Nottingham, [109] and Belfast. [110] In addition to that, several Muslim and Asian families were forced to leave their homes in Blackley, [111] Bedford, [112] Kent, [113] and Micklefield in West Yorkshire [114] due to acts of vandalism against their homes and private property. Gypsies from Thurrock were subjected to persecution from other inhabitants of the city because they made a request for the local water company to equip their house with plumbing. [115]

There were registered cases of racism in educational institutions, [116] at workplaces, [117, 118] and in public transport. [119, 120]

A recent study conducted by the German sociologist Andreas Zick, titled "Hostility towards Minorities" researched xenophobia level of the British.

The question "do you think that Jews have too much influence in Great Britain" was answered positively by 13.9% of the interviewed (In Germany — 19.7%, and the average European level, according to the Anti-Defamation League, is 36%[121]). 21.8% of the interviewed agreed that "Jews in Great Britain are trying to abuse their position as Nazism victims (In Germany — 48%, average European level — 41%[122]). The opinion that "Israel is waging a war in order to decimate the Palestini-

ans" is shared by 42.4% of the interviewed (47.7% in Germany[123]). This indicates that the conflict in the Middle East has catalysed the development of anti-Semitic stereotypes in Great Britain, which, however, are still rather mild compared to other European countries.

Nevertheless, when it comes to creating racist and xenophobic stereotypes, Great Britain is still in the lead. The author of the mentioned earlier report also managed to evaluate the level of hostility towards immigrants. The statement that "there are too many immigrants in Great Britain" was supported by 62.2% of the interviewed (62.5% in Italy[124]). The opinion that "there is a natural hierarchy between black and white people" was supported by 34.6% of the interviewed (30.5% in Germany). In Portugal, Poland, and Hungary the number of people that agreed with this statement is estimated at 40% and above.[125] 47.2% of the interviewed share the opinion that "Islam is an "intolerant" religion" (in Germany — 52.5%). In Italy, Portugal, and Poland 60% of the interviewed support this point of view.[126]

At the same time the poll has shown that, unlike adults, teenagers are not supportive of the anti-Muslim rhetoric. Yet, both types of voters are open to the ideas of the radical right. The results of the poll do display a clear separation of the generations. However, in general the attitude towards immigrants is rather negative: 55% of the interviewed were in favour of being ruled by a party that would put British culture before all others, 41% of the interviewed were ready to support a party that would completely stop foreigners from immigrating to Great Britain, 37% agreed that they would rather vote for a party capable of reducing the number of Muslims in British society. [...] Over half of the interviewed (54%) aged over 60 were willing to support anti-immigration party, whereas only 23% of the younger generation, aged between 18 and 24, shared this position; 3/5 of the interviewed answered with "unlikely" due to being sceptical about the chances of anything changing under the new authority.

Over 2/3 (68%) of the individuals over 60 years old were willing to vote for the party that would put the British culture ahead of all others, while less than a third (32%) of the interviewed aged 18–24 shared their point of view. Same tendency can be observed regarding the idea of reducing the number of Muslims: while almost half (49%) of the interviewed aged over 60 were willing to vote for the party that would be able to make this happen, only 27% of the respondents aged between 18 and 25 were in favour of such measures.[127]

Even after Islamists murdered British soldier Lee Rigby in Woolwich in May 2013, the results of the poll conducted almost immediately after the tragedy showed that Great Britain still remains a tolerant country despite what happened and the majority of the population does not endorse the radical far-right ideas.[128]

Almost two thirds of the interviewed (63%) regard most of the Muslims as decent British citizens, which is 1% higher than the last year's poll. The number of people who believe that the Muslim and British ways of life are compatible has also gone up from 24% to 33%.[129, 130]

At the same time Rigby's murder led to a spread of anti-Islamism among teenagers. The number of children to have contacted the "Childline" helpline about racial abuse reached 69% of all the children who have called the helpline (a total of 1,400 cases in 2013).[131]

However, in general the tolerance level of the British populace is still higher than the European average.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
–/×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–2.5	–2.5
	Total for the section 6	2.5	0

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media, mass communications, and graffiti.

In 2013 the bigger part of such incitement was aimed against the Muslim community. This was confirmed in July 2013 by West Midlands Police Deputy Chief Constable Dave Thompson.[132] The incitement peaked during the period that followed Islamists murdering British soldier Lee Rigby. Noticeably, main emphasis of the hate campaign was relocated to the social networks, primarily Facebook, largely due to the efforts of the English Defence League activists. Three people rallying for mosque burnings on Facebook were arrested. One of the arrested

belonged to the EDL, [133] and the other — to the neo-Nazi British National Party. [134]

Another English Defence League activist was arrested after posting a photograph of him holding a pistol and a message inciting massacring Muslims on Facebook. [135] One more activist of the party was arrested in July after showcasing his "mosque bomb tattoo" during the EDL pre-elections rally. [136]

- Presence and popularity of radical nationalist literature, films, music. Ultranationalist rock bands and their concerts.

Generally the neo-Nazi literature and music cannot be considered very common or popular in the United Kingdom.

Nevertheless, the biggest neo-Nazi chain of promoters called "Blood & Honour," which was founded in 1987 and named after the Hitlerjugend's motto "Blut und Ehre," is still active in the country. These promoters organise concerts and distribute recordings of bands belonging to the "RAC" genre — "Rock against Communism." The Blood & Honour chain of promoters is supported worldwide by the bands that share neo-Nazi and nationalistic views.

The main theme explored in the RAC music is usually racial war, cities as war arenas against foes, bravery, and the final victory of the white man. An entire series of bands play this style of music in UK. Some examples would be English Rose, Celtic Warrior, Chingford Attack, Legion of St. George, White Law, etc.

In 2013 the pubs and clubs of such cities as London, Swansea, Blackpool, Birmingham, Bathgate, and the Yorkshire County hosted such concerts. [137, 138] In addition to that, Britain was also visited by such foreign neo-Nazi rock-bands as "Cirhoza 88" from Czech Republic, Greek band "Der Stürmer," who are directly linked to the Golden Dawn Party, as well as "The Tattooed Motherfuckers," "Short Cropped," "Heroes," "Baker's Dozen," "Kombatants," "No Quarter," "Pittbullfarm," "Pressure 28," and "Citizen Keyne," all well-known in the European neo-Nazi communities.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultranationalist groups, movements, political parties (both in the centre and in the localities).

The main British neo-Nazi and radical far-right factions are British National Party, English Defence League, British Freedom Party, National Front (UK), and England First Party. UK Independence Party could also be considered relatively nationalistic.

"British National Party" (BNP) was formed in 1980s from "National Front" (UK) Party. The party gained public support in 1999, after Nick Griffin had become the chairman. A court ruling issued on February 15th 2010 forced BNP to accept people of other races into its ranks.[139] This was immediately utilised by the National Front Party, which started to present itself as the only party maintaining the "white purity."

British National Party, as well as other far-right extremist factions, uses social networks for promoting its ideas. Despite not being able to secure a seat in the parliament, they still gathered 85,000 "likes" on Facebook, which is equal to the number of votes "Liberal Democrats" received.[140] In 2006 BNP succeeded in securing 33 seats in the local council. After those elections it even made it to the second place in the London region.

However at the partial local authority elections of 2013 BNP lost 10 out of 12 seats.[141] This was a definite "step back" for the party, which in 2009 managed to get seats in the European Parliament.

The far-right "English Defence League" was founded in 2009 by football fans from Luton.

The organisation's representatives claim that the number of their followers is around 100,000 people, however preliminary data shows that it is more likely to be somewhere between 25,000 and 30,000 individuals. The peak of organisation's activity can be seen in the spring of 2013. During that period EDL organised an anti-Muslim march to retaliate for the murder of the British soldier Lee Rigby in Woolwich. The case had two suspects, both British citizens with Nigerian origins.[142] 24 hours after the murder the amount of party's supporters rocketed from 25,000 to 75,000 people.[143]

Members of the League are hoping to use their "units" to unite supporters of the fight against Islam, gays, and lesbians. The League is even trying to set the Jewish minority up against Muslims in other countries. So, as is evident from the information provided above, EDL does not follow the classical homogenous ideology of right-wing extremism, but a mix of different ideologies. Thus the behaviour of the members of the "English Defence League" is occasionally rather self-contradictory. One

moment the EDL followers publicly burn the Nazi flag, and the next — protest against the celebration of the queen's golden jubilee while using a Nazi greeting. The League maintains relationships with other radical organisations: "UK Independence Party" (16.1% of votes in 2004, 16.5% of votes in 2009, and 26% of votes in 2013 at local elections) and the far-right party "National Front (UK)," who are known for organising marches against Muslims and mosque construction.

The example set by English Defence League is eagerly followed in many other countries. For examples, there is a "Czech Defence League" and a "German Defensive League." In August 2012 they organised a demonstration in Köln under the name "Patriot March. For democracy and Christianity of Greek-Roman-German decent."[144] Norwegian citizen Anders Breivik, who murdered 77 people in Oslo in July 2011, was likely to have been in contact with the English Defence League, thus acting as a catalyst for mass protest movements in Europe. Despite EDL denying any connection to Breivik, his name is often used in its manifestos and the manifestos of "British National Party."[145]

The UK Independence Party formally ceased to exist in the end of 2012 due to not having paid the required election commission registration fees. The party was known to actively promote its anti-Islamic and anti-immigration positions, as well as rooting for England exiting EU. Until June 2012, while still being an officially registered party, UKIP worked in coalition with EDL, practically acting as its political protector. The head of the UK Independence Party is one of the EDL leaders — Kevin Carroll.

The National Front (UK) is the oldest existing far-right radical political party (1967), which was in its prime in 1970s and 1980s.

The party supports "white family values" and "Fourteen Words" — a white nationalist slogan that says: "We must secure the existence of our people and a future for White Children." The party openly collaborates with racist and neo-Nazi websites like Stormfront.

National Front Party treats history rather critically and tends to deny Holocaust, yet attempts not to use anti-Semitic rhetoric openly. During the last few years NF UK has attempted to use anti-Zionist positions and the critique of British National Party to portray itself in a more radical fashion. The party claims that mainstream mass media and mainstream parties (including BNP) are a part of the "Zionist Occupational Government." The NF ex-chairman Tom Holmes decried BNP for accepting "non-white races" into its ranks, as well as for having a Sikh columnist in the official party newspaper.[146]

The "England First Party" (EFP) is a small nationalist English party. In the period from 2006 to 2007 two EFP party members were elected as Blackburn and Darven region councillors.

EFP was founded in 2004 by Mark Cotterill, who was also the founder and chairmen of the "American Friends of the British National

Party" organisation. However, after engaging in disputes over political differences with the BNP, Coterill founded the England First Party. The main disagreement between the BNP and EFP is based on how they differently view the United Kingdom. The England First Party criticises British nationalism and supports English nationalism instead. Most of the EFP members have previously been in BNP, like Coterill himself. England First Party is conducting a campaign against the creation of regional Assemblies in England, as well as against immigration and England's EU membership.[147]

UK Independence Party is moderately nationalistic. It stands for England leaving EU, drastic immigration restriction and the creation of jobs for British citizens. At the partial local elections of 2013 the party achieved incredible results and secured 147 seats (at the elections of 2009 they only won 8).

In January 2013 past members of English Defence League and British National Party joined and formed the "New British Union Party" (NBU). This new party has already announced the creation of 54 offices all around England. NBU announced itself to be the successor of Oswald Mosley's British Union of Fascists from the 30s and calls its members "21st Century Blackshirts."[148]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

On the 10th of August 2012 activists of the "British Freedom Party" distributed leaflets in the Oakwood area in London. Those leaflets had a 20-step plan, some parts of which are listed below:

- Introduce a US style First Amendment guaranteeing Free Speech.
- Abolish the Human Rights Act, which benefits only foreign criminals and terrorists.
- Halt any further immigration for the period of five years.
- Deport foreign criminals, seditious dual nationality Islamists and illegal immigrants.
- Abolish all multicultural and equality quangos.
- Halt and turn back all aspects of the Islamisation of Britain, including Sharia finance.
- Promote British values and assimilation, rather than multiculturalism and division.
- Withdraw troops from all areas where we are not directly threatened.
- Cancel foreign aid to countries which do not deserve or need it.
- End welfare payments to immigrants; they must pay for their housing and children.[149]

However, all radical-nationalist parties in Britain have anti-immigrant and nationalistic demands. All except for the British National Party, who has its members in the European Parliament and is a member of the Alliance of European National Movements, are Euro-sceptics and demand England's exit from the European Union and introduction of strict visa regulations.

The reasoning behind them holding this position is also mostly identical for the majority of the parties — "indigenous British citizens are becoming a minority in their own country and are being treated as second class citizens," "immigrants are taking over jobs, that by right should belong to Englishmen," "British cities are turning into African Bantustans," "British soldiers are fighting for someone else's interests in the Asia," etc. [150]

The common ground for all the parties is homophobia. The homophobic statement made in 2012 by Nick Griffin, leader of the British National Party, is one of the most famous (see section 7).

- The influence neo-Nazis and radical nationalists have over the civil society, including oppositional and human rights organisations.

So far such influence can be considered minor. In general British society is still quite tolerant, but the moods are starting to shift, which was shown by the polls conducted in 2012. As was previously mentioned, 62.2% of the interviewed claimed that "there are too many immigrants" [151] in Great Britain. This viewpoint is consistent with the beliefs of the far-right radicals, who are actively making use of the shift in the social opinion, especially in light of L. Rigby's murder. It is fair to assume that far-right radicals have had a major effect on the incitement of Islamophobic views in the British society.

So far the situation does not reflect on the results of Parliament elections, but it clearly affects the public mood.

- The influence neo-Nazis and radical nationalists have over the local legislative/executive bodies.

Far-right nationalist parties have in the recent years demonstrated an increase of influence they have over local authorities, even though voters do tend to change their opinions, being disappointed in one party and choosing to vote for another that appears more energetic and effective.

For example, at the elections in 2006 British National Party gained 33 seats in the local legislative body. At the following elections in 2009 BNP improved its position by adding two more of their members to the local authorities. However at the partial elections in 2013 BNP lost 10 out of 12 seats, which was almost a complete defeat.

At the same time the UK Independence Party, which is generally referred to as mildly nationalist and conservative, earned 139 seats in

the local government. That is equal to approximately 25% of the votes, which indicates growth of nationalistic views in British society.

- The influence neo-Nazis and radical nationalists have over the central legislative/executive bodies.

Nationalists do not have and significant influence over the central government of Great Britain.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–2.5	–2.5
–/×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	–2.5
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–15	–15

9. Public actions of extremists and radical nationalists

Indicators

- Participation of neo-Nazis and radical nationalists in mass actions prohibited by the authorities.

Most actions of British far-right radicals are completely legal. Only a selected few were banned by the government in 2013.

On March 4th neo-Nazis from the "UK Pagan Community" held a protest demonstration by a middle school in Birmingham. They were protesting the case of "non-white kids" allegedly driving a white nine-year-old child to suicide. [152]

Some demonstrations were held spontaneously after the murder of Lee Rigby on May 22nd. These events were joined by members of EDL, who engaged in physical confrontation with the police, threw bottles and attempted to attack mosques. [153]

On June 29th leaders of the English Defence League, Stephen Yaxley-Lennon and Kevin Carroll were arrested while trying to stage a "charity walk" to Lee Rigby's murder site in Woolwich. After it they were planning to lead the procession to a mosque in East London. In doing so they breached a police ban on arranging such events and due to the high probability of them resulting in "...serious public disorder and serious disruption to the life of the community."[154]

- Participation of neo-Nazis and radical nationalists in mass actions permitted by the authorities.

The main participant and organiser of mass actions for British nationalists in 2013 was the English Defence League, which prefers the tactic of "direct approach" in its endeavours. This far-right party held events in different UK cities on almost monthly basis. These events were mostly met by anti-fascist demonstrations, which in a few cases even exceeded the nationalists in numbers and ended up turning their processions around.

Neo-Nazis have conducted the following government approved activities:

- Exeter, November 16th, 220 participants. Four people were arrested for illegal weapon and drug possession, as well as public intoxication. The demonstration was followed by over a 1,000 anti-fascist protesters.[155]
- Shotton Colliery, November 9th, 200 participants. One person arrested on public order disruption charges. The "Unite against Fascism" organisation gathered 30 participants.[156]
- Bradford, October 12th, 700 participants, 11 arrests for disruption of public order. The action of protest, organised by the "Unite against Fascism" group, gathered 120 people.[157]
- Tower Hamlets, East London, September 8th, 500 participants, and 14 arrests on public order disruption charges. Counter-demonstration gathered several thousand participants and 150 people were arrested for trying to block the passage of EDL activists.[158]
- South Shields, South Tyneside, August 31st, 350 participants, 7 arrests for assault, fights, and disorderly conduct. The protest demonstration, organised by the "Unite against Fascism" gathered 100 people.[159]
- Croydon, South London, 27th July, demonstration arranged by "English Volunteer Force" — a small far-right group, 40 participants, 2 arrests on assault and disruption of public order charges. Anti-fascists' protest action had 120 participants.[160]
- Birmingham, July 20th, demonstration organised by ELD, 750–1,000 participants, 20 arrests, confrontation with the police and members of the protest demonstration (1,000 people).[161]
- Central London, May 27th, 1,000 participants, 13 arrests. Protested by several hundred people.[162]

- Newcastle-upon-Tyne, May 25th, 1,500–2,000 participants, several arrests; counter-demonstration had 400 participants. [163]
- Leeds, May 4th, 150 participants, 4 people arrested on public intoxication and public order disruption charges. Protest demonstration had 120 people. [164]
- Brighton, April 21st, 250 participants, 20 arrests on public order disruption, assault, theft, criminal damage, and possession of weapons charges; Counter-demonstration had more than 1,000 participants. [165]
- Swansea, March 9th, White Pride Parade — organised by the National Front (UK), 50 participants. Protested by 40 people. [166]
- Manchester, March 2nd, 700 participants, 12 people arrested — mostly EDL activists. The protest demonstration organised by "Unite against Fascism" had 350 people. [167]
- Cambridge, February 23rd, 30 participants, 4 people arrested for assaulting a police officer and public order disruption aggravated by racist statements. "Unite against Fascism's" counter-demonstration gathered 500 participants. [168]

Before May 22nd — day of Lee Rigby's murder — the main goal of all neo-Nazi demonstrations was preventing new mosques and Islamic community centres being built. After May 22nd their speeches became openly anti-Islamic.

- Participation of neo-Nazis and radical nationalists in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  No such events were recorded in 2013.

- Presence of "football xenophobia" and racism amongst sports fans.

Football xenophobia is a rather common phenomenon in Great Britain. Racist slogans, despite the efforts of football associations, are voiced even during Premier League matches, unlike, for example, Germany, where such incidents are completely eradicated from the "Erste Bundesliga" (however in lower level leagues such occurrences are not uncommon).

Below are examples of some incidents that took place at football fields in Great Britain in 2013:

On January 12th Gavin Hoyte — a defender for the Dagenham & Redbridge FC, reported to have experienced racist abuse from his opponent during a match against Rochdale. [169]

On January 31st police arrested a person for racist insults on Facebook against a member of the Newcastle team — Demba Ba. [170]

In February 2013 a Millwall FC fan was arrested for racially insulting a Leeds United player — El-Hadji Diouf in November 2012. [171]

On April 18th the Big Manchester police announced the start of the investigation of a racist abuse incident that happened between the fans of "Manchester City" and "Manchester United" after the game. [172]

In May Stoke City football club started a "religious abuse" investigation after a pig's severed head had been found in a Muslim player's (Kenwyne Jones) locker. [173]

In May organisers had to cancel a football game in Hartlepool after a referee's assistant was shocked and outraged by the racist comments against him from one of the football fans.

In June 2013 English Defence League's activists posted racially abusive comments on Facebook about a striker for Newcastle football club — Papisse Cisse. [174]

On August 17th management of the Port Vale football club launched an investigation after accusations of racist chanting during their SkyBet League One fixture against Bradford at Vale Park. [175]

A similar offence was committed by the fans of Bristol Rovers at the beginning of the game against Newport County. [176]

After the investigation of several racist abuse cases against the members of the opposing team, Penlake FC was disqualified from the rest of the Cheshire League games. [177]

On December 2nd one of the Swansea fans made monkey imitating gestures at one of the Newcastle United players, who preferred to remain anonymous. [178]

On December 7th Middlesbrough FC fans tore apart several copies of Quran during the game against Birmingham City. [179]

Gillingham FC was forced to pay £ 68,000 as a compensation for moral damages to its ex-player Marc McCammon due to a court ruling that confirmed suspicions of racial discrimination against him. [180]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–15	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

Attacks on religious buildings in 2013 mostly targeted mosques and Islamic community centres, which many observes tie to Lee Rigby's murder. However, it is worth stressing that this issue is not new in Great Britain, as after the 9/11 terrorist assault in USA, more than half of the mosques in UK suffered attacks. I.E. around 700 mosques and Islamic community centres reported being attacked over the course of the last 12 years. [181]

There are several mosques and other Islamic institutions were threatened or desecrated in 2013:

- Huddlesfield, January 30th — pig's severed head planted in the mosque. [182]
- Acton, August 8th — an Islamophobic DVD sent to the mosque via mail. [183] Mosques in Walthamstow [184] and Ealing [185] encountered similar actions.
- Rotherham, August 21st — pig's severed head left on the stairs leading to the mosque. [186]
- Essex, August 26th — mosque set on fire, minor damage. [187]
- Lancashire — 6 people, including a British National Party membership candidate, were sentenced to a grand total of 22 years in prison for the robberies committed in mosques over the period of 2012–2013. [188]
- Newport, June 29th — Muslim cemetery at Christchurch desecrated, tombstones painted with racist slogans and swastikas. Among the inscriptions were "white power," "Lee Rigby's murderers," "BNP", UKIP", and "NF". [189]
- Maidenhead, May 22nd — mosque window broken. [190]
- Maidenhead, June 8th — mosque desecrated with racist graffiti. [191]
- Maidenhead, June 10th — bacon brought into the mosque. [192]
- Leicestershire, June 10th — "English Defence League" graffiti painted on the walls of an Islamic community centre. [193]
- Devon, January 2013 — two men accused of conducting a campaign to incite racial hatred against Muslim people from July 2012 to January 2013, including sending threatening letters and desecrating mosques with graffiti. One of the two was prosecuted in accordance with the certain articles of the Counter-Terrorism Act (2008). [194]
- Worcester Park, June 4th — a swastika painted on the mosque door. [195]

- Leicestershire, February 18th — pig's severed head left near the mosque.[196]
- Hartlepool, February 5th — three people entered the mosque and started shouting religious insults.[197]
- Essex, February 4th — an act of vandalism against the local mosque.[198]
- Edinburg, February 4th — bacon brought into the mosque.[199]
- Chipping Norton, February — owner of the land where a mosque was to be erected abandoned his plans after receiving arson threats and multiple protests from the locals.[200]
- Chislehurst, June 8th — a Muslim boarding school set on fire, 130 employees and students evacuated.[201]
- Muswell Hill, June 5th — Islamic culture centre seriously damaged by an incendiary bomb, part of the building collapsed. "English Defence League" graffiti found on the building walls.[202]
- Gloucester, June 18th — mosque set on fire, serious damage prevented.[203]
- Stoke Poges, March 15th — racist graffiti discovered on the walls of a Sikh boarding school.

Total there were 56 cases,[204] more than twice the level of 2012.

Far-right radicals did not disregard synagogues, Jewish cemeteries, and Jewish culture centres either. Overall in 2013 49 anti-Semitic incidents against these Jewish institutions and Jewish property were registered, which is 8% less than in 2012 (53 incidents). It is worth mentioning that the annual number of such incidents has been steadily declining over the course of the last 4 years, after a record number of 89 attacks was registered in 2009. De facto the current annual level of incidents is the lowest of the last 10 years — less anti-Semitic acts against Jewish institutions (48) were registered only in 2005.

Out of the 49 incidents that took place in 2013, 11 were related to synagogue desecration, 20 — to attacks and desecrations of Jewish homes and their property, primarily cars parked next to the houses. There was also one case of Jewish cemetery desecration and three cases of anti-Semitic attacks on websites of Jewish organisations.

It was also registered in 2013 2 hate attacks on Christian Churches.[205]

- Interethnic clashes instigated by xenophobia and radical nationalism.

  No such clashes were registered in 2013.

- Cases of violence, including murder on racial, ethnic, and religious grounds.

As was previously stated in section 3, 42,236 hate crimes were registered in England& Walls (according to the Crime Survey for England

and Wales (CSEW) — 278,000[206]) and 5,598 hate crimes were registered in Scotland over the period of 2012–2013. For 2013–2014, the number of incidents recorded stood at 5,804.[207] Most of these crimes were driven by racial dislike. The same is the case for Northern Ireland. Here the figures are: June 2012 — June 2013: 2,614 and June 2013 — June 2014: 2,987.[208]

The number of attacks caused by anti-Semitism and anti-Islamism is still high. The Community Security Trust (CST) stated that in 2013 the general number of crimes caused by anti-Semitism decreased to 529 cases,[209] as opposed to 640 cases in 2012, which shows a decline of 17.3%.[210]

Simultaneously the British government-funded organisation "Tell MAMA" records an over 50% growth in crime driven by anti-Islamism,[211] compared to 2012, when 631 such incident was registered.[212] This can mostly be explained by the outbreak of anti-Islamism in British society that happened after Lee Rigby was murdered in May 2013. Only a week after the incident the number of anti-Islam crimes was up to 193, including the mosque attacks.[213] Women still remain the main primary victims of violent Islamophobic crimes.[214]

- Cases of hate-driven murders.

In 2013 two murders caused by racial hatred were registered.

The most well-known is the previously mentioned murder of the Lee Rigby by two Islam fundamentalists on May 22nd 2013. The assault was bold and with clearly evident racist underlying motive. The two assailants hit the victim with a car and then dragged him to the curb and cut him with a slicer, a knife, and a machete.

The murderers were two British citizens of Nigerian origin. One of them, twenty-eight-year-old Michael Adebolajo, ordered passers-by to film him on their cell phone cameras right after the murder. Not having washed the blood off his hands and still holding the knife he proclaimed the following: "Eye for eye, tooth for tooth. You think after this David Cameron will come to protect you, think when we arm ourselves he will come to harm? No, the people suffering will be average citizens — you and your children. There will be peace only after the government sends in troops..."

Before police arrived the murderers had spent about 20 minutes talking to the bystanders. One of the eyewitnesses, a nurse named Ingrid Loyau-Kennett, said that Michael Adebolajo forbade her to touch the body, and to her question about the reason of this murder replied that when the victim was a soldier he killed people himself, so his place was in the ground, too.

The police arrived and arrested the criminals. Both resisted arrest and were wounded. They were taken to different hospitals. After that a search was conducted in the murderers' homes. There was informa-

tion about possible accomplices to the crime. Both assailants, Michael Adebolajo and Michael Adebowale were sentenced to life in prison. Both of them grew up in Great Britain and were members of a radical Muslim community.

As was mentioned, this murder stirred the entire country and served as a catalyst for multiple anti-Islamic incidents. In some cases the threats were so serious and specific that the police had to mobilise Special Forces in order to protect the mosques. In addition to that, the entire country suffered a wave of anti-Islamic graffiti. A homemade bomb was discovered in the alley next to the Walsall mosque on the 22nd of June. 150 people had to be evacuated from their homes.[215] There was also an outburst of violence against the Muslims.

In April 2013 a Ukrainian student Pavel Lapshin murdered a Muslim — Mohammed Saleem out of religious hatred. Lapshin was also found guilty of attacks on mosques in Wolverhampton and Tipton. During the course of the investigation Pavel Lapshin demonstrated powerful hatred towards all non-white people and confessed to wanting to initiate an "inter-race war." He was sentenced to 40 years in prison.[216]

In July 2013 a Muslim by the name of Bijan Ebrahimi was killed in Bristol by his neighbour Lee James. Ebrahimi suffered racist abuse from James for an entire year, until in the end James murdered him and set fire to his house. Lee James was sentenced to life imprisonment.[217]

- Terrorist attacks on the basis of radical nationalism and religious fanaticism.

The previously discussed murder of the British soldier Lee Rigby by two Islam fundamentalists on May 22nd (see above) definitely falls under the category of a terrorist attack.

Apart from that, by September 2013 the police have made 257 arrests on alleged terrorism charges, which is 13 arrests less than were made over the same period last year. However, only in 48 cases the suspicions were confirmed and followed by actual investigations.[218]

Interestingly, this year a whole new series of criminal cases against neo-Nazis, that were planning attacks on Muslims and their religious institutions, took place, which, undoubtedly, is connected to Lee Rigby's murder.

Specifically, in October a 17-year-old EDL supporter, who planned to bomb mosques, appeared in court. He had procured the components necessary to create an explosive device and was caught during the process of assembling the bomb. This teenager from Loughborough was clearly under the influence of Nazi ideas — police officers have found a huge swastika painted on his bedroom wall. The charges were filed not only against him, but also against two accomplices, who were teenagers as well.

In 2014 began the trial over the 41-year-old Birkenhead citizen, who was accused of terrorism in 2013. He also was preparing to blow up several mosques and Islamic community centres, for which he had assembled several homemade explosive devices.[219]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	–5	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	–5
	Total for the section 10	–20	–20

11. Presence, popularity, and scope of antiracist and anti-Nazi movements and parties

Indicators

- Presence of antiracist and anti-Nazi movements and parties.

Contemporary antifascist movement in Great Britain, which has deep rooted antifascist traditions, was created in the 80s, when members of a left-wing group "Red Action," as well as two members of the left-wing "Socialist Workers Party" founded the "Anti-Fascist Action" (AFA). This movement actively opposed racist and Nazi groups and parties, particularly the British National Front. Antifascists openly engaged in fierce public confrontation with the far-right radicals, which caused them to be widely criticised by liberal politicians.

In 2001 the "Anti-Fascist Action" broke down into several small organisations and was replaced by a new anti-fascist movement called "United Against Fascism," which today is the most influential and massive anti-fascist organisation.

Another active anti-fascist organisation, that views protecting the rights of immigrants as its goal, is the "Joint Council for the Welfare of Immigrants."

A significant role in fighting racism in sport is played by the "Show Racism the Red Card" organisation.

There is also an entire series of small organisations with various purposes — such as, for example, "Institute of Race Relations," as well as other anti-fascist and anti-racist organisations.

In 2005 a group called the "All-Party Parliamentary Group against anti-Semitism" was created. This group operates under the leadership of John Mann MP. In September 2006 it published a report on the current anti-Semitism levels in the United Kingdom.[220] The Parliament group diligently monitors the activity of anti-Semitic websites on the internet. For example in 2009 British Telecom banned an anti-Semitic site "Catholic Voice." A fund called "PCAAF" was created on the group's official website[221] (http://www.antisemitism.org.uk/). It monitors data related to cases of anti-Semitism and has a personal blog.

Another organisation engaged in prevention of racism, xenophobia, and Islamophobia is "Forum against Islamophobia and Racism."

- Antiracist and antifascist movement activities (pickets, rallies, demonstrations).

"United against Fascism" (UAF), being the most active existing antifascist organisation, uses the tactic of mass street demonstrations and count-rallies against Nazi events of similar nature. The organisation's strategy is to find out the location of the Nazi rallies in advance and to match them with demonstrations or pickets of their own. Sometimes UAF simply blocks the path of the national-radicals, which is made easy by the fact that "United against Fascism" is capable of gathering anything from several hundred to several thousand people in a very short period of time.

In 2013 UAF activists protested almost every single event organised by neo-Nazis of the English Defence League (see section 9).

In addition to that antifascists have also conducted a whole series of independent mass demonstrations, i.e.:

- Wakefield, November 23rd;
- Liverpool and Bradford, October 12th;
- Croydon, October 5th;
- Embassy of Greece, London, after the murder of antifascist Pavlos Fyssas in Athens, September 21st;
- Tower Hamlets, London, September 7th;
- Edinburgh, Portsmouth, August 17th;
- Glasgow, July 27th;
- Croydon, July 27th;
- Birmingham, July 20th;
- Cambridge, February 23rd.

"United against Fascism" have also participated in other events, such as, for example, a trip to the "Osventsim" Nazi Concentration in Poland, Trayvon Martin Solidarity March,[222] after his murderer —

George Zimmerman was acquitted in USA, etc. Apart from the listed above, UAF has also organised several antifascist conferences in London, Wales, and West Midlands. [223]

"Joint Council for the Welfare of Immigrants" is the oldest human rights organisation in the United Kingdom and it works on providing immigrants with legal protection.

The antiracist committee "Show Racism the Red Card" works exclusively with sports fans and athletes, primarily — football players. The organisation has massively expanded its activities and even convinced the management of the Premier League and the leading British football players to join their cause. In 2013 the organisation filed several racism lawsuits against certain football players and football clubs. [224] In addition to that "Show Racism the Red Card" managed to lobby a FIFA decision in May 2013, according to which FIFA will have the right to disqualify any football club from any national championship without notifying the local federation in case there are any suspicions of racist abuse happening in the field or at the stadium. [225]

London community called "Security Trust," which has been actively battling anti-Semitism since 2001, reports cases of anti-Semitic attacks to the police and consequently acts as the liaison between the victim and the police/security agencies. This community has published the annual report on anti-Semitic incidents and on anti-Semitic publications going into press.

The organisation "Tell MAMA" has been monitoring cases of attacks on Muslims since February 2012. This organisation is partially funded by the UK government. The main target of "Tell MAMA" is to detect any anti-Islamic incidents and report them to the police. A significant amount of effort is also put into identifying and preventing displays of hate on the internet. The community also acts as a guide and advisor for the younger organisations, allowing them to utilize its vast knowledge and experience. [226]

Public organisations that work to ensure members of the LGBT community are treated equally are also quite active in UK. On June 27th they arranged another Gay Pride event in Bristol despite the attempts of neo-Nazis to prevent it from happening.

- Presence of antiracist and antifascist civic initiatives.

In 2013 "United against Fascism" presented a public initiative called "Don't let the racists divide us!". This initiative was antifascists' retaliation against EDL's and BNP's attempts to incite racial hatred after Lee Rigby's murder by Islam fundamentalists. [227]

In response to the publically government declaring its intention to tighten the immigration legislation, several antiracist organisations, human rights activists, and lawyers specialising on immigrant defence

created the "Movement against Xenophobia" The goal of this movement was to decrease the amount of anti-immigrant rhetoric in Mass Media, as well as during the upcoming elections campaign of 2015. [228]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German national-socialism and Nazi Germany collaborators

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

In August 2013 a famous Holocaust denier David Irving went on a tour around Great Britain in order to present his new book about the leader of the SS — Heinrich Himmler. Due to the protests of the antifascists the tour happened in a rather secretive setting.

On October 27th 2013 "The Mail" newspaper was printed with a photo of two British army soldiers standing in front of a British flag while imitating a Nazi greeting. [229] The Chief of the Defence Staff reassured the general public that measures in the form of administrative sanctions will be taken against the soldiers.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  No such incidents were recorded in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  No such incidents were recorded in 2013.

- Historical revisionism, Holocaust denial.

Candidate for the Crowborough city council in East Sussex from the UK Independence Party, Anna-Marie Crampton allowed herself to post anti-Semitic content on Facebook. She called the Jews "the architects of the WW2 and the Holocaust" supporting her accusation by the claim that these historical events resulted in State of Israel being created. She also directed her followers to a known anti-Semitic fabrication called "The Protocols of the Elders of Zion." The party responded by expelling Anna-Marie from its ranks. [230]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	0	–5
	Total for the section 12	–5	–10

13. Criminal prosecution of veterans, partisans of the anti-Hitler coalition, and antifascists

Indicators

- Public calls for repressions against the veterans and partisans of the anti- Hitler coalition, as well as antifascists.

No such incidents were registered in 2013; however, a discussion blaming antifascists for the aggressive behaviour of the neo-Nazis did appear in the media. [231]

- Restrictions on human rights and antifascist organisations imposed by the authorities, bans to entry or exit imposed on antifascists by the authorities, inaction of the authorities.

On September 8th 2013 150 antifascists were arrested for attempting to block the path of the English Defence League neo-Nazi rally. Many of them were released on bail on condition that they would not take part in any neo-Nazi protest demonstrations without first receiving approval from authorities in the future. [232]

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and antifascists.

No such incidents were recorded in 2013; however, the verdict against the 150 antifascists arrested during the neo-Nazi protest demonstration on September 8th still remains unknown. If the sentence is severe, then it will complicate further conduct of anti-Nazi rallies in Great Britain.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
×	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	–5
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	–5

14. International Aspect

Indicators

- Participation of the monitored countries in the most significant international agreements on combating racism and discrimination against ethnic minorities.

Britain has accepted all the major international documents targeting protection of human rights.

During the contemplated period Britain has accepted neither any new international agreements and UN resolutions, nor any resolutions submitted by any other international organisation fighting to protect the rights of minorities and eliminate Nazism and racial discrimination.

- Accession to new international agreements, as well as resolutions of the United Nations and other international organisations dedicated to combating Nazism, combating discrimination, or protecting rights of minorities, during the monitored period.

No such actions were registered in 2013. Moreover, PM David Cameron stated that if his party wins the elections of 2015, Great Britain might end up leaving the European Court of Human Rights (ECHR) system. He made this statement public after the ECHR had declared life sentences of many known criminals invalid in July 2013.[233] In the meantime ECHR still remains the only international judicial authority that has jurisdiction over all the Council of Europe member countries that ratified the European Convention on Human Rights and Fundamental Freedoms. The ECHR makes all the capital decisions regarding human rights and freedoms preservation.

- International declarations and initiatives of the monitored countries and the leading politicians against discrimination, neo-Nazism and xenophobia.

There is no record of any British authority figures or renowned politicians making any international statements or initiatives aimed against discrimination, neo-Nazism, and xenophobia.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Britain's position in the radical nationalism rating deteriorated in 2013 compared to 2012 — it moved from 12th to 7th position. This was

caused by an entire series of miscalculations regarding compliance with immigration legislation, which in the end resulted in death of one of the refugees and in an increase of illegal deportations, as well as by government's harsh treatment of antifascists, who in some cases were forced to promise not to engage in any protest activities in the future.

Tightening of the immigration legislation during the observed period should be mentioned separately. The amendments that had been made to the Immigration Act significantly complicated the position of immigrants and made them much more vulnerable to the government's arbitrariness. Specifically, the new regulations obstruct illegal immigrants' access to labour market and social aid programmes in Great Britain, [234] which, generally speaking, violates article 8 of the European Convention on Human Rights. Hence these amendments can be considered discriminating.

Moreover, the entire concept that lies behind the new immigration regulation system appears somewhat unethical, as the British government is planning to reduce immigration not by constructing administrative barriers, but, rather, by decreasing social motivation for immigrating to UK through limiting immigrants' access to social and medical aid programmes.

The downward shift of the UK's position in the rating has also happened due to an increase in number of hate crimes in UK. This primarily includes more frequent cases of vandalism against religious objects possessed by Islamic organisations and assaults on Muslim people. Admittedly, this situation was largely provoked by the cynical and bloodcurdling murder of the British soldier Lee Rigby by Islam fanatics in Woolwich, South London on May 22nd 2013. Lee Rigby's murder caused a drastic outburst of Islamophobia in British society, which, in turn, resulted in an increased number of hate crimes that were previously rather uncommon for Great Britain.

1. Human Rights

- *Protecting the minorities from all forms of discrimination.*

Despite everything Great Britain still has one of the most advanced minority rights protecting legislations in the world. There still are some legal atavisms in existence — like, for example, only members of Anglican Church having the right to occupy the throne, which, in all seriousness, cannot be considered significant discrimination against minorities. Therefore, in general minorities in the United Kingdom are legally well protected against discrimination.

However, the existing law enforcement practice is still carried out in such a way that discrimination against Gypsies and nomads is still a substantial problem in Great Britain. Members of ethnic minorities are

the ones most often stopped by the police for random security checks, cases of race or caste (for people of Indian origin) discrimination at work are also quite common, there are even cases of racist abuse among children in secondary schools. Gypsies and people of African and Caribbean origin experience racial discrimination when searching for employment as well as in the medical sphere. The issue if anti-Christian discrimination is also becoming quite noticeable.

All of this makes it quite transparent that even though the UK legal system is well-adjusted for protection of minorities, it still does not mean that these mentioned minorities will be completely shielded from discrimination.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

The United Kingdom signed, ratified and is fulfilling the main requirements of the international agreements related to human rights. At the same time there is evidence of the British government breaching these regulations with regards to immigrants and individuals accused of collaborating with terrorist organisations. Statements made by the UK Home Secretary Theresa May, who is considered second in the ranks of the Conservative Party, also do not make a very reassuring impression, as she claims it is necessary to amend the Immigration Act and revisit certain aspects of British legislation related to protection of human rights. [235]

- *Differentiation in rights and freedoms of the titular nation and ethnic minorities.*

On the legal level no such differentiation between the rights of the indigenous British citizens and ethnic minorities exists. Yet, at the same time, existence of discriminatory practices against both immigrants and British citizens provides evidence that de-facto discrimination has not been eliminated from the British society.

- *Legislation enshrining inequality of minorities.*

No such legislation has been present during the observed timeframe.

- *Rulemaking in protection of minorities.*

In 2013 Great Britain introduced a new piece of legislation that outlawed publication of vacancies with such discriminating job require-

ments, as gender, age, ethnic origin, personal vehicle ownership, and first language.

- *Freedom of speech violations.*

Freedom of speech in Great Britain is a multidimensional concept that includes freedom to express any opinion, both privately and publicly, freedom of press, and freedom of art in any manifestation. But, when regulating the freedom of speech, national legislation sets certain restrictions. Such restrictions include the unacceptability of defamation, rebellious incitement, racial hatred propaganda, obscene language and pornography, blasphemy, disrespect towards court, and breach of personal life confidentiality. Taking into account everything mentioned above, no freedom of speech violations were registered in Great Britain in 2013.

- *Legislation and law enforcement practices concerning migrants.*

In general Great Britain has rather well-developed immigration legislation. The exception being the "Right-to-reside test," which is a clear violation of the EU laws, specifically of the standard "Habitual residence test," which all EU member countries are legally bound to use for financial benefits related decision making process.[236] Another worrying event is the announcement of the Immigration Legislation reformation, which will lead to violation of immigrants' rights, to reduction of social aid, and to attempts to force immigrants who have not yet officially obtained a refugee status to leave the country.

2. State of the society

- *Risk of violation or noncompliance with the acting laws directed at protecting the rights of minorities; Risk of discriminatory practices against members of minorities.*

Discriminatory practices against certain population groups are, without doubt, a more serious threat for the British society than radical far-right parties and organisations, which currently do not hold any serious influence over the average citizens. It is worth noting that at the moment Great Britain is being equally successful at battling the discrimination against minorities and battling hate crimes through combining law enforcement practices with public organisation activity.

Discrimination against minorities in recruitment and in education, as well as in medical and social aid, is definitely affecting the standard of living in the UK. The government's promise to make amendments to the immigration legislation is creating additional tension amongst immigrants, as it will be another blow at their standard of living, in addition to affecting their rights.

- *Subject of identity — how manifestations of xenophobia and extremism affect the identity of minorities, as well as identification of minorities on the part of the majority (growth of social phobias)*

Currently the identity issue is not present among the minorities in Great Britain. However, it can arise before the religious part of the population in general and Christians in particular, because the existing legislation does tend to hinder their right for religious self-identification. Moreover, the anti-Islam hysteria caused by Lee Rigby's murder by Islam fundamentalists, UK Independence Party's success at local elections — all that creates preconditions for further complication of intra-communal relations and decreases the security level of the minority members.

3. Socioeconomic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Great Britain, like all EU countries, has endured the consequences of an economic crisis, but they hardly had any xenophobic implications, only economic. Nevertheless, the government policies regarding financial aid for the poor, ranks of which include many immigrants, led to a drastic growth of nationalistic views in British society and increased the popularity of nationalistic political parties.

- *Economic turmoil and instability.*

Economic issues, as well as economic instability in 2013 were present in the UK as well as other EU countries, but they were caused exclusively by economic reasons.

- *Decline in production growth, emigration of the labour force.*

Great Britain does not display a tendency for emigration of employable citizens; in fact, despite the economic crisis, the country still attracts large numbers of immigrants. Moreover, the social aid system for the unemployed is very attractive for the immigrants, as it provides unemployed individuals with financial benefits almost equal to minimum wage.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Political stability remains rather strong in the United Kingdom. It is evident that in 2013 the level of xenophobia in the country still remained significantly lower than in other EU countries and did not affect

the political course of the country over the observed period. However, an outburst of Islamophobia and a series of attacks on local mosques and Islamic community centres after Lee Rigby's murder on May 22nd suggest that this political stability is not a constant and can be quite easily be transformed into various phobias against certain religious or ethnic groups in a very short period of time.

- *Impact of xenophobia and extremism in the country on the issues of external security, on relations with third countries and the international security in the region as a whole.*

At the present time no such impact is observed. Great Britain remains one of the Western World leaders actively protecting the European values. This country values the human rights and predominantly abides by the rules, with certain exceptions in the form of discriminatory practices in citizens' daily lives, as well as some immigrants' and religious and ethnic minorities' rights violations.

The lately increased activity of the far-right UK political parties currently does not pose a valid threat for the political course of the country. Plus, this activity is met by powerful counter-measures from antifascist organisations.

Yet, simultaneously, the considerable growth of xenophobic views in the British society is becoming apparent — it reflected on the results of 2013 local elections, where a moderately nationalistic Independence Party acquired a significant amount of votes. Reacting to the changing mood of the population, the ruling Conservative Party over the observed period also started implementing anti-immigrant rhetoric typical for nationalistic political parties, raising such issues as immigration reduction and weakening EU's influence on UK's political affairs.

Moreover, authorities developed a troubling tendency of suppressing antifascist organisations' activity, which resulted in high number of arrests of antifascist rally members, as well as such new for the UK phenomenon as releasing the detained rally members only if they promise to not engage in any further antifascist activity.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Great Britain has already accepted all international conventions and agreements related to protection of human rights. United Kingdom's refusal to accept multiple resolutions of the United Nations General Assembly that attempt to prevent Nazism glorification[237] is the re-

sult of Britain's authorities' fear that these resolutions might contradict the fundamental human right for freedom of self-expression.

It is vital to understand though, that German Nazism glorification is closely related to racial discrimination propaganda and indirectly victimizes ethnic minorities. Therefore, accepting such resolutions would be consistent with British legislation prohibiting propaganda of racial hatred, as well as with General comment number 34 to article 19 of the International Covenant on Civil and Political Rights.

Moreover, Britain accepting the aforementioned resolutions would serve as a powerful signal for certain Eastern-European countries, where glorification of Nazism has become a common government practice.

Another cause for concern is Prime Minister's statement about UK's intention to leave the European Court of Human Rights system, which, doubtlessly, will result in the strengthening of certain antidemocratic tendencies that were observed in 2013.

2. *General recommendations for adjustments to the legal framework*

In general British anti-discriminatory and anti-racism legislation is rather well-developed. The issues related to xenophobia, racism, and extremism arise in British society not because of defects in legislation, but because of weak law enforcement practice.

Also, United Kingdom needs to adjust its law enforcement practices related to immigration control in such a way, that they would become compliant with the EU legislation; specifically — abolish the "Right-to-Reside test," which, according to the European Commission's position, is illegal.

In order to overcome discriminatory practises against religious institutions in England and in Scotland, religions minor for the UK (i.e. Hinduism, Islam, and Judaism) should be recognised on the same level as the official state religions — Anglican Church in England and Presbyterian in Scotland. This will allow the ministers of these religions to be on government payroll while working in hospitals and in the penitentiary system. It is also necessary to clarify the concept of "religious beliefs" in the anti-discriminatory legislation, because the ambiguity of the current definition allows many individuals who abuse religious people — especially in the workplace, to avoid prosecution.

Another action that needs to be carried out as soon as possible is an introduction of an Anti-Defamation Act that would eliminate the currently existing defamation-related free speech abuse loopholes.

The requirements of the Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims should also be complied with.

The British legislation related to financial aid for immigrants should be adjusted in accordance with the EU requirements. This im-

plies guaranties of financial support for EU citizens — permanent residents of the United Kingdom.

Finally, British government needs to take drastic measures against "caste discrimination" and do everything possible to introduce a congruent law.

3. *General recommendations for the executive bodies in the field of law enforcement and human rights*

It is vital that strict measures are taken to eliminate still existing in the UK discriminatory practices against racial, ethnic, sexual, and religious minorities in the spheres of recruitment, health services, education, etc.

Preventing discriminatory practices against immigrants and refugees — especially the ones belonging to ethnic minorities, and their children is also essential.

The freedom of speech issue should be treated more cautiously when people are brought to justice for defamation.

Extra attention should be directed at preventing institutional racism in British law enforcement. Educational courses and trainings for the police officers could prove valuable for achieving this goal. The practice of randomly stopping and searching people without sufficient ground for such actions needs to be completely eliminated. In this case it might prove beneficial to adopt the US system, where each apprehension is accompanied by detailed documentation of reasons why it was performed and of the actions involved police officers took.

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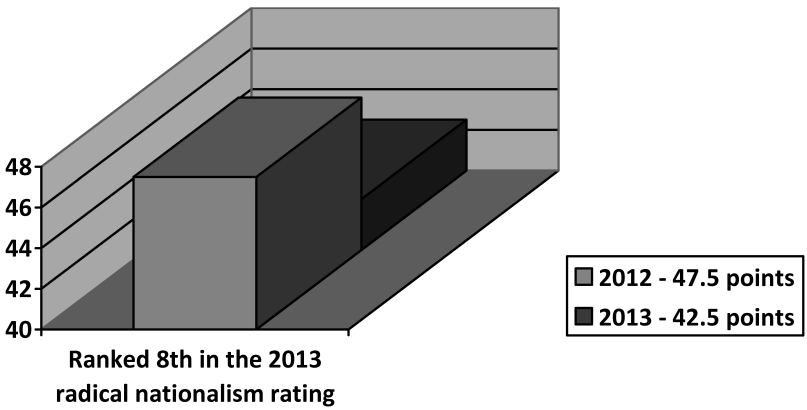
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–7.5	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	15	15
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	2.5	0
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–15	–15
9	Extremist and radical nationalist public actions	–15	–15
10	Racist attacks, violence and terror	–20	–20
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–5	–10
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	–5
14	International aspects	5	5
	Total	–30	–45

HUNGARY


48
46
44
42
40
Ranked 8th in the 2013
radical nationalism rating
2012 - 47.5 points
2013 - 42.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Hungary was one of the most successful post-communist countries of Eastern Europe. After the end of the socialist era, Hungary made an almost seamless transition to democracy and free market economy. However, recent events revealed serious problems within Hungarian society. Economic crisis has seriously affected Hungary. Political elite was unable to respond to the emerging challenges in internal politics of the country. Key political leaders have shown their inability to compromise, and used any means in the struggle for power. Since 2010, Prime Minister in Hungary is Viktor Orban, whose party *Fidesz* (Hungarian Civil Union) affirmed its mandate, receiving 44.54% of votes in 2014 elections.

The government primarily focuses on the revival of the national idea, which in their view is threatened by international liberalism. Currently, Hungary's main course is further strengthening of power and national identity of citizens under the aegis of national conservatives.

The country has already experienced radical restructuring of government institutions, personnel changes in public administration, constitutional and legislative amendments, some of which can easily be classified as discriminatory.

First of all, this concerns the new Constitution, which came into force on 1st of January 2012. Hungarian Basic Law has nationalistic overtones. Even though it protects human rights and recognises the rights of minorities, it clearly puts the interests of the Hungarian nation first. Article 15 of the Constitution talks about "prohibiting discrimination on the ground of race, gender, religious and political views, as well as skin colour, language, social origin, wealth, etc." However, the Constitution represents national minorities as citizens "living alongside the Hungarian nation." So far, Hungary lacks the law that establishes penalties for neo-Nazi and racist activities.

The preamble to the Constitution states that Hungary lost sovereignty on March 19, 1944 (Nazi invasion into the territory of Hungarian ally), and only regained it on May 2, 1990. Thus, Hungary's responsibility for allegiance with Nazi Germany in the Second World War is glossed over, while the Nazi occupation is equated to the political regime that replaced Nazis. This can be regarded as an attempt to revise the results of World Wars and the current frontiers.

The Constitution also recognises the right to life from the moment of conception, which raises questions about reproductive rights. It also restricts the right to vote for persons with mental disorders and contains the definition of the family, which excludes lesbians, gays, bisexuals and transgender (LGBT).[1]

Venice Commission — an advisory body of the Council of Europe in the field of constitutional law — criticised the new Hungarian Constitution. According to the Commission, country's main law threatens the political, economic and other achievements of the Hungarian nation. In particular, the Venice Commission believes that the protection of human and civil rights should be more clearly defined in the Constitution, and the provisions concerning the rights and freedoms of Hungarian citizens living abroad can harm international relations in Central and Eastern Europe.[2, 3]

The country also adopted an amendment that prohibits foreigners from purchasing land.

Furthermore, a number of laws and international agreements can be adopted or ratified by the 2/3 majority vote. This is exactly the amount of deputies that the ruling party *Fidesz* has in the parliament.

The Law "On the right to freedom of conscience and belief, churches, religions and religious organisations" can also be considered discriminatory. Adopted by the Hungarian Parliament on July 12, 2011, the new Law contains retroactive provisions, namely — the "deregistration" of 346 religious minority communities, registered in Hungary since the adoption of the Law on Religion in Hungary in 1990.

According to the new law, only 32 churches were to maintain their status as registered religious organisations, with the appropriate rights and privileges. These include Catholics, Jews, Orthodox, Eastern Catholics, as well as several Protestant groups.

All other religious groups lost their status of religious organisations and had to re-register. Re-registration also led to some problems. First, it was to be considered not by the courts, but by the Parliament, based on submissions of the Minister of Social Resources (church affairs are within his competence). Secondly, according to the new law, the registered religious organisations had to have been acting in Hungary for at least 20 years, have a constitution and an elected administrative body, as well as at least 1,000 followers (previously, only 100 were required) who permanently reside in Hungary and confirm their religious affiliation in writing.

These problems were relevant to the followers of Islam, Buddhism, Mormons, Hare Krishnas, etc.

The officially registered organisations received tax-exemptions and the right to government support. They also obtained the right to organise charity fundraisers and conduct social work in prisons and hospitals.

Nevertheless, in March 2013 this law was repealed by the Constitutional Court, which stated that the law failed to specify detailed reasons for refusing certain organisations in church status. It also expressed dissatisfaction with the fact that "there are no means of legal protection" for those who were denied official recognition. However, in response, the government threatened to challenge this decision by changing the legislation with constitutional amendments, which is quite possible, giving that the ruling party has a constitutional majority in the parliament.

Hungarian Media Law also raises some questions. The Law establishes a state supervisory body that has the authority to impose fines on media for violating the "political balance" in their publications. Some critics see this law as an instrument to persecute the independent press. Despite criticism from the Council of Europe, the European Commission and the OSCE Representative on Freedom of the Media, Hungarian government was unwilling or unable to adequately fix the problematic media laws. It is obvious that the main regulatory body, the Media Council, has no political independence. All this creates the risk of media manipulation to the detriment of minorities, among other things, which can be observed in the campaign to glorify Horthy.

Unlike many other countries, hate crime is a separate offense in Hungary, but the Criminal Code does not contain any provisions recog-

nising racism or other prejudice as an aggravating circumstance in the commission of a crime.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

Hungarian legislation does not contain such restrictions. However, on October 29, 2012, the Hungarian Parliament adopted the Law on registration of voters, according to which voters would have to register personally or on government website at least 15 days prior to voting in the April 2014 General Elections. These conditions do not affect ethnic minorities, but they can interfere with votes from the countryside.

- Presence of legal norms or other normative documentation, which legalises the ideology of radical nationalism, its attributes and practices, as well as their distribution in the mass media and mass communication.

In February 2013, Constitutional Court of Hungary lifted the ban on the use of Nazi and Communist symbols, as it "unduly restricted freedom of expression." Thus, swastika became one of permitted symbols. [4]

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

Hungary has a large number of national minorities. According to official figures, they amount to 6% of the total population, while unofficial data shows that their number reaches 15%. Roma is the largest ethnic minority in the country. With the total population of 10 million, the number of Roma in Hungary amounts to 700,000–800,000 people, although during the 2005 census only 250,000 of them had officially recognised their origin. Roma is also the most discriminated minority in the country.

Segregation of Roma in schools remains one of the problems of modern Hungary. Almost 80% of Hungarian correctional schools are filled with Roma. Authorities explain this with the weak educational background of the Roma population, but in fact, the majority of Roma children are automatically assigned to these schools. This discriminatory practice, based on long-standing prejudices, remains in spite of all court rulings. 70% of Hungarian parents do not want their children sharing a desk with Roma. 86% of 16-year-old school pupils agree with them. [5]

Segregation takes on different forms — for example, many Roma children are placed in special correctional schools for children with mental and other disabilities, and this is done through biased testes.

Some Romani children are sent to Roma-only schools, or schools where they constitute the majority of students, or they are placed in separate Roma classes. They are often subjected to segregation outside of the classroom as well — for example, they are not allowed to use common playgrounds or canteens. In Hungary, Roma children can also be physically removed from the school education system because of "private" home schooling. In addition, teachers within the system of segregated education reportedly expect less from Roma students and therefore lower requirements towards them.

On January 31, two ethnic Roma won a lawsuit against Hungary at the European Court of Human Rights, for sending them to a school for mentally handicapped children. Education in such school meant that young people were isolated from normal life in society — and it became a barrier to integration into it, the judge ruled. The Strasbourg court noted in its decision, that such solution to the issue of providing Roma with education leads to discrimination. Court found that the school system in Hungary could not provide acceptable standards for minorities. Hungary was sentenced to pay the legal fees in the amount of 4,500 euros.[6]

At the same time, there are examples of voluntary Roma segregation. Three schools in Hungary are known to specialise in educating Roma children — in Budapest, Szolnok and Pecs.

The ruling Fidesz party states that presence of the Roma majority in some rural schools is a fact, whereas the previous Socialist government preferred to transport young Roma to the neighbouring educational institutions in school buses, where they would mix with ethnic Hungarians.

Most Roma have a low social status and according to human rights activists, they are subjected to various forms of discrimination. Currently, out of 400 thousand able-bodied Roma, only one in every four has income. Usually, Roma take on low-paid seasonal or part-time work. At the same time, Roma are almost always the first candidates for dismissal, and often cannot achieve reinstatement through legal means.

On the street, police is three times more likely to stop the Roma than other citizens. Courts often sentence them to more severe punishments.

Arbitrariness of state and local governments is also obvious. For example, in order to receive social benefits, Roma have to be employed.

Hungarian government has launched a Roma employment programme, where they were offered to participate in community service for 150 euro per month for a 40-hour workweek.[7] This system violates human rights and gives local authorities the opportunity for abuse of power.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
×	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	–5
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–15

2. Xenophobia and inflammatory statements by members of the authorities and media

Xenophobia mainly originates from the leaders of Hungarian radical right-wing parties, although members of the ruling Fidesz party, including the Prime Minister, have indulged in some inflammatory statements. Some of the cases are listed below:

Founding member of Fidesz party Zsolt Bayer was interviewed by *Magyar Hirlap* on January 5, 2013. Bayer said, "Majority of Gypsies are unable to live in society. Live among us, people. They behave like animals and must live among animals. They want to mate with anything they see. If they encounter resistance, they kill. They crap where they want. If they feel restricted in anything, they kill. Roma are incapable of normal human communication. When they talk, instead of saying words they produce animal sounds. These animals have no right to live. We have to solve this problem as fast as possible."[8] Bayer had also made several racist statements against Jews.

In January, Jobbik party MP Janos Volner spoke at an anti-Roma march in Pest. He talked about the need to fight "gypsy crime," and the need to reduce "gypsy birth rate," which is supposedly threatening Hungarian economy.[9]

On January 10, Hungarian prosecutors dismissed an appeal of the Jewish community against the Member of Parliament from the "Jobbik"

party Marton Gyongyos, "famous" for stating that Jews are a threat to national security. The prosecution believes that his words cannot be qualified as incitement to hate. [10]

Encouraged by the court decision, Gyongyos announced that he conduct lectures about the "Zionist threat" in several cities. [11]

On February 21, it was reported that the media council of Hungarian television reprimanded ATV channel for describing Jobbik as "an extreme right party," for violation of viewers' right to information.

On March 15, it was reported that Táncsics award — the highest award for media workers — was given to a television journalist Ferenc Sanislo, known for his anti-Semitic and racist views. At the same time, the jury itself decided that Ferenc Sanislo adheres to excessively odious views, and rejected his candidacy. However, this decision was changed by somebody in the Ministry of Human Resources, who has the competence to award government prizes. [12] This caused an international scandal. At least a dozen of former award winners have given up their prizes in protest. On March 21, the journalist had officially refused the award, however did not deny himself the pleasure to state that he was "a victim of Israel and US machinations." [13]

However, in Stanislo's "shadow" was another radical nationalist who was given Táncsics award — a historian Kornel Bakay, who was claiming that Jesus Crist was not Jewish, but a Parthian (so indirectly — a Hungarian), Jews were slave traders, and Ottoman conquest of Hungary in 1,526 was their fault. Another award was given to a guitarist form a neo-Nazi group "Carpathia" Janos Petras. [14] These facts indicate that awarding F. Sanislo was not accidental, as it H. Bullock tried to present, but purposeful actions of Hungarian authorities, which were forced to retreat only after an international scandal.

On May 3, leader of a parliamentary party "Jobbik," Gabor Vona, promised to conduct "anti-Bolshevik and anti-Zionist demonstrations" during the World Jewish Congress convention in Budapest. [15] In his speech in parliament, he urged Hungarian Jews to apologise for "Jews killing Hungarians in 1919 and in 1950."

At the same time, Hungarian Prime Minister Viktor Orban, in his speech at WJC forum, preferred to condemn European anti-Semitism in general terms, but did not find words to condemn the "Jobbik" party. [16] As an alternative to the growth of anti-Semitism, Orban offered to follow the "example of good Christians and strengthen traditions and customs."

In response, WJC adopted a resolution, where it called on Hungary to "to realise that Jobbik party and its supporters pose a fundamental threat to Hungarian democracy."

"We are sorry that Mr Orban did not assess the recent racist or anti-Semitic incidents in his country. Furthermore, he did not indicate a suf-

ficiently clear dividing line between his government and the far-right," the document said.[17] Resolution also presented an appeal to Hungarian authorities to adopt effective measures, including on legislative level, to protect all citizens and residents of the country, particularly members of ethnic minorities such as Jews and Roma, from any manifestations of violence, racism, ethnic hatred and Holocaust denial.[18]

Popular daily newspaper *Magyar Hirlap* was a frequent source of xenophobia in 2013. On May 9, Hungarian Council on Media Affairs fined the newspaper for insulting comments against Roma, made by Zsolt Bayer.[19]

On May 31, it was reported that the Budapest municipality decided to rename one of the streets in honour of an anti-Semitic writer Cecile Tormay.[20] However, protests of the Jewish Community in Hungary forced the mayor of Budapest István Tarlós to reconsider this decision. Mayor asked the Hungarian Academy of Letters to perform a peer review of Tormay's literature and her public activities.[21]

On September 23, it was reported that Mayors of Miskolc, Székesfehérvár and Ózd — all members of the ruling Fidesz party — supported the demands of extreme right Jobbik party to stop opening cultural-educational centres for Roma.[22] These cities are known for widespread anti-Ziganism.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 14 of the Basic Law guarantees "fundamental freedoms for all persons, without any discrimination on the grounds of gender, race, colour, ethnic or social origin, nationality, disability, language, religious, political or other opinions, property, estate or other status."

Article 15 of the Constitution refers to "prohibiting discrimination on racial, gender, religious, political grounds, as well as skin colour, language, social origin, property status, etc."

One of the amendments to the new Constitution of the Republic of Hungary states that Hungary shall protect the Hungarian language; respect the languages of nationalities and ethnic groups residing in the country, as well as languages of other countries. The Constitution also protects the freedom of religion.

However, the numerous amendments to the Constitution and legislative acts create confusing in the protection of ethnic minority interests. As already mentioned, the basic law of the country contains bias towards Christianity, while national minorities are represented as citizens "living alongside the Hungarian nation."

Hungarian government regularly refers to "zero tolerance" policy towards any manifestations of anti-Semitism.[23] The government reinforced its words with actions — introducing several amendments to the Criminal Code (Law 100/2012), providing punishment for "pitting one part of the people against another." Furthermore, membership in anti-Semitic groups is considered a criminal offence as well as violence against people. Holocaust denial is criminalised in Hungary.

At the same time, Hungarian Criminal Code equates Nazi crimes and Communism, which negates the meaning of Holocaust and the Nazi genocide in Europe during 1940s.

- Presence and development of anti-discriminatory legislation.

Under the fourth amendment to the Constitution of Hungary, "freedom of expression shall not be carried out with the aim of insulting the dignity of Hungarian nation, or a national, ethnic, racial or a religious group."

Article 12(3) of the Constitution talks about provision of asylum and protection of foreign refugee rights, who are "subjected to persecution in their home country or in the country of their permanent residence on the grounds of race, nationality, membership of a particular social group, religious or political views."

Hungary officially fulfils all European and international regulations prohibiting any form of discrimination, including Directives 2000/43/CE from 29/06/2000 and 2000/78/CE from 27/11/2000. In 2004, Hungary adopted the Law "On Equal Treatment and Equal Opportunities,"[24] which introduced the concept of direct and indirect discrimination and prohibited discrimination on the grounds of age, sexual orientation, illness, race, ethnicity, religion or belief.

In May 2012, Parliament introduced amendments to the Criminal Code, which outlawed the openly offensive behaviour, real or perceived threats towards the members of racial, ethnic or other groups. Amend-

ments also introduced criminal responsibility for unsanctioned actions to maintain public order or public safety that prompted fear in others. This became government's response to the "patrolling" of Roma neighbourhoods, which is popular among the neo-Nazis. Furthermore, responsibility for Holocaust denial was also introduced.

In July 2013, Article on illegal border crossing was removed from the Criminal Code. In accordance with this article, any person without permits, regardless of who he claims to be, is a criminal and is therefore punished by imprisonment for a term of 1 year. The Article was frequently used by Hungarian authorities to combat immigrants, including asylum seekers.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

An Anti-Discrimination Agency was established in 2005 in order to monitor the implementation of the "Equal treatment and equal opportunities" Law. The Hungarian Human Rights Ombudsman controls the implementation of minority rights. Since January 1, 2012, necessary changes were made to the discrimination control system.[25] The main function of control was assigned to the Human Rights Ombudsman Office. The Office is regarded as the most important body that monitors cases of discrimination. However, the abilities of this institution are limited due to the tense political situation and the recently formed, through the fault of Fidesz party, practice when the executive predominates over the legislative and judiciary.

Compared to 2012, regular manifestations of anti-Semitism received proper response of the law enforcement in 2013, which is likely caused by increased international pressure, including from the World Jewish Congress. Three anti-Semites have been arrested for shouting anti-Jewish slogans and Nazi salutes.

Discrimination is especially apparent against Roma, in rejection of their fashion of clothing, lifestyle and skin colour. For many Roma, trips to the store, nightclub, etc. turn into serious problems. Employment of Roma continues to be an issue as well, which is explained with lack of education on the one hand, and hidden forms of discrimination on the other, which causes a real displacement of Roma from the industry.

Nothing is being done to eliminate the segregation of Roma children in the education system as well. On the contrary, as already mentioned above, with Fidesz party coming to power many localities abandoned the practice of driving Roma children to ordinary secondary schools in public buses.

- Responses to hate crime (criminal proceedings against organisers and participants, convictions).

Hungary has serious deficiencies in law enforcement, when it comes to hate crime. This includes the classification of hate crime as domestic violence, the high latency of hate crime due to victims' distrust towards the police and law enforcement's reluctance to initiate such proceedings. There is also lack of statistics that would allow judging the extent of such crime.

For these reasons, experts find it difficult to identify the exact number of hate crime in the country. Nevertheless, European Agency for Fundamental Rights, as of September 2013, identified 23 cases of violence against minorities.[26] The number of anti-Semitic manifestations also increased compared to 2012 (from 34 to 60). There was an increased number of violent incidents along with vandalism of cemeteries/monuments with anti-Semitic slogans, as well as burning of Israeli flag.[27]

Athena Institute also provides interesting figures on motivational trends in hate crime. In particular, experts determined that 48% of all hate crime was committed on the ground of racism (mostly against Roma), 44% — on the ground of anti-Semitism, 4% were related to homophobia and another 4% were committed on the grounds of both racism and anti-Semitism.[28]

According to the Office of the UN High Commissioner for Human Rights, police almost never used force against the participants of various neo-Nazi and radical nationalist demonstrations, when they break the law.[29] There were also cases of police officers' personal involvement in the beatings of Roma.

Meanwhile, according to Article 269 of the Criminal Code, any person who incites hatred against (I) the Hungarian nation or (II) any national, ethnic, racial group or a particular group of the population, shall be guilty of crime punishable by imprisonment for a term up to three years. Although, only a few cases of prosecution under this Article are known. Mostly, these were related to leaders and activists of banned organisations, who were accused of not only violating Roma rights and freedoms, but also in "abuse of the right to association." Nevertheless, majority of these cases never reached court. A considerable part of defendants was acquitted.

Hungarian government does not systematically track the cases of hate crime and violence. Police, prosecution and court officials are reluctant to consider racial motives as an aggravating circumstance in the commission of a crime — this provision is clearly absent from the Criminal Code, only the base motives are recognised. Authorities do not gather information about the victims of crime by their ethnic groups. As already stated, the country has no reliable statistics on the actually number of racially motivated crimes. According to available data, the number of cases investigated under the relevant Articles of the Criminal Code is extremely low.

Facing internal and international criticism, Hungarian judiciary started a large-scale trial against the four neo-Nazis in 2012. Defendants were accused of murder of six Roma motivated by racial hatred, which they committed from March 2008 to August 2009. Three of the defendants received life sentence in 2013, and one was sentenced to 13 years imprisonment. Court found them guilty of nine attacks against Roma.

However, another court — in Miskolc — sentenced nine Roma from Sajóbábony and Borsod to a prison term of 2.5 to 4 years in May 2013, finding them guilty of "crimes against the nation." Their crime was that in November 2009 they were involved in a clash with the Jobbik party activists, who were holding an unsanctioned anti-Roma demonstration while shouting racist insults. [30]

However, another court (in Miskolc), also sentenced nine Roma from Sajóbábony and Borsod to a prison term of 2.5 to 4 years. They were brought on charges of "crimes against nation." The subject was their involvement in a clash with Jobbik party activists in November 2009, who were holding an unauthorised anti-Roma demonstration and shouting racist insults. [31]

One of country's main problems is that Hungarian police is unable to identify hate crimes, as there are no regulations describing the identification and investigation procedures of such crime.

Realising this, Ministry of Interior started the development of a police operations protocol for such crimes in January 2012. In May, a police officer training programme was launched, involving the Toronto (Canada) police representatives, who have extensive experience in combating hate crime.

Hungarian authorities have demonstrated some progress in 2013 regarding the search and punishment of neo-Nazi criminals.

On February 3, court of Hungary had sentenced a protestor to 18 months imprisonment, suspended for 3 years, for denying Holocaust. Court also forbade him to participate in demonstrations or other political actions, as well as ordered him to visit the places commemorating Holocaust. [32]

Progress has also been made in the identification and punishment of Nazi criminals. In June 2013, Hungarian Court launched a criminal trial of László Csatáry, who was accused of intentional cooperation with the Nazis in the execution of 15,700 Jews during World War Two. [33]

Thus, it can be concluded that the struggle against hate crime in Hungary was conducted, albeit unsystematically, inconsistently and on a limited scale.

- Unlawful use of anti-extremist legislation.

The monitoring did not record any such instances in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	15	15

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Prime Minister of Hungary Viktor Orban talked about anti-Semitic incidents that occurred just before the meeting of World Jewish Congress. "The wave of anti-Semitism in Europe is growing higher and higher recently. One of the reasons for this is an acute economic crisis that engulfed the continent." He claimed that the Hungarian government is showing zero tolerance towards manifestations of anti-Semitism.[34]

In February 2013, Former Minister of Development Tamas Fellegi assured Washington that Hungarian government has zero tolerance towards racist political views. Fellegi was supposed to speak as a witness at a meeting of a US subcommittee on European anti-Semitism. Admitting the growth of anti-Semitism in his country, Fellegi said that there is a clear line of demarcation between the main political forces in Hungary, including his centre-right-wing party, and the radical nationalist party Jobbik.[35]

Leader of Hungarian Socialist Party Attila Mesterhazy on March 21 said that racism is widespread in Hungary, and is currently on the rise. "It is necessary to warn people of the growing threat. Every day, the rights of hundreds of thousands of our fellow Hungarians suffer because of their origin. Racism is present in universities, theatres, right-

wing press, and even in Parliament, and it has to be fought in the most ruthless way."[36]

On June 18, Hungarian Parliamentary Speaker Laszlo Kover stated that organisations that could strike against the interests of Hungary — such as the "anti-Zionist" faction — were never created in the Parliament, nor will they ever be. He called on MPs from the "Jobbik" party — Eniko Hegedyush and Elod Novak, who declared the establishment of the "anti-Zionist group" in the parliament — not do register this faction.[37]

In November 2013, oppositional Socialist Party officially condemned the ruling Fidesz party for its cooperation with nationalists and glorification of Miklos Horthy -Adolf Hitler's ally during the Second World War. In their view, it was expressed in the erection of monuments to the fascist dictator.[38]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

Several such events were held in 2013. Some of them are listed below.

In July 2013, Hungary presented a crucial initiative to develop tolerance in society. The government agreed to provide social service funding for Jewish survivors of the Holocaust in Hungary, including those who live abroad.[39] Claims Conference Foundation, an organisation representing Jewish Holocaust survivors in their negotiations for compensation and restitution, will receive 5.6 million US dollars. Thus, the government has demonstrated its commitment to European values and demonstrated its position towards Hungary's responsibility for the Holocaust and anti-Semitism in the country.

On February 21, director of the University of Budapest had temporarily suspended the activities of a Student Council, which was making lists of "unreliable" freshmen, including Jewish students (see below). Director asked the police to conduct a proper investigation, to stop the illegal activities of racists and anti-Semites in the student environment.[40]

On April 8, Hungarian authorities banned an anti-Semitic biker rally, under the slogan "Push the Gas!" (alluding to the Nazi extermination of Jews in gas chambers), which was planned for April 21 near a Budapest synagogue.[41] On April 30, Minister of Human Resources of Hungary, Zoltan Balogh, wrote a letter to a chairman of the Raoul Wallenberg Institute Ferenc Orosz, condemning the attacks against him.[42]

On June 17, Hungarian Parliament adopted three resolutions, obliging all public school and university students to visit the memorials to the victims of totalitarian regimes, including the Holocaust memorials. The list of the must-see Holocaust memorials included the Holocaust Memorial Centre in Budapest and the Holocaust Museum in the former Nazi death camp of Auschwitz.[43]

On July 13, a gay pride parade gathered 8,000 participants in Budapest, including politicians from various oppositional parties.[44]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Fundamental laws governing migration in Hungary include the Law on Refugees, Law on Entry and Stay of foreign citizens, the Hungarian Citizenship Law and Education Law. Hungary does not have a separate law on migration.

Hungarian Law on refugees defines refugees and the basic criteria for the recognition of a refugee, an asylum seeker, or a person under temporary protection. In general, Hungarian legislation on refugees corresponds to EU standards in the field of refugee reception and application procedures. The law also prescribes the procedure for refugee status recognition.

The law "On Entry and Stay of foreign citizens" prescribes rights and obligations to third country citizens in terms of entry and stay on the Hungarian territory. It also allocates responsibility and authority of various government bodies on regulating the entry and stay of foreign nationals. The law corresponds to the EU Directive 2004/38/EC

"on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States."

The Citizenship Law was modified in 2010, entering into force in January 2011. It simplifies the procedure of obtaining Hungarian citizenship for persons of Hungarian origin. For other persons, the procedure of obtaining citizenship remains rather difficult. Formally, they can only obtain it after living in Hungary for eight years with a permanent residence status (three years for spouses of Hungarian citizens). The citizenship application can also be rejected without explanation and with no right to appeal.[45]

In 2012, discussions started on the amendments to the Citizenship Law, which were adopted in 2013, according to which the Hungarian permanent residence permit can be obtained in exchange for an investment of more than 300 thousand euro.

Furthermore, the law tightened requirements towards the candidates for refugee status and the internally displaced persons — the authorities reserve the right to send them home in the event that their application was rejected once. Previously, persons belonging to this category of immigrants had the right re-submit their statement for the second time.

The Education Law provides for compulsory attendance of educational institutions for the children of foreign nationals, if their stay within Hungarian territory is more than one year.

Thus, the current migration policy of the Hungarian government has three main functions: to support the right to free movement within the EU and to fully respect the Schengen Agreement; to implement a restrictive policy towards citizenship and asylum applicants of non-Hungarian origin from third countries; to support immigration of ethnic Hungarians residing in neighbouring countries.

Despite Hungary's accession to the European Union, it remains a country with low immigration rates. The population of the country is around 10 million, while the proportion of foreigners is 2.1%.[46] Although it should be recognised, that the proportion of foreigners (foreign citizens) in Hungarian population has doubled over the last ten years. This process has intensified since country's accession to the EU. Foreigners account for less than 4% of the labour force in Hungary.

Majority of immigrants arrive from Europe — traditionally these are ethnic Hungarians from Romania, Ukraine and Serbia. Recently, immigration from Germany has also intensified, mainly consisting of business representatives. Asia is the largest source of immigration from outside Europe. Though their numbers are growing, this group only accounts for 12.7% of immigrants to Hungary. A significant part of this group consists of immigrations from China, although their numbers decreased due to the deteriorating economic situation in the country.

- Government compliance with such legislation (law enforcement practice)

Legislation is generally complied with, while it should be noted that the modernisation of the Citizenship Law in 2010 has resulted in a sharp increase in new citizens, mainly due to ethnic Hungarians.

If in 2010 Hungarian citizenship was granted to just 6,086 persons, in the period from January 2011 to March 2012 a record number of 230,000 persons passed naturalisation, while 130,000 applications were pending. Citizenship applicants were mainly immigrants from Romania, which was the only country with a large Hungarian minority that welcomed such changes to the Hungarian Citizenship Law, since it has similar legislation itself.[47]

Ukraine and Slovakia, however, have already made it clear that those accepting the Hungarian citizenship could lose citizenship of their countries.

At the same time, the number of refugees is growing dramatically. The number of asylum seekers in Hungary has increased from 2,157 in 2012 to 18,900.

- Discriminatory practices against immigrants.

Monitoring did not record such instances in 2013.

- Use of ethnic crime as justification for discrimination against immigrants.

The subject of "ethnic crime" is one of the main arguments of Hungarian nationalists, especially in relation to Roma.

Nationalists make numerous accusations against the Roma peoples, accusations of theft, begging, living outside the society by their own rules, claiming that that they do not accept integration and modernisations, that they pose a threat to demographics, and so on.

For example, in January 2013, Jobbik MP and author of the bill "on gypsy crime" Janos Volner appeared at an anti-Roma rally in Szigethalom. "Gypsy crime is a disease in our society that law enforcement and the ruling party, even though it has 2/3 in parliament, can do nothing about. Only our right wing party can solve this problem after coming to power," MP stated.[48]

In February 2014, Volner was interviewed by *M1* TV channel, where he cited public opinion polls to say that 91% of Hungarians agree that gypsy crime exists. He urged the population to speak openly about these subjects, because then, "the political elite, Hungarian Socialist Party and Fidesz, will have to take this into account."[49]

- Social assistance for immigrants.

Economic and social rights are guaranteed to everyone in Hungary, and are therefore applied to both the citizens and the foreign nationals. However, this is not the case for the asylum seekers and temporary residents.

According to the Law on Refugees, asylum seekers have the right to receive medical care, as well as an obligation to undergo medical examination and, if necessary, receive medical treatment and vaccinations, which are mandatory in accordance to the sanitary-epidemiological norms and regulations.

Other categories of foreign nationals, when entering the Hungarian territory for more than three months, are required to have health insurance or proof of income sufficient to cover the potential cost of treatment in the country. [50]

Furthermore, according to the law on refugees, asylum seekers have the right to accommodation and basic assistance in refugee reception centres. Refugees must be placed in refugee centres, or any other facility specifically designed to accommodate refugees. Government support for refugees includes housing benefits if housing costs exceed 35% of the total family income.

According to the law on general education, children of foreign nationals are required to attend education institutions upon reaching school age, with the exception of children who reside in the country for less than a year.

Foreign nationals who possess a permanent residence permit, as well as refugees and persons under temporary protection, are not required to have a work permit in Hungary.

Asylum seekers and persons possessing a temporary residence permit are required to obtain work permit. Furthermore, asylum seekers can only receive such permit a year after their application for refugee status. Until then, they are only allowed to work within the territories of refugee centres. [51]

- Negative attitudes towards immigrants, foreigners, different ethnic groups.

Official opinion polls indicated that the level of hostility towards foreigners and members of national minorities permanently residing in the country has increased. This is particularly evident in relation to Jews — if previously, the attitude towards them was positive or neutral (5 out of every 9 respondents shared this view), since 2010, only 4 out of every 9 respondents had a neutral attitude towards Jews. 28% of respondents in 2010, and 14% of respondents in 2011, had openly stated their dislike towards them. [52]

According to the Anti-Defamation League, since 2009, the level of anti-Semitism has dramatically increased compared to other European

countries — from 9% to 34%. The number of anti-Semites among supporters of the ruling Fidesz party is 33%, and among supporters of Jobbik — 75%.[53]

However, the most "hated" minority in Hungary is Roma (on the scale of 1 to 9, the attitude towards Roma is estimated at 4).[54] Geographical location of attacks against Roma indicates that the majority of them occurs in the north and northeast of the country. These are also regions with the most supporters of the radical right-wing party.

70% of Hungarian parents are against their children sharing a desk with a Roma child. 86% of school students (sample of 16 year olds) agree.[55]

At the same time, more than 2/3 of the Hungarian population does not believe that there is a fascist threat in the country.[56]

Survey conducted by the Tarki Institute in 2012 showed that the majority of Hungarians would like the government to tighten immigration rules. 63% of respondents were in favour of "closer monitoring" of immigrants, and 59% were in favour of publishing criminal's race. 55% agreed that the increased immigration increases the threat of terrorism. Almost half of respondents would not wish to neighbour beside Roma, 43% said the same about Arabs, and 33% said this about Chinese.[57]

According to School of Public Health at Harvard University, Hungarian society exhibited more negative attitude in 2013 towards Jews, Roma and LGBT. This is reflected in increased violence towards these groups.[58]

Characteristically, a survey published on July 18 indicates that 18% of Hungarian students support the right-wing Jobbik party, which is known for its anti-Semitic rhetoric. Most support for this party was given by students of provincial universities.[59]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
–	Discriminatory practices against immigrants	–5	0
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	0	5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

Most noticeable call to ethnic and religious enmity was a statement by founding member of Fidesz party Zsolt Bayer in an interview published in *Magyar Hirlap* on January 5, 2013. Bayer described Roma as animals that cannot live among people. [60]

Jobbik MP János Volner has made repeated calls to curb the so-called "gypsy crime." He also called for measures to limit Roma birth rate. [61]

On March 27, leaflets saying "Jews! University is not yours. Hungarian students..." were posted on the office nameplates of the two professors of Humanities Faculty in ELTE university (Eötvös Loránd Tudományegyetem) in Budapest. [62]

On May 3, leader of Jobbik party Gabor Vona promised to conduct "anti-Bolshevik and anti-Zionist demonstrations" during the World Jewish Congress convention in Budapest. [63] This demonstration was held on May 4, gathering 1,000 people who chanted anti-Semitic slogans, such as "Zionists conquered the indigenous people of Hungary."

Anti-Semitic and anti-Roma graffiti are fairly common in Hungary and are often part of the vandalism act. For example, in February, anti-Roma graffiti was found in Forró, near the city of Miskolc. [64] On August 21, anti-Semitic writing and a swastika were found on a bus stop in Budapest. [65] On September 19, more anti-Semitic graffiti was found at a Budapest bus stop. [66] On September 22, a hole in a fence surrounding Szeged synagogue were filled with bars of soap. Soap was supposed to serve as a reminder of Auschwitz. [67] On September 30, word "Jew" was painted on a trash container in Budapest, with an arrow pointing inside. [68]

Extreme nationalist party Jobbik controls a whole range of media outlets, where they openly promote their views: http:/ / kuruc.info, http://www.jovonk.info, http://alfahir.hu, http:// hazai-palya.hu, ttp://www.szentkoronaradio.com, http://demokrata.hu, http://hunhir.info, http://kitartas.mozgalom.org, http://paxhungarica.org.

The party also actively uses social media networks, such as Facebook.

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Nazi rock subculture is quite popular in Hungary. A regular festival, Magyar Sziget, was held Veroce in July 2013. The festival is not only known as a major musical event organised for Hungarian radical nationalists, but is also popular among the many European far-right organisations.[69]

Well-known nationalist parties annually send their representatives to the Magyar Sziget, despite the fact that this has caused them to appear in the headlines of several newspapers condemning the radical festival. Last year, for example, British newspaper "The Sun" published scandalous pictures of a member of the British National Party Chris Hurst doing a Nazi salute.

During the festival, the city, as always, hosted a fair that openly sold Nazi symbols of the Third Reich, souvenirs and Hitler's Mein Kampf, translated into several languages.

This was the 13th annual festival. During the monitored period, it was visited by several thousand nationalists from different countries, including representatives from the radical right parties of Italy, Spain, Sweden, Norway, Poland, France and others.

At the roundtable, nationalists discussed the situation in their countries and agreed on the need for a more consolidated work of European far-right organisations. Afterwards, a joint statement was signed, including the declaration of the following principles of European radical nationalists:

1. Struggle against a common global enemy in defence of traditional values.
2. Creation of a shared nationalist media.
3. Start building an economic alternative based on monetary independence and economical exchanges between European nations and nationalists movements.
4. Regularly host international meetings of the far-right and coordinate actions in the European space.[70]

The main organiser of this annual festival is the Jobbik party. The organisational process and the even itself is managed by a member of this party, parliamentarian Gyula Gyorgy Zagyva. Press that have no affiliation to Jobbik party have great difficulties with visiting this event.[71]

On a smaller scale, but also annually, Hungary hosts a similar festival called EMI. Of the nationalist rock bands, it is worth mentioning "Carpathia."

Right-wing radicals often use musical events to promote their views in general. For example, Jobbik party sponsors festivals of folk music and uses them to promote their ideas and recruit new supporters.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

The oldest Hungarian radical right-wing party is the "Party of Hungarian Justice." Created in 1990s, the party was able to actively promote its ideas in the parliament until 2002. Founder of the party, a well-known Hungarian playwright, poet, political activist and a no less famous anti-Semite, Istvan Csurka, died in February 2012. Currently, the party is promoting its views on the internet. [72]

Party "For a Better Hungary" (Jobbik) was formed in 2003 under the leadership of Gabor Vona by the former members of the "Party of Hungarian Justice" who were unhappy with its policies. The party's name consists of a play on words — word "Jobbik" has two meanings in Hungarian — "best" and "right." Gradually, the party became a leading radical right wing party in Hungary, beating its predecessors from the "Party of Hungarian Justice" in their radicalism.

At the last elections, the party received 17% of votes, gaining 40 seats in the Parliament. This allows the party to actively spread its views throughout the country. The number of party's supporters as of 2011 equates to 13,000. [73] In the 2009 elections to the European Parliament, the list of "For a Better Hungary" party (Jobbik), headed by a former liberal human rights activist Krisztina Morvai, gained 14.77% of Hungarian votes. This allowed the party to take third place after Fidesz and the then-ruling Hungarian Socialist Party, gaining 3 seats in the European Parliament.

The party gives an impression of a "defender of society's interests," a party that brings truth to the masses. This truth is expressed in the promotion of anti-Semitic ideas inside and outside the Parliament. For example, on April 3, 2012, member of the "For a Better Hungary" party

Zsolt Barat stated that Jews have conspired against Hungary. The party also encourages an open struggle against the Roma, whom they accuse of the increased crime rate.

Jobbik's political success is attributed to large-scale propaganda of its ideology. Supporters of the party are educated, middle class, middle-aged or younger (52% are under the age of 40). 46% of the party followers despise Roma and call on "pushing" them out of the country.[74] Due to successful propaganda of its ideas, including through the so-called "direct action" — the illegal patrolling of the Roma neighbourhoods, anti-Roma marches in Roma settlements, etc. — the party managed to gain support of a significant part of the population.

A long-time prominent ideologist of the party was a member of the European Parliament, anti-Semite, Csanad Szegedi, until he retired in July 2012. His practice was discontinued after his Jewish origins have been revealed. After Szegedi found out about his Jewish origin, he changed his political views, started visiting the synagogue and started following Jewish traditions.

Interestingly, the party made an official protest against the anti-Hungarian actions in Ukraine, organised by radical nationalists from the Ukrainian party "Svoboda" in Transcarpathia.[75]

"With deep outrage, I found out that your party organises marches and violent actions against the Hungarian community in Uzhgorod and Beregovo," MEP from Jobbik Bailey Kovacs writes to the leader of Ukrainian Svoboda party. "It is unacceptable that members of the Svoboda party feel such deep hatred towards the Transcarpathian Hungarian community. They seek to banish this community, which does not consist of rootless immigrants, but of the population of Transcarpathian cities and villages, which were founded by their ancestors a thousand years ago. They try to present this national minority as an enemy of Ukraine. However, members of this minority do live on social benefits and subsidies, but are engage in farming."[76]

Along with Jobbik, Hungary has another well-known radical nationalist party — the Hungarian Phoenix Movement (Magyar Főnix Mozgalom). Founded in 2010 by the former chairman of "For a Better Hungary" party, Biber Jozsef Tibor, this radical nationalist party advocates Christian values. The party generally includes the former Jobbik nationalists, who believe that it "does not sufficiently support national ideas."[77] The new party intends to participate in the 2014 elections and defines itself as an "independent radical national force."

Jobbik party was affiliated with extreme right groups from the very start, particularly with the "Hungarian Guard" (Magyar Gárda) that was established in 2007 and has features of a paramilitary group. In July 2009, the court disbanded this organisation. However, it continued

its activities in a new format. Breaking up into several groups, the organisation started to position itself as "national security service."

This "service," in close cooperation with Jobbik, organises the so-called "civil patrols" in Roma compact settlements. Despite the injunction against the use of party uniform, its supporters continue to wear it. The uniform depicts the party symbol, the "Crossed Arrows" of the Hungarian National Socialist Party (1937 — April 1945), which was in power from October 17, 1944 to March 1945.

Another old radical nationalist group is the Hungarian National Front (Magyar Nemzeti Arcvonal), founded in 1989.

This paramilitary group was actively cooperating with the Jobbik party and the groups previously included in the "Hungarian Guard." In recent years, the organisation specialised in conducting various trainings for its members and followers.

HNF training centre is located near the city of Gyor. Trainings include seminars on "theoretical training," as well as serious sport and combat trainings.[78]

Hungarian National Front training programme includes such subjects as the "Basic theoretical and practical tactics," "Gun training," "Pneumatic weapon shooting," "Basic theory and practice of indoor work," "Theory of urban tactics." Invitations that are sent to those wishing to take part in such trainings read, "queers, gypsies and Jews cannot participate." In addition, they state that only those who "refused the gypsy and Jewish lifestyle (crime, drugs, etc.)" can participate[79]." Hungarian National Front's programme includes removing Roma from the country, which they expect to complete within 24 hours, if a "nationally orientated government" comes to power.[80]

There are many other small radical nationalist organisations, such as the "Army of Criminals," 64th District Youth Movement (Budapest), (HVIM) and others.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The main slogan of the Hungarian Justice Party, which is apparently in decline since the death of its leader, is the traditional far-right slogan "Hungary for Hungarians." This includes moderate anti-Semitism and no less moderate anti-Roma sentiments. The party opposes "foreign domination" and is characterised by its anti-communist and anti-socialist orientation.

"For a Better Hungary" (Jobbik) defines itself as radical and national-conservative party. Independent observers classify the Jobbik party as extreme right wing. The party actively uses anti-Roma, anti-Semitic, homophobic and anti-immigrant rhetoric, even though it offi-

cially denies anti-Semitic and homophobic ideology. In its manifesto, the party calls for the recognition of the term "gypsy crime" and combating it. The leader of the party, Gabor Vona, also calls for gypsy birth control and forced transfer of Roma children "of lazy parents" to boarding schools.[81]

The Hungarian Phoenix Movement is also primarily anti-Roma, although its main criticism against Jobbik is that the "party only addresses the gypsy problem, and in such a way that it could soon lead to a civil war."[82]

The officially declared aim of the Hungarian Phoenix Movement is to eliminate "ethnic crime, committed by gypsies in Hungary." The leader of the party, Bíber Tibor, as well as other party leaders, like to demagogically claim that the crime rate among the Roma is allegedly eight times higher than among the Hungarians. The party aims to take decisive action "against those gypsies that refuse to integrate into society."

Another declared goal is to solve the issue of domestic violence and advancement of women. The last goal is the establishment of a business federation for Hungarians living abroad. Hungarian Phoenix Movement declares that it cares about traditional Hungarian values and "fulfils a cultural mission."[83]

The banned "Hungarian Guard" was founded as a separate party, but with the emergence of Jobbik it essentially turned into its "militia," protecting Jobbik's public events and responsible for the so-called "civil patrols" aimed against the Roma. As already mentioned, the organisation continued its operation after the ban as a number of separate organisations, positioning themselves as "national security service." This organisation, as well as the Hungarian National Front — is a typical extremist structure, serving the same ideological positions as their "elders" from Jobbik. However, the lack of a party structure and the non-parliamentary nature allows them to act with more extremist positions, calling to rid the country of all Jews and gypsies, and recently — immigrants.

Despite the ban of Hungarian Guard and failure at ECHR, extreme right activists announced a New Hungarian Guard.

In autumn 2013, eight extremist groups were most active — New Hungarian Guard, Hungarian National Guard, District 64 youth movement, Pirate Army, Self-Defence for a Better Future, Guards of Carpathian Homeland, Kuruc.Info, and Hungarian Popular Front.[84] Each of these groups held at least 30 different public actions across the country.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

Public opinion polls in Hungary indicate that the society is sick with xenophobia. Nationalist parties have successfully exploited the real facts of crime in the Roma community, such as the lynching of a Hungarian teacher in 2006, who decided to give a Roma woman a ride home, and was murdered as a result (this resulted in a series of murders of Roma, and only a few criminals appeared before the court in 2013). Most importantly, however, nationalists have successfully exploited the 2008 economic crisis, putting all the responsibility on Jews and Roma. Jews were accused of supposedly "capturing" all leading positions in the Hungarian economy and "intentionally destroying it, while enriching themselves." Roma were accused of the increased crime rate and the fact that they are "useless elements of the society, who can only reproduce," whom the government has to support on taxpayers money. Immigrants were accused of "capturing Hungarian jobs," and so on.

Given that the level of latent xenophobia, according to several human rights organisations, reaches 50% on average, and that the drastic increase of nationalist sentiments happened after 2009, it can be assumed that the influence of radical nationalist in society is growing.

Jobbik party gained 21% of votes at 2014 parliamentary elections, compared to 17% in 2010. Member of this party and leader of a skinhead gang in north Hungary in 1990s Tamas Schneider was confirmed as one of six vice-chairmen of parliament by a subsequent parliamentary vote. [85]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

In 2010 local elections, nationalists did not receive a majority in any of the electoral districts, but they were able to pass their representatives into mayoral positions in four Hungarian cities: Hencida, Tiszavasvári, Ridge Hodasz and Bekesszentandrasi.

Jobbik party candidate was successful in the 2011 mayoral snap elections in Gyongyospata, receiving 33.8% votes. In 2012, the party was able to win another mayoral snap election in Tiszavasvari.

Furthermore, Jobbik party managed to quickly create its own extensive regional network. With the support of radicals from the former "Hungarian Guard," they quickly launched the so-called programme of "direct action," created "civil patrols" and organised regular patrols of the Roma neighbourhoods. Despite a practical ban of "civil patrols," nationalists were organising various anti-Roma actions across Hungary. Behaviour of police and representatives of the local governance during such events shows that many of them are under nationalists' ideological influence at the very least. In September 2013, Mayors of Miskolc, Székesfehérvár and Ózd (governed by the ruling Fidesz party), supported Jobbik party in its calls to stop opening Roma cultural-educational centres. [86]

Thus, it is can be argued that nationalists have limited influence over the local government.

- Neo-Nazi and radical nationalist influence over the central legislative and executive bodies.

The obvious success of the radical nationalist party "For a Better Hungary" at the parliamentary elections (21% votes and 23 seats in the parliament), as well as the public opinion polls, indicate that radical nationalists have influence over both legislative and executive bodies.

The ruling "Hungarian Civil Alliance" (Fidesz) is playing a double game, often tacitly supporting Jobbik in its radical initiatives. On the one hand, Fidesz publicly disapproves the activities of "For a Better Hungary" party, which openly promotes anti-Semitic and racist ideas directed against Roma. Furthermore, Fidesz positions itself as a guarantor of public order and defender of Roma rights.

Before the parliamentary elections — particularly in late 2013 — the ruling party made every effort to demonstrate its independence and dissatisfaction with Jobbik's policies. It distanced itself from initiatives to install a bust to dictator Horthy in Budapest centre, and many other nationalist initiatives, such as the "gypsy crime" bill.

On the other hand, the events of 2012 indicate that the policy pursued by the party is not working, and anti-Semitic slogans keep appearing throughout the country. This indicates that radical nationalists have influence over the Hungarian society.[87] Therefore, we can state that nationalists have limited influence over the government.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–2.5
	Total for the section 8	–25	–22.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  The monitoring did not record any such instances in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

Neo-Nazis held more than 200 actions in 2013. Most noticeable of those are listed below:

On January 12, a march against "gypsy crime" was held in Pest suburb of Szigethalom. Several hundreds of people, accompanied by police escort, marched under Jobbik party flags. The event was caused by a fight on January 1 between Roma teenagers and two Hungarian athletes 17 and 19 years old. Young men were taken to hospital with stab wounds. Demonstrators demanded authorities stop the dominance of ethnic crime and take measures to reduce the birth rate of Roma. [88]

On February 7, another neo-Nazi march took place in Budapest suburb, attended by Jobbik party activists and members of the banned Hungarian Guard. [89]

In March 2013, anti-Roma march was held in Geenespat. [90]

On April 24, neo-Nazis from District-64 movement held a demonstration at the Freedom Square in Budapest, demanding the installation of a monument to Nazi soldiers who "fought against bolshevism." [91]

On May 4, Jobbik organised an anti-Semitic demonstration in Budapest, gathering 1,000 people.

On June 28, several hundred of people, including Jobbik party activists, demonstrated against the construction of a refugee centre in Gyor. [92]

On October 6, another large march against "gypsy crime" was held in Budapest. Leader of Jobbik party Gabor Vona and his colleagues spoke at the rally following the procession. [93]

On November 17, Jobbik party held a commemorative march to Admiral Horthy in Budapest. [94]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

MP from Jobbik party Janos Volner took an active part in an anti-Roma march on January 12 in Szigethalom. He urged the government to fight "gypsy crime" and take measures to reduce Roma birth rate.

- Presence of "football xenophobia" and racism amongst sports fans.

Racist and anti-Semitic sentiments predominate in the field of Hungarian sports, while fascist symbols have already become commonplace.

For example, fans of the "Ferencvarosi" Football Club often use anti-Semitic slogans against their rivals. Representatives of the Football Association state that these are just "chants" that have nothing to do with anti-Semitic slogans.

On August 19, fans of Hungarian Ferencvárosi FC waved a banner saying, "In memory of Laszlo Csatary," (Nazi war criminal) during a match against a former Jewish football club MTK. [95] The club was fined 2,700 euros on August 23 for "anti-Semitism of their fans." Sanctions could have been higher if the club did not cooperate in identifying the offenders. [96]

In May 2013, a Hungarian fighter Attila Petrovsky, who is constantly and openly positioning himself as a supporter of neo-Nazism and even has corresponding tattoos, tried to get into an international martial arts contest, which was held in Prague. [97]

On September 5, football fans threatened students of a Roma school in Konyari. [98]

On September 6, around 1,000 Hungarian football fans who arrived to spectate a Championship game in Bucharest provoked riots and clashes with the Romanian police. Hungarian fans tried to commit several arsons and threw firecrackers and bottles at the police. They also displayed Hungarian flags, map of Romania without Transylvania and flags of Sekuysk — a region not recognised by official Bucharest. Their rivals among Romanian fans in response chanted insulting slogans against Hungary; they were also detained by police to avoid further escalation. [99]

International sports organisations were quite active in combatting racism in sports in Hungary. On March 12, a decision of the Swiss Sports Arbitration Court was announced, according to which the Hungarian national football team will hold their match against the Romanian team on an empty stadium and will pay the fine of 40 thousand Swiss francs for the anti-Semitic behaviour of Hungarian fans. [100]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–20	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

A series of acts of vandalism occurred in Hungary in 2013. Most common targets were Jewish religious buildings. Some cases are listed below:

In May, a synagogue and a Jewish cemetery were desecrated in Vac. On August 27, Holocaust Memorial in Budapest was vandalised. [101]

On September 22, holes in a fence surrounding a Szeged synagogue were filled with bars of soap. This was supposed to serve as a reminder of Auschwitz. [102]

On September 24 — Jewish holiday of Sukkot — tomatoes were thrown at a synagogue in Budapest. [103]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

Interethnic clashes occur regularly between Hungarians and Roma — usually preceding various anti-Roma events organised by radical nationalists. For example the march against "gypsy crime" on January 12 in Szigethalom was preceded by a fight between Hungarian and Roma teenagers.

- Cases of violence, including murder on racial, ethnic and religious grounds.

As of September 2013, 23 cases of violence against minorities were reported in Hungary. [104] At the same time, it should be noted

that hate crime statistics in Hungary are not conducted at an appropriate level.

The number of manifestations of anti-Semitism in Hungary has almost doubled in 2013 (34 to 60). The number of incidents that involved acts of violence, desecration of monuments/cemeteries, anti-Semitic slogans and burning of Israeli flag. [105]

Head of Raoul Wallenberg Institute, Ferenc Oros, was attacked by football fans on April 29, 2013 — a day before the World Jewish Congress in Budapest. Assailants demonstrated Nazi salutes and shouted "Sieg Heil."

It is also worth mentioning the anti-Semitic attack on a train, an attack on an Israeli national, and an anti-Semitic insult during a public event in Budapest. [106]

Anti-Semitism is traditional in Hungary, with extreme right organisations, such as Jobbik party and the New Hungarian Guard, generating the most anti-Semitic activities. [107] On May 4, Jobbik party and New Hungarian Guard held an anti-Semitic demonstration "in memory of the victims of Bolshevism and Zionism," held at the same time as the World Jewish Congress. [108]

When it comes to anti-Roma violence, an interethnic clash in Szigethalom on January 12 resulted in two Hungarian teenagers receiving stab wounds.

- Nationalist or religious terrorist attacks.

  Such cases were not recorded by the monitoring in 2012.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	–5	–5
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–15	–15

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

One of the oldest Hungarian antifascist NGOs is the Hungarian Association of Resistance Fighters and Antifascists (MEASZ) [109] — founded on May 15th 1945, a week after the surrender of Nazi Germany.

MEASZ's objective is combating racism, anti-Semitism and any forms of hate, as well as opposing the falsification of history and glorification of Nazism.

Other antifascist organisations include the Civic Movement against Fascism, the Antifascist League, the New Socialist Movement and the Left Feminist Network, who successfully coordinate their activities with each other.

Antifascist position is also occupied by the anti-globalists of the Hungarian Social Forum, which mainly stands on anarchistic positions. Antifascist positions are also supported by the Hungarian Solidarity Movement, founded in October 2011 and joined the new left-wing political electoral alliance "Together 2014" in March 2012. The Party of Free Democrats, the Democratic Party, the Workers' Party of Hungary 2006, the Green Party and many others, also stand on antifascist positions.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Hungarian antifascist organisations are quite active, although their influence is very limited. Several antifascist events were held in 2013. Several of them are listed below:

In mid-January, hundreds of people arranged a protest rally near Fidesz party headquarters, against Zsolt Bayer's statements equating Roma to animals. The action was organised by a former Socialist MP Ferenc Gyurcsany. Demonstrators held banners, saying "I am a Gypsy" and demanded Bayer's removal from the party. [110]

On March 17, thousands of people took to the streets of Hungarian capital and other cities, to demonstrate disapproval with the policies of the right-wing conservative government. Speakers at the rally, assembled by the movement "Million for Press Freedom," particularly criticised the recently adopted amendments to the constitution, which in their opinion, lead to a gradual abolition of democracy. Demonstrators have also expressed their outrage with the awarding F. Stanislo the Táncsics prize. [111]

On April 28, thousands of people took part in the Budapest March of the Living, to commemorate Holocaust victims. [112] The procession was attended by antifascists and associations of Nazi descendants. The

main objective of the action was to combat modern anti-Semitism through history.

On August 30, an antifascist demonstration was held near Papp Laszlo Sports Arena in Budapest, organised by MEASZ. The event was held under the slogan, "Enough! Say no to physical and spiritual aggression of the extreme right." President of MEASZ, Vilmos Hanti, who was attacked by neo-Nazis a year ago, spoke at the event. [113]

Jewish and Roma communities are becoming more active in the antifascist movement. The former took an active part in a January protest in Budapest. The Roma Party of Hungary, despite not passing the electoral barrier in recent elections, has a chance to become an influential political force in the country.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On February 20, Hungary's main Jewish organisations appealed to the government and parliament, not to honour a dictator Miklos Horthy, a former Hitler's ally. Horthy was "directly responsible for the murder of several hundreds of thousands of Hungarian Jews," — the statement of the Federation of Hungary's Jewish Communities said. [114]

Glorification of Miklos Horthy became one of the main topics in 2013. President of the World Jewish Congress Ronald Lauder expressed his outrage with the erection of a monument to the fascist dictator at the Freedom Square in Budapest. [115]

Jewish organisations also protested the decision of Hungarian government to install a monument to victims of Nazi occupation, which would not mention Hungarian Nazis' involvement in the Holocaust. Hungarian Jewish community made a sharp statement:

"The government is intentionally trying to remove responsibility for the deaths of Hungarian Jews from Horthy's fascist regime. Hugnarian Nazis took an active part in mass executions of the Jewish population and deportation of Jews to death camps; every monument to victims of Nazism should note these facts."

President of the Jewish community Andras Heisler was also surprised at the chosen place for the monument. "Erecting a memorial to victims of Nazism near a monument to victims of communism equates the Holocaust to political persecution of anti-Communists, which is also completely wrong." [116]

On March 5, it was reported that Jewish communities in Hungary created an organisation for monitoring anti-Semitism — "Action and Defence Fund." Six full-time employees and 20 volunteers will collect and process information from regional communities. The budget for the first year is set at 100,000 dollars, which will be received from members of the Jewish community. [117]

On March 21, the International Day for Elimination of Racial Discrimination, four human rights organisations — "Amnesty International," European Roma Rights Centre, Legal Defence Bureau for National and Ethnic. Minorities (NEKI) and the Hungarian Civil Liberties Union (TASZ) — have jointly appealed to the Hungarian government to take effective measures against the propaganda of hatred. Human rights organisations expect the government to develop effective solutions for police and prosecution, introduce special training, improve the victims' support system and introduce an effective system of data collection and monitoring. [118]

On May 15, it was reported that the Protestant Church in Hungary declared a boycott against pastor Lóránt Hegedüs, who took part in an anti-Semitic action. Gusztáv Bölcskei — bishop of the Hungarian Reformed Church — stated that pastor could be defrocked. According to him, Hegedus is not worthy of Ecclesiastical address, as he is "conducting political activities which have nothing to do with the Gospel." [119]

On April 12, Hungarian Catholic Union of Journalists (MAKÚSZ) concluded the photo-works contest, dedicated to the gypsy problem in Europe. [120]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	0	5
	Total for the section 11	10	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

Hungary glorifies Admiral Horthy — Hitler's ally, dictator, responsible for the Holocaust and murders of civilians in Serbia and other

countries. Media and communication services constantly publish materials about the regent dictator of 1920–1940s Miklos Horthy — Hitler's ally, responsible for the Holocaust in Hungary.

These materials, if not glorifying Admiral Horthy, then representing him as a politician who was forced to "follow other's orders." Meanwhile, Hungary's role in the Second World War and its responsibility for war crimes are usually glossed over. The Hungarian nation, in this media, is presented as a victim forced to pay debts for the crimes of Nazi Germany.

Different media outlets behave differently on this issue. For example, in 2012, media orientated on the ruling party Fidesz published materials encouraging to "study the historical heritage" and the Hungarian past, "conduct appropriate historical research to define Horthy's role in history." This exact idea was contained in Foreign Minister Janos Martonyi's response to the leaders of three American organisations, who addressed Viktor Orban, protesting the opening of memorials to Horthy in several Hungarian cities.

However, Martonyi assured them that "until the relevant historical research is conducted," Hungarian government does not intend to rehabilitate Horthy. [121]

At the same time, media outlets affiliated with the Jobbik party do not hesitate to not only glorify Horthy and his regime, but also create a cult of his personality. Jobbik's press regularly publishes articles praising Horthy for his successful struggle against Bela Kun's bolshevism, as well as for his protest against the Trianon Peace Treaty (1920) and its humiliating conditions.

Jobbik also organises large-scale events dedicated to Admiral Horthy. On November 17, the party organised a commemorative action in Budapest dedicated to the fascist dictator. [122] As a result, Horthy is gradually becoming a very popular historical figure in Hungary.

After Latvia and Estonia, Hungary is another European country — member of the EU and NATO — that holds events in honour of Waffen SS soldiers.

Glorification of Hungarian Waffen SS is a separate topic in modern history of this country. During the Second World War, there were four Nazi divisions of Waffen SS and one (17th) SS Army Corps (Hungarian), which, however, has not been fully formed.

Hungarian National Front, cooperating with activists of the banned "Hungarian Guard," annually hold commemorative events on February 11th in Budapest, dedicated to the fallen Nazi soldiers and the Hungarian Waffen SS, who were killed during Red Army's capture of the Buda Castle.

On June 2, a similar annual event is held in Festetics Castle Park, near the town of Deg, where the fallen Nazi soldiers were buried in 1945. The event gathers not just Hungarian Waffen SS veterans, but also veterans from Germany and Austria.[123] Traditionally, this gathering is participated by the youth from the above-mentioned neo-Nazi organisations. In 1991, a monument to the fallen has been erected at that site.

These events all took place in 2013. Hungarian authorities strongly distance themselves from participation in these actions. So far, this has not escalated to mass processions participated by several thousand people, as it happens in Latvia, for example. However, it must be remembered that there, everything also started with small-scale demonstrations.

It is worth mentioning the desecration of the Holocaust Memorial in Budapest on August 27.[124]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

A bust to Admiral Miklos Horthy was installed at the Freedom Square in Budapest, near the Sunday Presbyterian Church. This happened at the initiative of Jobbik party and under tacit agreement of the ruling Fidesz party. According to Prime Minister Janos Lazar, the government does not have an official position regarding the controversial monument.[125] Jewish community in Hungary and the World Jewish Congress expressed their protests.[126]

There was also an attempt to install a monument to victims of Nazism in Budapest, without any mention of involvement of Horthy's regime in the Holocaust.

In February, a city in eastern Hungary renamed one of the streets after Horthy.[127]

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

The official position of the central authorities, as mentioned above, is to conduct historical research into Horthy's role in Hungarian history, and then, weighing all positive and negative aspects of his life, make a decision regarding his glorification at the state level.

So far, however, the government denies the existence of a state policy of his rehabilitation, whiling turning its blind eye to such cases in the regions.

- Historical revisionism, Holocaust denial.

Revision of history is one of the main policies of not only the Jobbik party, but also the government of the country. Ideological contents of history education in school is changing, where the thesis of two occupations — Nazi and Soviet — is being taught with an increasing frequency, and the works of cultural figures, known nationalists, racists and anti-Semites are being promoted.

Examples include the music professor Tibor Erkele — Holocaust denier and an honorary citizen of Budapest, Ujpest district; Alber Wass — anti-Semitic poet, who received a posthumous award; Jozsef Nijros, whose works were included in the school curriculum. He was exhumed in Spain to be reburied in his homeland, Budapest. [128]

At the same time, in 2012 Hungary adopted the amendments to the Criminal Code that provide responsibility for Holocaust denial.

In accordance with the new law, Court of Budapest has sentenced a programmer, George Nagy, to eighteen months imprisonment, on probation for denying the Holocaust. The court also ruled that George Nagy should visit either the centre of Holocaust Remembrance in Budapest, or a memorial centre of Auschwitz in Poland, or Yad Vashem in Jerusalem, at least three times, and described his thoughts of the visit in an essay. [129]

Nevertheless, attempts to publicly deny the Holocaust are still common. On August 19, a van was driving around Budapest with a sign, reading "Holokamu" — "Holocaust is a lie." [130]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	–2.5	–5
	Total for the section 12	–12.5	–15

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such instances were not recorded by the monitoring in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such instances were not recorded by the monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such instances were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation of the monitored countries in the most significant international agreements on combating racism and discrimination against ethnic minorities.

Hungary acceded to all important agreements on combating racism and discrimination, except the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

Hungary did not join any such agreements in 2013.

- International statements and initiatives against discrimination, neo-Nazism and xenophobia made by the monitored countries and their leading politicians.

A good example of an international initiative was the Hungarian government's decision to provide social assistance to the Jewish victims of the Hungarian Holocaust living abroad. [131]

In February 2013, during the so-called "flag wars" in Transylvania, when Romanian county of Covasna had anti-Hungarian unrests, supported by the government and local authorities, Parliamentary Secretary on Foreign Affairs of Hungary Zsolt Nemet stated that Hungarian government has the constitutional obligation to support Transylvanian Hungarians desire to autonomy. He also urged Romanian government to stop the "flag wars" and conduct a high-level meeting, which was subsequently held at an EU summit in Brussels on February 8 and the issue was resolved. [132]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
×	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	5	5
	Total for the section 14	10	10

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Hungary has partially improved its standing in the radical nationalism rating (8th place compared to 5th in 2012). This was largely due to decreased number of nationalist public actions, aimed against mi-

norities (particularly those prohibited by the authorities), as well as a more coherent government policy in curbing extremism and activity of various antifascist forces in the country and abroad, including Jewish communities and the World Jewish Congress, which drew the world's attention to anti-Semitism in Hungary.

At the same time, we must conclude that the level of xenophobia in Hungary is one of the highest in Europe. Nationalists from Jobbik party maintained a large faction in parliament after the 2014 elections and have a strong influence in the regions. Glorification of Nazism remains common in Hungarian society. In 2013, Hungary lifted the ban on Nazi symbols, which will negatively affect public stability.

1. Human Rights

- *Guarantees against any form of discrimination towards minorities.*

Formally, the Hungarian law guarantees minority rights. Hungarian Constitution, the Criminal Code, and the Law on Equal Treatment and Equal Opportunities are the components of the anti-discrimination legislation, which contain the basic rules aimed at protection of minority rights. Therefore, the Hungarian anti-discrimination and anti-racist legislation complies with European standards.

In practice, however, Hungarian authorities are passive towards the discrimination of Roma. In 2013, like in previous year, police exhibited an impermissible tolerance towards the members of neo-Nazi and radical nationalist groups, who slighted Roma on the streets of Hungarian cities, held anti-Roma marches accompanied by insults and vandalising Roma property. The segregation of Roma in Hungarian education system, which has only worsened under Fidesz's government, also contradicts both Hungarian legislation and European standards.

Furthermore, the glorification of Miklos Horthy and his regime, conducted at the local level and the Jobbik party with a silent consent of the centre and the ruling party, causes outrage of the Jewish minority, who survived the Holocaust during World War Two.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Hungary acceded to the main international agreements aimed at protecting minority rights, and generally follows their provisions. However, in practice, discrimination of minorities, especially Roma, in the field of employment and education, contradicts the country's international commitments.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such differentiation does not exist on the legislative level, but it does take place in the law enforcement practices. This primarily concerns the Roma minority, who are subjected to discrimination in employment and education and the aggressive actions of nationalist groups such as the parliamentary party Jobbik.

- *Legislation enshrining inequality of minorities.*

Hungary lacks legislation providing responsibility for racist and neo-Nazi activities. The law "On freedom of conscience and belief, church, religion and religious organisations" was blatantly discriminatory. Despite the fact that this law has been repealed by the Constitutional Court in 2013, the government has already threatened to challenge this decision by changing the legislation with constitutional amendments, which is quite possible given that the ruling party has a constitutional majority in the parliament.

- *Rulemaking in protection of minorities.*

In 2012, the Criminal Code was amended with provisions that classified any real or even alleged threats against members of racial, ethnic or other minorities as illegal offensive behaviour. Actions aimed at intimidating these groups were outlawed, which eliminated the so-called "civil patrols" from the Roma neighbourhoods in Hungary. In addition, responsibility for Holocaust denial has been introduced.

- *Freedom of speech violations.*

Mass Media Law poses a clear violation of the freedom of speech, as it provides for the establishment of a state supervisory body with the authority to impose fines on media outlets for violating the "political balance." The law is criticised as an instrument to pursue free press.

- *Legislation and law enforcement practices concerning immigrants.*

Hungarian immigration legislation complies with the European norms; however, it its own specifics. After the adoption of the new Citizenship Law in 2010, the government immigration policy was aimed at attracting the ethnic Hungarians living abroad, at the expense of non-Hungarian immigrants. The procedure for obtaining Hungarian citizenship was simplified for the ethnic Hungarians, which resulted in Hungary becoming an ethnocentric state, gathering its people like Israel or Germany.

Hungary has a well-developed system social support for immigrants, but the country's economic problems and a high level of xeno-

phobia prevented a significant growth in labour immigration in 2013. As for illegal immigration, the authorities are so far successfully combating this problem.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against minorities.*

Discriminatory practices against the Roma and frequent cases of anti-Semitism, encouraged by the radical right-wing politicians and neo-Nazi groups, gradually lead to the fact that several hundreds of thousands Hungarian citizens begin to feel alienated from the society. In fact, this policy is aimed at "squeezing out" the Roma and Jewish minority from the country. This undermines the stability of the society and creates preconditions for escalated conflicts between the majority and the minority, as well as emigration from the country.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

The two most discriminated groups in Hungary are the Roma and Jewish minorities. These two ethnic groups are the targets of radical nationalists' attacks.

Hungarian society has was opposed to the Roma even before the democratic changes of 1990s. Roma were the most socially vulnerable group and were accused of reluctance to adapt to the Hungarian community. During the regime change, unemployment and elimination of social assistance affected the Roma most of all. Many of them ended up on the streets without means of subsistence, which reflected on the growth of crime in their midst. This has resulted in an increase of anti-Roma sentiments in the post-communist period.

The situation only worsened with the 2010 elections, when an openly neo-Nazi party Jobbik passed into Parliament, not even hiding its anti-Roma sentiments. Through this party's efforts, the Roma became even more associated with antisocial elements and potential criminals in the eyes of society. In 2014, Jobbik party gained 23% of votes, which indicates that its ideas became even more popular in society. The party is raising issues like the so-called "gypsy crime" and demands sterilisation of gypsy women,

Attitude towards Jews, who are traditionally associated with the communist era or with attempts to control the Hungarian economy, leaves much to be desired as well. Disloyal attitude towards Hungarian Jews is strongly felt in the political circles. This was reflected in a de-

mand to check Jews for their loyalty, made by one of the "For a Better Hungary" party leaders, Marton Gyongyosi. All this forms an impression of Jews as enemies of Hungary.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Like many Eastern European countries, Hungary is experiencing economic problems in recent years. As a result, more than half a million people emigrated abroad in search of a better life. However, these problems are unrelated to xenophobia. So far, there is no large-scale emigration of the vulnerable groups (Roma and Jews) from Hungary.

- *Economic turmoil and instability.*

Hungarian economic problems and economic instability were unrelated to xenophobia and intolerance in the country.

- *Decline in production growth, emigration of the labour force.*

Hungary's already difficult economic situation was aggravated by the 2008 financial crisis. The overall production decline during 2008–2013 caused many employable residents to leave the country (approximately 500,000 people).[133] However, this was not related to xenophobia in the country.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

The split of Hungarian society, exacerbated by radical right-wing parties, has already led to a breach of inter-ethnic peace in Hungary. Protests of the Roma and Jewish communities clearly indicate that relationship between the titular majority and ethnic minorities are far from ideal. This undermines the political stability in the country and creates conditions for the aggravation of conflicts in the society.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Policy of discrimination towards ethnic minorities, glorification of Nazism, and others, negatively affect the international image of Hungary, and complicate the relations with international Jewish organisations. Prime Minister Viktor Orban's initiatives aimed at supporting

Holocaust victims are undoubtedly important, but government's inaction towards glorification of Nazism in the country, condoning xenophobia, racism and anti-Semitism, can only play a negative role in Hungary's relations with the EU and the international arena as a whole.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Hungary should support the UN General Assembly Resolution A/RES/67/154 "Glorification of Nazism: the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance," as it will have a positive impact on the international image of the country. Furthermore, the 2012 amendments to the Criminal Code, which criminalise Holocaust denial, are consistent with the letter and spirit of this resolution.

2. *General recommendations for adjustments to the legal framework*

Hungary is recommended to adopt further amendments to the Criminal Code, which would classify racist motives as aggravating circumstances in the commission of any crime. In addition, the country needs a law providing responsibility for neo-Nazi activities, as well as a law aimed against the denial of war crimes. This would allow to effectively combat neo-Nazi organisations seeking to glorify Waffen SS and Horthy's fascist regime.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Hungary needs to substantially adjust its law enforcement practice towards manifestations of xenophobia and radical nationalism. First, the country needs to have full and publicly available statistics on hate crime. It is necessary to abandon the practice of classifying such crime as domestic. Based on the experience of other countries, this only drives the problem deeper. Public statistics would allow to combat hate crime and general intolerance more effectively.

It is necessary to intensify the preventative community outreach to counter ethnic tensions and prevent hate crime. It is also important to develop a system of law enforcement training, aimed at immediate identification and response to hate crime.

Development of a system to counter indirect discrimination of national minorities in education and employment is also necessary to end the Roma segregation in secondary education and employment in Hungary. It is also useful to study the experience of other countries to improve representation of minorities in government bodies.

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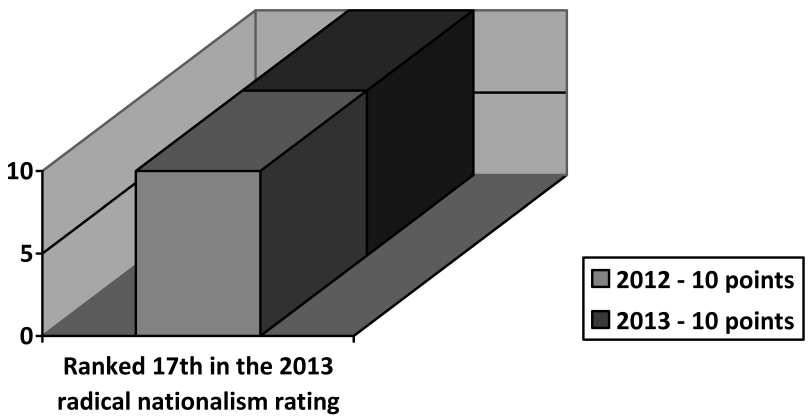
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–15
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	15	15
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	0	5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–25	–22,5
9	Extremist and radical nationalist public actions	–20	–15
10	Racist attacks, violence and terror	–15	–15
11	Presence, popularity and size of anti-fascist and anti-racist movements	10	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–12,5	–15
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	10	10
	Total	–47,5	–42,5

GERMANY


10
5
0
Ranked 17th in the 2013
radical nationalism rating
2012 - 10 points
2013 - 10 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

German anti-discrimination and anti-racism law is well developed. However, there are still a few provisions that can be considered discriminatory.

The country has three basic laws that concern human rights activists.

First, it is the Aliens Act, which contains restrictions for persons applying for refugee status. These persons are restricted in benefits, freedom of movement (they cannot leave the territory of the Federal Land where they are registered as asylum seekers), and their professional employment opportunities are minimal. This problem remained despite the July 2013 ruling of the Federal Constitutional Court, which found that refugees and asylum seekers should enjoy social protection on a par with German nationals. [1]

Second, it is the Criminal Code of Germany. Despite recommendations of various international organisations, Germany did not introduce amendments that would include racism and other hate motives in the list of aggravating circumstances in commission of a crime. In March 2012, a corresponding initiative was introduced in the Bundestag (Federal Parliament) — draft amendments to the criminal code (Paragraph 46, Section 2) to supplement it with a corresponding provision on hate motives as aggravating in commission of a crime. However, it did not acquire the force of law during the reviewed period. [2]

Nevertheless, some courts in late 2012 and 2013 were already considering these motives as aggravating. [3]

Third, when signing the European Framework Convention for the Protection of National Minorities, which does not contain a definition of "national minority," Germany declared that on its territory this Convention will be applied to Danes, Serbs (Sorbs), Friezes and German Gypsies (Sinti and Roma). Federal Constitution of Germany does not contain any special provisions regarding protection of minorities; these are contained only in the constitutions of Federal Lands. Thus, the term "minority" in Germany does not include the so-called new minorities — groups that migrated to Germany in the past decades. Largely, these include Turks, former Yugoslavians, and Russian-speaking Jews. These peoples are not officially recognised as minorities; however, the current German legislation provides them with rights to develop their language, culture and religion.

On the other hand, Poles who amount to about 200,000 people in Germany and who have deep historical roots in the country (until 1940, Polish community had the rights of a national minority), are not included in this category. According to the 1991 German-Polish treaty of friendship and cooperation, Germans in Poland and Poles in Germany have equal, including cultural, rights; and this issue became a source of tensions between the two countries. [4]

"New" national minorities in Germany are not subject to the European Charter of Regional or Minority Languages, which Germany ratified in 1998.

Thus, Germany to a certain extent follows the European tradition of national and linguistic unification, albeit as much as France.

Religious communities are in a similar position. German Constitution guarantees freedom guarantees freedom of religion and the peaceful exercise of religion. Furthermore, according to Art. 140 of the Basic Law of Germany, religious communities have the right of taxation (so-called "Church Tax"), which is 8–9% of religious citizen's income. This tax is deducted from the tax base and charged by Financial Management (*Finanzamt*) of the Federal Land, and then transferred to the community. The problem is that the right of taxation is given only to religious organisations that are a "public law corporation."

This status means that the religious community, through its statute and the number of its members, must ensure its long-term existence. Obedience of the law is also an unwritten condition. Religious community seeking the status of a public law corporation must abide the existing laws and guarantee that its future existence will not violate the fundamental basis of the German Constitution and the basic rights of third parties.

Currently, this status is applies to various German Christian communities, including Orthodox and Mormons, Jehovah's Witnesses,

Jews and the Union of Religious Communities, which does not belong to any official religion and including various small primarily Christian communities and sects.

At the same time, German Muslim community, which amounts to more than 4 million people (almost 5% of the general population), do not fall under the public law corporation, even though it meets all the necessary conditions.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

  German legislation does not contain such restrictions.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  German legislation does not contain such provisions.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

On February 25, 2014, ECRI published a Report on Germany (fifth monitoring cycle),[5] which identifies a number of discriminatory practices towards minorities in this country. ECRI notes that Germany does not have a comprehensive strategy to combat racial discrimination. Local police resorted to the practice of ethnic profiling. Victims rarely seek judicial protection.

In employment, even skilled immigrants are faced with artificial barriers. Compared to German nationals, they are given higher rates in accommodation. Rights of their children are grossly violated in education; and women find it much harder to find a job. Muslim and Turkish immigrants are subjected to these issues the most. Unemployment among this group has significantly increased in 2013.

Immigrants are subject to excessive attention of the police. According to ECRI, police had detained 380,000 people for identity checks on the basis of their foreign looks.

The report also points to the high level of LGBT discrimination — a community that is increasingly often forced to hide their sexual orientation. Most difficult situation arose in schools, where they are consistently bullied by fellow students.

Discrimination of women is still present in German society — they receive 23% lower wage than their male counterparts.

Certain discriminatory practices are found in the process of integration of immigrants. Persons who do not attend language courses may be faced with difficulties in renewing a residence permit and with reductions in social benefits.[6]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–2.5	–2.5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–7.5	–7.5

2. Xenophobia and inflammatory statements by members of the authorities and media

According to German internal policy expert and head of Department of Political Science at the University of Mainz, Professor Jürgen Falter, at least 15% of German population are latent supporters of neo-Nazism. According to German Federal Ministry of the Interior, more than 20% of German population are open or latent anti-Semites. [7]

On March 13, the release of a book by Lena Gorelik "*What, you speak German?*" was announced in Germany, which noted that the "indigenous" population does not consider immigrants as "theirs," despite the long period of residence, good knowledge of German, etc. [8]

On March 27, the results of a long-term research by the University of Leipzig, dedicated to the hatred of foreigners in Germany, was published. It was found that hostility towards foreigners in West Germany is largely a problem of older people, while in the Eastern Germany it is typical with younger people. 32% of respondents in the East and 23% in the West agreed to hostile towards outsiders statements. Those born in East Germany in 1981 and later gave the highest figure, similar to consensus values of those born in the West before 1930. In spite of this, anti-Semitic statements have been presented in the West (9.8%) more strongly than in the new lands of the German Federation

(6.3%). With a statement, that "if anything needs done in our country today, then it is a tough and resolute adherence to German interests in relations with foreign countries," 29.3% agreed "strongly" and "wholeheartedly," and another 31.7% agreed "partially." A similar number of the respondents spoke in favour of a statement that "the ultimate goal of German policy" should be the "delegation of power and action to Germany, which it is entitled to" (57.3% — from partial to full agreement). Even more common was the heavy feeling that "foreigners" have come to German Federation to "exploit our socialist state": 14.7% agree with this absolutely and 52.9% — partially or largely. [9]

Research of the Friedrich Ebert Foundation of the Social Democratic Party also recorded a growth of xenophobic sentiments in Germany. Work carried out by researchers at University of Bielefeld and focused mainly on anti-Semitism in Germany. Study showed that modern anti-Semitism is taking a form of anti-Israelism sentiments, where basic anti-Semitism is concealed behind the opposition to Zionism. Thus, 47.7% of Germans of 1,000 respondents agreed that "Israel is waging a war to destruction against Palestine." German figure surpassed the results of other Western European countries. Respondents that answered positively, essentially agreed that Israeli policy towards Palestinians is not different from the Nazi policy of the "final solution to the Jewish question." US State Department and the EU believe that this issue is an effective "test of anti-Semitism in the modern world." [10]

On July 16, former German Chancellor Helmut Schmidt said that Muslims are a problem for Germany. "Muslims don't want to integrate into German society. With other immigrants, such as Italians, the Spanish, Greeks — it is different, since their culture is compatible with German values and traditions," he told Radio Télévision Suisse. [11]

Germany's largest daily publication *Süddeutsche Zeitung* published an anti-Semitic and anti-Israeli cartoon in July, where Israel was depicted as a Moloch (a man-eating monster). On July 7, the newspaper apologised for the publication. [12]

On September 11, Federal Administrative Court of Germany rejected the complaint of a female Muslim school student, who sought release from swimming lessons for religious reasons. [13]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

The Constitution of the Federal Republic of Germany proclaims the equality of all before the law and prohibits discrimination on the basis of gender, kinship, race, language, nationality, origin, religion, and religious or political views. These principles are supplemented by the General Equal Treatment Act, which extends the prohibition of discrimination on a number of private and public sector areas.

Article 86 of the German Criminal Code criminalises the distribution of propaganda materials of anti-Constitutional organisations. Article 130 (Incitement to hatred) covers the incitement to racial hatred, and is one of the most important tools in combatting extremism and xenophobia. Organisations promoting racist ideology, or condoning or inciting to racial hatred and discrimination, are subjected to criminal prosecution in accordance with Article 129 and 129a of the Criminal Code.

German law prohibits political parties and groups that do not meet constitutional requirements. In accordance with the Basic Law (Article 9), private civil society associations can be banned if they do not comply with the requirements of the criminal legislation, or are aimed against the constitutional order or against the concept of international understanding.

German legislation provides for criminal liability for denial of the Holocaust. It is based on the Criminal Code and the law on overcoming the consequence of crimes (1994).

Article 130 of the German Criminal Code is dedicated to incitement to hatred. Article 3, which was written in 1985 (last revision in 2005), provides criminal liability for incitement to hatred on the grounds of nationalism, religious or racial hatred, humiliation of human dignity, and public denial of the Holocaust and crimes committed during the Nazi regime. These crimes are punished with up to 5 years of imprisonment or a fine.

Article 166 of the Criminal Code, punishes defamation of religions, religious and ideological associations. This Article was last used in 2006 in connection with insult to Koran.

- Presence and development of anti-discrimination legislation.

In 2006, Germany adopted an Equal Treatment Act, which brought German legislation in line with EU anti-discrimination directives:

2000/43/EC (on the implementation of the principle of equal treatment irrespective of racial or ethnic origin), 2000/78/EC (general framework for equal treatment in employment and education), as well as directives on Gender Equality 2002/73/EC and 2004/113/EC. [14, 15]

After Cologne Court imposed a ban on circumcision, many political figures put forward their initiatives to protect Muslim and Jewish rights. In July 2012, members of the Bundestag urged the government to develop a law that would establish the rights of these communist. This decision was supported by a majority vote. In December 2012, a new connotation of the circumcision act was developed. Paragraph 1631d was expanded and supplemented with relevant comments. On December 20, 2012, the revised act came into force. [16]

In recent years, Landtags (State Diet — parliament of the Federal Land) of some Federal Lands were actively eliminating gaps in federal legislation to accommodate for the rights of Islamic organisations in education and religion.

In 2013, state governments of Bremen, Hamburg and Hessen had officially recognised Islamic organisations and provided them with more rights and powers. From now on, members of any association, union or non-governmental organisation will receive free access to public institutions such as prisons, hospitals and schools. Furthermore, Islamic associations and unions will now be able to establish special theological universities and schools, diplomas of which will be legally recognised. Islamic organisations will also be able to receive special permissions to conduct formal research and experiments on the territory of Bremen, Hamburg and Hessen. Public schools of these states will optionally teach Koran and fundamentals of Islam. [17]

The above-listed federal states also signed agreements to equate the status of Muslim and Christian holidays. Muslim employees will be able to take these days off, and their children will have the right not to attend school. Furthermore, these agreements provide for establishing Muslim cultural institutions and construction of mosques. [18]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, this legislation in observed. To improve the effectiveness of German anti-discrimination legislation, an Anti-Discrimination Agency has been established in accordance with the Equal Treatment Act. The Agency is an independent organisation that provides assistance for the victims of discrimination.

It assists persons who have been subjected in their daily life to racist or anti-Semitic attacks, or subjected to discrimination on the grounds of nationality, ethnic origin, disability, etc.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)

31,645 "politically motivated offences" were registered in Germany in 2013 (27,440 in 2012), 2,848 of which were violent. Thus, we can observe a 15.3% and 15.6% rise in hate crime respectively.

At the same time, the number of politically motivated crimes committed by extreme right groups decreased by 3.3% and the number of xenophobic crime increased by 11.2%/. Out of the total number of crime, only 1,275 (51 violent) was motivated by anti-Semitism, and 1,218 of those (46 violent) was committed by members of various unofficial extreme right-wing groups — majority of whom are natives of Asian countries.

Detection rate of hate crime in Germany is around 60%.

On the other hand, there are some issues in the field of combatting hate crime. Government is often criticised for the lack of a comprehensive action programme against this crime. In April 2013, Amadeu Antonio Foundation published a report called "Government's failure: Report on Western Germany." Its authors accused the government of inaction and indifference towards victims of racist attacks. The main activity of the Foundation is to combat right-wing extremism. Vice-President of the Bundestag Wolfgang Thierse commented on the situation, "The judiciary, police and local politicians pay too little attention to the problem of right wing extremism. Currently, Germany lacks permanent and reliable structures aimed at combatting the extreme right. Victims of right wing extremists are left to face their problems alone."[19]

European Commission against Racism and Intolerance published its report on Germany in February 2014, where it commended German authorities on their struggle against xenophobia and criticised them for focusing on the organised extreme right forces in their struggle against hate crime. Other forms racism and discrimination in Germany are left unnoticed. In particular, ECRI points to anti-Semitic statements of the Muslim circles and frequent insults to LGBT community.

ECRI recommends that the German authorities reform their system for recording and following up "racist, xenophobic, homophobic and transphobic" incidents in order to ensure that all cases involving such a motive are recorded. Official statistics do not provide a full picture of the problem. This is partially evidenced by large differences between the findings of government institutions and non-governmental organisations.

ECRI also advocated the reform of German criminal law. Commission reiterated its recommendation that the German authorities provide expressly in the Criminal Code that racist motivation for an ordinary offence constitutes an aggravating circumstance. It further recommends that they remove from Article 130 (1) of the Criminal

Code the proviso that the acts in question must be liable to disturb public order, include the grounds of colour and language and provide that any public incitement to racial discrimination is punishable. [20]

In 2009, Bundestag formed an advisory council of scientists, which in November 2011 prepared a report on their perception of anti-Semitism. However, the Federal government did not take any measures to implement the proposed recommendations as of 2013.

Nevertheless, certain positive trends can already be observed. First, authorities seek to supress neo-Nazism in its roots, which is especially true since the exposure of an underground neo-Nazi group in 2011. More attention is thus paid to prevent propaganda of racism online. In spring 2013, Federal Criminal Police Service shut down the largest German online forum *Thiazi-Net*, and its founders were brought on charges of "creation of a criminal group" and "incitement of hatred between peoples." [21] In total, six neo-Nazi groups were shut down during 2012. [22]

In 2013, three Salafi Muslim groups were shut down — DawaFFM, Islamische Audios and An-Nussrah. [23] Another two groups — Die Freiheit movement and a news blog Politically Incorrect were shut down as extremist and unconstitutional, engaged in anti-Islamic propaganda and incitement to Islamophobia. [24]

However, the discussion to ban the largest and most influential radical right-wing party, NDPG, was categorically rejected by the ruling Christian Democratic Party. According to German Chancellor Angela Merkel, this ban could increase the popularity of their ideas in the public. [25] It is worth noting that Germany has a growing popularity of neo-Nazi ideology, with around 6,000 members of various radical parties and 11,000 skinhead activists.

At the same time, 2012 and 2013 were marked by high-profile trials against extremists. For example, in 2012 the largest trial over neo-Nazis was launched in Koblenz. 26 extreme right activists were accused of multiple attacks on their left-wing counterparts starting in 2009. [26]

In May 2013, Munich Court launched a trial against the National Socialist Underground. This group has been threatening Asian immigrants for the past 10 years. It is responsible for murders of a police officer, 10 Turkish and 1 Greek national, two bombings in Cologne and several bank robberies. The group's declared objective was to "cleanse Germany of aliens."

In 2013, law enforcement exhibited increased activity in combatting any manifestations of xenophobia. For example, in February a 74-year-old Maria Frank, who leads an "Association for German Future," was fined for "inciting religious and ethnic hatred" during a public demonstration and petition against building an Islamic centre "Islam in Europe" in Munich. The reason for her arrest was a poster that was hung during a petition at the square. The poster reminded Munich residents, that Turks have already besieged the nearby Vienna in 1638,

but the Christian ancestors of modern Germans and Austrians have courageously fought off the Janissaries attacks.[27]

On June 13, Bundestag, with the support of the major political parties (CDU-CSU, SPD, FDP, "Greens"), adopted a resolution to strengthen the fight against manifestations of anti-Semitism in Germany. The resolution obliged public institutions "as a priority, to combat all forms of anti-Semitism and to conduct a detailed monitoring of anti-Semitic incidents in Germany." It also noted that a modern form of anti-Semitism had appeared under the guise of condemnation of Israel government policies, putting the responsibility for the political crisis in the Middle East on the Jewish people.[28]

On July 14, German Military Counterintelligence (MAD) revealed that the number of extremists in German Armed Forces is around 400. More than 300 of them were leaning towards the right-wing camp, while 50 were open Islamists. All identified extremists were expelled from Armed Forces.[29]

In addition, authorities (especially in federal states) started focusing on the prevention of hate crime and to this end are actively cooperating with civil society organisations whose activities are aimed at combatting radical nationalism. Currently Germany has a large number of NGOs aimed against neo-Nazism. Some of them work in education, others monitor manifestations of anti-Semitism online, etc.

- Unlawful use of anti-extremist legislation.

  Such cases were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	20	20

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

The ruling CDU/CSU party has recently started paying more attention to xenophobia, discrimination and racism. Partly, this was related to Angela Merkel's own position, who became the first Chancellor who visited the memorial at the former Nazi concentration camp in Dachau. In her speech, she admitted that she came to the concentration camp where thousands of Jews, Roma and sexual minorities were executed with a sense of shame and sorrow.[30]

Speaking at the Christian Social Union event in Dachau after visiting the memorial, Merkel said that the Dachau memorial serves as a reminder that people cannot allow the reoccurrence of these atrocities. "Then, the concentration camp was right here in front of us," she pointed out. "Those who wanted could see and hear (the suffering of prisoners). Therefore, it is important that we never close our eyes and years. Never should a situation be repeated, where people are not protected just because of their religion, political views or sexual orientation." Chancellor concluded, "It should never be allowed that people are discriminated in killed (for these reasons)."[31]

Responsibility for the crimes committed by the Nazis will lie with Germany forever. This was said by the German Chancellor Angela Merkel on January 27, at an event to mark the 80th anniversary of Adolf Hitler's rise to power. Germany will be "eternally responsible for the crimes of National Socialism, for the victims of World War II and, above all, for the Holocaust. And it should be clear from generation to generation, and it must be said with bravery and moral courage. Everyone can contribute to make sure that racism and anti-Semitism had no chance."[32]

On September 16, Merkel was interviewed by *Jewish Voice from Germany*, where she said that security of Israel is among the priorities of German policy. She also assured that she will decisively combat any manifestations of anti-Zionism, which is illegal. "To those who share my position, Jewish people have the right to self-determination, and Zionism is a national movement to implement this right, which their enemies are rejecting."[33]

Members of the German government also took a tough stance towards any manifestations of hate in German society. On March 16, Minister of Internal Affairs of Germany Hans-Peter Friedrich, speaking at the congress of the Christian Social Union in Munich, offered to expel foreign citizens, affiliated with religious extremism or engaged in incitement of religious hatred.[34]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

German authorities pay great attention to educational aspects of antifascist activities. This includes school programmes that include mandatory visit of the Holocaust Museum in Berlin or similar museum in other cities.

No less important are the artistic, socio-political and historical exhibitions dedicated to the struggle against German Nazism in 1930s—1940s and neo-Nazism in present days. Such exhibitions are held regularly and often funded by the state. An active part in these events is played by political parties, primarily of left-wing orientation.

Large antifascist actions also plays an important role in the struggle against extremism (see below). These are held regularly across Germany and supported by the government, left-wing parties and local authorities. The scale of antifascist manifestations sets a good example and demonstrates a public trend. Largest demonstrations were held in Dresden and in Magdeburg, where Nazis are annually attempting to conduct a procession in memory of the bombing of the city by Ango-American Air Forces. In both cities, antifascist protests gathered around 10,000 people.

Catholic Church was also active in this field. Leadership of the Catholic Church in Germany harshly reacted to the incident at the pastoral seminary in Wurzburg, where one of the pastors welcomed the guests with a Nazi salute, told anti-Semitic jokes and played neo-Nazi music. The incident lead to internal investigations and public protests against anti-Semitism in the Catholic Church. Head of the seminary Herbert Baumann told reporters that he would not tolerate even a hint of anti-Semitic manifestations in his diocese.[35] Vicar General of Würzburg Karl Hillenbrand wrote in his letter to Baumann, "You cannot underestimate anything that is related to Nazi ideology. This behaviour is most shameful."[36] His counterpart in

Bamberg, Ludwig Schick, urged to be vigilant to anti-Semitism, racism and extremism in the Catholic Church. Addressing to pastors of seminaries, he asked to "be sensitive, open your eyes and ears and be alert to any manifestation in this area." He added that "we have to make all we can to avoid any leaning towards racism and anti-Semitism."[37]

It is worth noting the widespread anti-Nazi sentiment among the German business sector. For example, in July 2013 the hotel industry staged a boycott against the prominent British Holocaust denier David Irving, who was intending to speak in Berlin in front of his German fans.[38] Berlin Hotel Association declared that anti-Semitism will not be able to stay in any of its hotels.

Previously, Association of Restaurant Owners presented a similar initiative on "How to identify a neo-Nazi," to deny service to radical nationalists.

On July 21, Simon Wiesenthal Centre in Israel announced a campaign to find the last surviving Nazi war criminals in Germany. Posters were hung in Berlin, Hamburg and Cologne, with an appeal and slogan — "Too late. But not too late! Operations Last Chance II." Similar actions were held in Austria, Poland, Romania, Hungary, Croatia, Lithuania, Estonia and Latvia. Head of the Jerusalem department of the Simon Wiesenthal Centre, Efraim Zuroff, said that the new initiative helps the European population in identification of Nazi war criminals who managed to escape punishment and bring them to justice.

The organisation promised 25,000 euros for any useful information. The age of ex-Nazis cannot be the cause for termination prosecution. "It does not detract from their guilt," Zuroff said.[39]

Results of the campaign became evident in early 2014. Efraim Zuroff reported that Wiesenthal Centre managed to identify the names of 111 suspects in Germany, four of whom were sent to German prosecution. One of them served as a guard in Dachau, another — was a female guard in Auschwitz. Information about the suspected ex-Nazis continued to arrive and the details of another war criminal was transferred to the German prosecution.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

According to the German Statistics Office, the country had almost 16 million people with an immigrant past. This constitutes for 19.5% of the population.[40] In 2013, 419,920 people entered the country, and the number of first-generation immigrants reached a new record — 7.6 million. At the same time, of the almost million immigrants who arrived in 2012, almost 700 thousand left by the end of 2013.[41]

Number of foreign nationals in Germany constitutes for 9.5% of the general population. This is the highest figure since 1967, when a centralised register of foreign nationals entering the country has been set up. Majority of people who migrated to Germany in 2013 were citizens of Poland, Romania and Hungary. At the same time, the largest ethnic group in Germany (except Germans themselves) is Turks (1.55 million people).[42]

Germany has a well developed immigration legislation. Migration flows are regulated with corresponding laws, including the German Basic Law (*Grundgesetz*),[43] Residence Act, Displaced Persons Act, Citizenship Act, Law on control and restriction of immigration and regulating the residence and integration of EU citizens, Law on assistance to political asylum seekers, Law on the freedom of movement of citizens.

As a result, German immigration legislation is generally in line with most major EU Directives: EU Directive 2004/38[44] on freedom of movement, Regulation № 562/2006 European Parliament and of the Council (Schengen Borders Code)[45] and a number of Directives on refugees.[46]

Furthermore, in August 2012 German Residence Act was amended to bring it in line with EU Directive 2009/50/EC, introducing the Blue Card which is designed to govern the employment of skilled specialists from third countries.[47] A new type of residence permit was introduced "Blaue Karte EU" for the highly qualified foreign workers. Amendments also concerned students. Thus, foreign students were given better opportunities for career development after graduating from a German university by increasing the time for job-seeking from 12 to 18 months.

- Government's compliance with such legislation (law enforcement practice).

In general, immigration legislation in Germany is observed within the common EU standards. Responsible state authorities in this area

are: Federal Ministry of the Interior, Federal Office for Migration and Refugees, regional Ministries of the Interior, Federal Ministry of Labour and Social Affairs, as well as the Federal Employment Service.

Nevertheless, law enforcement practice in Germany has some shortcomings. The situation with asylum seekers from Serbia and Macedonia (primarily Roma and Sinti) was significantly aggravated after the visa regime with these countries has been abolished. People of Kosovo — Roma, Ashkali and Egyptians — and people who passed Serbia in transit are in a similar situation.

German states, including Lower Saxony and North Rhine-Westphalia, continued Roma deportations to Kosovo in 2013, despite the concerns about poor conditions of their reception, including problems in access to education. [48]

The country still lacks a clear concept of treatment of immigrants. The only policy conducted by Minister of the Interior Hans-Peter Friedrich is aimed at closing borders for people of the neighbouring and less prosperous countries. Ministry of the Interior rejects the possibility of introducing dual citizenship for foreign children who were born in Germany.

Position of immigrants in Germany continues to be difficult, despite the decision of the Federal Constitutional Court in July 2012 that refugees and asylum seekers must enjoy the same social protection as German citizens. They are often settled in remote camps resembling prisons, social assistance is paid in the form of merchandise coupons, they are not allowed to work and German language courses are lacking. Refugees wait years for a response to their application for asylum, living in territorial and social isolation, in small rooms and without the right to leave the jurisdiction of the responsible institution (so-called obligation to stay on the designated territory). Many human rights activists believe that such living conditions are intentionally set up to reduce the appeal of seeking asylum in Germany. [49]

Restrictions of refugee rights during processing of their application (which could take years) enshrined in German legislation has also caused sharp criticism of the public and some political parties. This particularly concerns the ban to leave the designated region in the federal state, where the subject was allocated, and ban on employment or access to education, adequate healthcare, etc. In this regard, efforts are made to optimise the legislative base and in some federal states (such as Hessen), regulations for the movement of such persons have been substantially eased. In the future, there obligation to stay on designated land during the consideration of asylum application could be abolished.

Recently, German government launched programmes to combat illegal immigration. On June 8, Interior Minister of Germany Hans Peter Friedrich stated at the meeting of EU Interior Ministers in Luxembourg,

that German government intends to deport the Romanian and Bulgarian illegal economic immigrants and impose a ban on their subsequent entry into the country. "Those who work here illegally have to go back to where they came from."[50]

- Discriminatory practices against immigrants.

Restrictive policies of the ruling CDU/CSU conservative bloc has caused immigrants to feel alien in modern Germany. Moreover, this alienation is visible on all levels, from household to government; in other words — from weird glances and insults on the street to selective police checks and arbitrary justice.

According to "Atlas of Happiness 2013" study conducted in Germany, more than half of surveyed immigrants reported that they have faced ethnic discrimination. Majority of them were of Turkish descent.[51] At the same time, 49% of immigrants considered their financial position as good or very good. Among ethnic Germans, only 45% of respondents similarly answered this question.

Immigrants are most often faced with discrimination in housing,[52] employment, relations with the law enforcement, family law and in everyday sphere.

Experts of the Federal Anti-Discrimination Office concluded that discrimination of immigrant children in schools and universities is a common occurrence. One in four foreign students feel disadvantaged in their rights and opportunities.[53]

Previously, UN experts reached the same conclusions in terms of workplace discrimination. According to them, interests of immigrants up until second generation are seriously violated in employment.[54]

On the other hand, there have been cases of discrimination and humiliation of ethnic Germans in schools. According to the German Minister for Family Affairs Kristina Schröder,, this phenomenon has recently become more widespread. In schools of Essen, for example, where about 70% of the students are immigrants, there is a real "Germanophobia" — German children are often ridiculed and bullied.[55]

- Use of ethnic crime as justification for discrimination against immigrants.

Germany has at least two nationalist organisations that consistently use the subject of ethnic crime. These are the moderate nationalist party *Die Freiheit* ("Freedom") and organisation "Civic Movement for Germany."

Die Freiheit party programme stipulates the need for de-Islamisation of the country under the threat of "Berlin turning into Algeria."[56]

Civic Movement for Germany positions itself as a right-wing conservative organisation that fights against multiculturalism and Islami-

sation of Germany. Its official statement is "Germany without foreigners that do not respect its traditions and laws." The movement proposes strict control of ethnic crime and deport any foreign national who committed an offence after serving his sentence. [57]

- Social assistance for immigrants.

According to German immigration legislation, refugees and immigrants legally residing on the territory of the country have the right to the same social protection as German citizens.

Asylum seekers were excluded from this rule up until 2012. They did not have freedom of movement — i.e. they were not allowed to leave the territory of the state where they were registered as refugees. Furthermore, they had limited social benefits and were practically unable to seek employment. Their accommodation was subject to a lot of criticism — overcrowded residence centres, small rooms, social discomfort.

In July, Federal Constitutional Court ruled that refugees and asylum seekers must enjoy the same protection as German citizens, ordering to pay them benefits backdated to 2011. These measures affected 130 people. [58]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to a survey conducted by TNS Enmid, almost 70% of German residents support restrictions to immigration from all or some EU countries. 41% are in favour of restricting immigration from all EU countries; 28% — from certain countries; 27% are against any restrictions. [59] These figures are largely caused by the fear of erosion of the German welfare due to a rapid growth of benefits claimants among immigrants.

On March 27, the results of a long-term research by the University of Leipzig, dedicated to the hatred of foreigners in Germany, was published. It was found that hostility towards foreigners in West Germany is largely a problem of older people, while in the Eastern Germany it is typical with younger people. 32% of respondents in the East and 23% in the West agreed to hostile towards outsiders statements. Those born in East Germany in 1981 and later gave the highest figure, similar to consensus values of those born in the West before 1930. In spite of this, anti-Semitic statements have been presented in the West (9.8%) more strongly than in the new lands of the German Federation (6.3%). With a statement, that "if anything needs done in our country today, then it is a tough and resolute adherence to German interests in relations with foreign countries," 29.3% agreed "strongly" and "wholeheartedly," and another 31.7% agreed "partially." A similar number of t he respondents spoke in favour of a statement that "the ultimate goal

of German policy" should be the "delegation of power and action to Germany, which it is entitled to" (57.3% — from partial to full agreement). Even more common was the heavy feeling that "foreigners" have come to German Federation to "exploit our socialist state": 14.7% agree with this absolutely and 52.9% — partially or largely. [60]

Opinion polls on racism and xenophobia showed that 44% of right-wing party supporters hold anti-Semitic views, compared with 26% supporters of centrist parties and 28% supporters of left-wing parties. [61]

According to an expert on domestic policies of Germany, head of the department of political science at the University of Mainz, Professor Jürgen Falter, whose opinion was published in late January, at least 15 percent of the population of Germany today are latent supporters of neo-Nazis. According to the MIA of Germany more than 20 percent of the population — are obvious or latent anti-Semites. In Germany, there are about 6,000 members of various radical parties and 11,000 "skinhead activists." [62]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	–2.5	–2.5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In the 1990s, Germany actively fought the extreme right by banning the establishment of such organisations. In response, a new extreme right culture and autonomous organisations emerge among the youth. Numerous new groups started appearing, calling themselves

"fellowships." They maintained contacts with neo-Nazis and skinheads and their main activities were done online.

New media in general is frequently used by German radical nationalists, such as the Nationalist Socialist Underground which sponsored an anti-Semitic tabletop game called *Pogromly*.

In addition to these groups, there are numerous online platforms. One of them, *World Wide News for People of European Descent*, founded in 2002, positions itself as a respectable news website despite its clear leaning towards the extreme right.

Another example of such media is the German branch of a network called "Other Media" (*Altermedia-Deutschland.info*), which copies and rewrites articles of respected publications with corresponding comments. Currently, this website is one of the most popular internet portals for extreme right activists. Altermedia is annually visited by 5 million people. *Jugendschutz.net*, an organisation that monitors manifestations of anti-Semitism online, convinced the internet service providers in USA to block this website, but it was soon launched on another server.

Online platform *Voice of Germany* is another extreme right website financially supported by the National Democratic Party.

Right-wing Catholic platform, *kreuz.net*, was recognised as dangerous for youth by the Federal Department on Media in December 2012 and was subsequently shut down.

Organisation NordicTex (in Oberhof) hosts an extreme right website *Ansgararyan*. The organisation positions itself as the main defender of nationalist ideas. Similar position is occupied by *Germaniaversand* website, which cites *Altermedia* in its articles.

Politically Incorrect website specialises in Islamophobic articles.

When it comes to neo-Nazi graffiti, these regularly appear on the streets of large German cities. Several examples are listed below:

On March 4, anti-Semitic graffiti were found at a metro station Moritz Platz, in Kreuzberg district of Berlin. [63]

On the night of March 19, five swastikas were scratched on the entrance doors of a synagogue in Haguenau. [64]

On May 14, unknowns drew a swastika on the youth club's sign in Voigt. [65]

On May 16, it was reported that unknown perpetrators have painted anti-Semitic slogans on the apartment door of Petra Fritzsche — an activist of the programme for installing monuments to the victims of Holocaust in Berlin. They also threw a firecracker in her mailbox. [66]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Germany has strict restrictions on distribution of extremist literature. However, particularly online bookstores of Germany often sell books about Wehrmacht, SS troops, etc. as "historical literature." These books are published by small private publishing houses and distributed largely online.

The situation with music is more difficult, as it is harder to censor.

Federal Service for the Protection of the Constitution (*Bundesamt für Verfassungsschutz* or *BfV*) states, "Excluding jazz and classical music, there is not a musical genre that has not been infiltrated by extreme right organisations and that has not been used to conduct extreme right ideas."[67] According to BfV, music is actively used by German musicians who "glorify National Socialism, present Adolf Hitler and his allies as role models (or tragic heroes)" and try to "inspire racial hatred or incite to violence against foreign nationals, Jews and dissidents."[68]

A number of musical bands that do not openly position themselves as neo-Nazi still support these organisations and express their anti-Semitism in their music, and create a negative image of foreign nationals.[69] They also facilitate the recruitment of new members to the ranks of National Democratic Party of Germany.[70]

At the time of writing, there had been no official information on the number of neo-Nazi concerts held in 2013, which prevents us from identifying a trend. However, in 2012, Germany hosted 82 neo-Nazi concerts in total, which is still lower than in 2011 (131 concerts) and 2010 (128). Furthermore, police and the regulating authorities had successfully disrupted 13 such concerts in 2012.[71]

These concerts are usually held in closed private properties and on personal invitation, while officially licensed as charity events.[72] *Aktionsgruppe 38* is one of the groups engaged in organising such events. In some cases, concerts are organised by NDPG activists. There are many different neo-Nazi bands, majority of whom are semi-legal. Some noticeable of those are: *Burning Hate* (Oberfranken — Upper Franconia), *White Rebel Boys*, *Codex Frei* (Kempten), *Faustrecht* (Mindelheim), *Feldherren* (München), *National born haters* (Neu-Ulm), *Southern White Punks* (Augsburg), *Sturmtrupp* (Neuburg a.d. Donau), *Untergrundwehr* (Würzburg). The maximum number of audience in these concerts can reach 1,000 people.[73]

The popularity of neo-Nazi rock is evidenced by the distribution of CDs of this genre and the sale of "ideological" clothing, which is the main source of income of the radical nationalist parties such as the NDPG. Moreover, the lion's share of the profits comes from music and merchandise sale abroad, particularly in Eastern Europe.[74]

The most noticeable neo-Nazi rock concert in 2013 was organised by German and French nationalists in Alsace, France. The concert was attended by 200 people. The concert was timed to Adolf Hitler's birth-

day. Organisers did not risk holding the event in Germany, where these events are under strict control of the law enforcement, and moved it to the France, where they rented a hall in Oltingue village "for birthday celebration."[75]

Recently, the spread of anti-Semitism in culture has become commonly disguised behind anti-Zionism. Chancellor Angela Merkel drew attention to this in an interview with *Jewish Voice from Germany* on September 16 (see Section 4).

On February 13, it was reported, that Magistrates Court of Nuremberg-Furth dismissed the claim to recognise the film "*We Refuse to be Enemies*," about Palestinian-Israeli conflict, as anti-Semitic. The film by a German director Stephanie Landgraf, portrayed a Palestinian refugee camp on the West Coast to a Warsaw ghetto of Third Reich period, and drew a comparison between the Jewish state and Nazi Germany, and the Jewish "Yad Vashem" museum is accused of manipulating the Holocaust to steal land from Palestinians.[76]

It is worth mentioning the fairly new phenomenon for Germany — Islamic anti-Semitism. Most commonly this manifested in German Turkish media. Turkish-language press often talks about Jewish conspiracy, accuses them of conducting a Nazi-like policy in Germany, etc. Turkish book fairs often contain anti-Semitic texts.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Extreme nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)

The leading radical nationalist party in the country is National Democratic Party of Germany (NDPG), founded in 1964. Currently, it is having some financial difficulties and controversies within the party, which has already led to a reduction in numbers. In 2011, the

party officially declared 6,300 members, whereas in 2012 this figure fell to 6,000.

In December 2011, after the arrest of *National Socialist Underground* activists, involved in 10 murders and 14 robberies, German Minister of the Interior Hans-Peter Frederick stated his intention to ban the National Democratic Party. One of the reasons for this was the arrest of NDPG leader Ralf Volleben, suspected of involvement in six murders committed by the NSU and one attempted murder.

In December 2012, German parliament made a decision to file a request to the Constitutional Court about banning NDPG. In April 2013, however, majority of German MPs did not support Social Democrats' initiative. Representatives of all political parties, speaking during parliamentary debates, characterised NDPG as right-wing extremist and hostile to the Constitution. Deputies explained that the rejection to file a claim to the Constitutional Court is due solely to legal aspects of the problem. At the same time, Chancellor Merkel spoke against banning the party, saying that it could increase the popularity of neo-Nazi ideas in the society.[77]

At 2013 elections to the Bundestag NDPG received 560,660 votes (1.3%) and did not pass into parliament.

The second popular right wing party was the *German People's Union*. However, the party was dissolved in May 2013. Some members of the Union joined the *Rightists* party, which had 150 members as of 2012.

There is also a new party, *Die Freiheit* ("Freedom"), led by former Christian Democratic Union leader Rene Stadtkewitz. The party consists of former members of the ruling party, who became disappointed in the policies of current German parties. Party's main goal is to stop Islamisation of Germany.

One of the oldest radical nationalist parties is the Republican party (1983). Republicans were most successful in 1989, when they received 7% of votes at European Parliamentary Elections and Berlin Chamber of Deputies. From 1992 to 2001, the party was represented in Baden-Württemberg parliament. From 1994, the party was led by Rolf Schlierer, who distanced himself from right-wing extremism. As a result, the party lost value among other right wing parties, such as the German People's Union and NDPG. In 2009 parliamentary elections, the party only received 0.4% of votes.

Another member of the right wing is a self-proclaimed Right Movement — New Community of Philosophers, whose website is decorated with the imperial flag.

Finally, another well-known right-wing organisation is the *Civil Movement for Germany*, which positions itself as an "association of peo-

ple who want to keep the traditional North-European image of Germany."[78]

In recent years, a number of small organisations professing Islamophobic, racist, anti-Semitic and anti-Roma views were founded. Currently, movements of "*Pro-*" format are gaining popularity — *Pro-Deutschland*, *Pro-North Rhine-Westphalia* and *Pro-Cologne*. The latter even has its own faction in Cologne city council. *Die Freiheit* party acts from similar positions. All these associations are being monitored by the Federal Office for the Protection of the Constitution.

A relatively new and informal neo-Nazi organisation is the *Independent Nationalists* group based in Dortmund. Its members do not shave their heads or wear black jackets; they communicate with each other on Twitter, in English. "They can come to a Turkish shop to eat a kebab, and tomorrow attack a Turkish immigrant," writes Johannes Radke — a journalist specialised in German neo-Nazis. According to him, the "new Nazis" consider themselves the vanguard of right-wing forces, and act more prudently and "professionally" than skinheads.

Unlike members of NDPG, *Independent Nationalists* openly cite Hitler during their rallies and protests. The law prohibits public denial of the Holocaust and expression of Nazi ideas, but new nationalists — not having any political ambitions — can afford more than the National Democrats.[79]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

All political extreme right parties occupy anti-immigration and Eurosceptic positions.

National Democratic Party is opposed to Germany's membership in the European Union and demands abandoning the single currency. Its slogan is "Fight for the minds, fight for the streets, fight for seats in parliament, *fight against foreign will*."[80]

Other parties have their own specialisation. For example, *Die Freiheit*, *Civil Movement for Germany*, *Pro-Deutschland*, and a number of other parties have clear Islamophobic positions. Die Freiheit's 77-page party platform includes such statements as, "We will do anything we can to stop the Islamisation of our country."[81]

Civil Movement for Germany often exploits the subject of ethnic crime, demanding strict punishment for immigrant criminals — depriving them of citizenship and deporting.

In September 2012, Pro-Deutschland made a statement after clashes caused by the film "Innocence of Muslims" at Embassies in

Libya, Egypt and Tunisia. The party said that Islam is incompatible with the foundations of German democratic society. The party advocates preservation of the Christian image of western countries. Pro-Deutschland stands for stopping immigration of Muslim extremists and an immediate ban of all Islamic extremist organisations, and immediate deportation of all Muslim extremists living in Germany.

Right Movement — New Society of Philosophers specialises in anti-Semitism. In February 2012, members of the party sent threatening letters to the Jewish communities of Germany. The case is currently investigated.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

While public opinion polls (see Section 6) show that approximately 25% of German population hold xenophobic views, radical nationalists fail to attract enough votes in parliamentary elections (NDPG usually gets under 2% of votes) or local elections (NDPG were successful only in Mecklenburg-West Pomerania in 2011 — 6% of votes). NDPG is also represented in Saxony. Therefore, we can conclude that xenophobia in German society is not directly related to activities of radical nationalists; voters do not expect these parties to solve their problems.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

As mentioned above, radical nationalists in NDPG were only able to pass their representatives in Mecklenburg-West Pomerania. Thus, we can conclude that this party does not have any decisive influence over local authorities.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Radical nationalists failed to pass any of their candidates to the German parliament in 2009 and 2013 elections.

Furthermore, after the arrest of *National Socialist Underground* activists, involved in 10 murders and 14 robberies, German Minister of the Interior Hans-Peter Frederick stated his intention to ban the National Democratic Party. One of the reasons for this was the arrest of NDPG leader Ralf Volleben, suspected of involvement in six murders committed by the NSU and one attempted murder.[82] Even though majority of German MPs did not support Social Democrats' initiative to appeal to the Constitutional Court and ban the National Democratic Party, all MPs, speaking during parliamentary debates, characterised NDPG as right-wing extremist and hostile to the Constitution. Deputies explained that the rejection to file a claim to the

Constitutional Court is due solely to legal aspects of the problem.[83] Therefore, radical nationalists do not have any influence in German central government.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	0	0
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–10	–10

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  Such instances were not recorded by the monitoring in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

Such actions were fairly common across all German states; however, they were quite low-key. Usually, they were accompanied by antifascist counter-demonstrations that sometimes resulting in open clashes.

Official slogans were related to negative attitude to the EU, single European currency, attitude towards immigrants and commemorative dates of the Second World War.

The latter — neo-Nazi "funeral marches" commemorating the allied bombings of 1945, gathers the most people, around 1.5 thousand. These events are held in Dresden of February 13 and the next first Sat-

urday. In 2013, antifascist staged a powerful counter-demonstration in Dresden, which forced neo-Nazis to abandon the second even in Saturday.

In 2013, NDBG held rallies in several German cities as part of its electoral campaign, but still failed to gather enough votes to pass in parliament.

Characteristically for Germany, local authorities actively support antifascist organisations in their struggle with neo-Nazism, often financing their protest actions. Often, city officials take part in antifascist actions. All this allows gathering enough people to protest against extreme right demonstrations.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  In 2013, no such instances were recorded.

- Presence of "football xenophobia" and racism amongst sports fans.

Football xenophobia is as common in Germany as it is in many other European countries. Several examples are given below:

On January 24, 2013, a match between Polonia Bytom (Poland) and Dinamo (Dresden) was held in Potsdam. Polish fans displayed a swastika and Nazi salutes, chanting "Sieg Heil."[84] Potsdam police detained three Polish fans as a result.

On January 28, during a basketball game between Bayer 05 Urdingen and BG Kamp-Lintfort, black players of the former were subjected to racist insults.[85]

On April 13, anti-Semitic graffiti was found on the stands of Halle stadium.[86]

On April 12, 20 fans from Dresden were arrested before the 1 Union Berlin game for racist chants.[87]

On May 19 — Pentecost Day — fans of Eintracht in Braunschweig staged a brawl with Frankfurt fans, singing anti-Semitic songs.[88]

On September 17 in Frankfurt am Main, fans of Kickers Offenbach chanted anti-Semitic slogans and insulted players of Eintracht FC, during the match.[89]

On September 18, Kickers Offenbach FC reacted to anti-Semitic slogans of its fans and banned them from the stadium. The decision was supported by the General Director of the football club, David Fischer. Writing in *Die Spiegel* newspaper, he wrote, "We do not identify with violence and anti-Semitic or racist slogans. With some police support, we were able to identify hooligans, who will be investigated. They are banned from the stadium."[90]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–2.5	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–12.5	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013, a number of such offences was recorded. Some of them are listed below:

On April 2, desecration of memorial stones in Berlin (Germany), dedicated to Jews who once lived there, was reported.[91]

On May 6, desecration of a Jewish cemetery in Neustadt was reported.[92]

On May 26, desecration of a Jewish cemetery in Diermode was reported.[93]

On July 10, church of St. Leonard, 13th century building in Grafing (near Munich) was desecrated.[94]

Around July 10, unknown vandals desecrated a Jewish cemetery in Rietberg.[95]

On July 21, a Jewish monument was desecrated in Blumenthal.[96]

On July 23, desecration of a Jewish cemetery in Erftstadt was reported.[97]

On August 2, a Lutheran Church was burned down in Garbsen, near Hannover.[98]

On September 17, unknown vandals desecrated a Jewish cemetery in Essingen.[99]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

Monitoring did not record any ethnic clashes in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

As was already mentioned, official statistics report 31,645 "politically motivated crimes" (27,440 in 2012) 2,848 of which were violent. Thus, we can observe a 15.3% and 15.6% rise in hate crime respectively.

At the same time, the number of politically motivated crimes committed by extreme right groups decreased by 3.3% and the number of xenophobic crime increased by 11.2%/. Out of the total number of crime, only 1,275 (51 violent) was motivated by anti-Semitism, and 1,218 of those (46 violent) was committed by members of various unofficial extreme right-wing groups — majority of whom are natives of Asian countries.

- Nationalist or religious terrorist attacks.

In 2013, monitoring did not record any terrorist attacks motivated by hate.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–10	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

First of all, anti-Nazi and antiracist movement includes left-wing parties, such as *Die Linke* and SDPG. Recently, the ruling CDU/CSU has also been increasingly active in this regard.

In 2013, Germany had a number of non-governmental organisations aimed against neo-Nazi groups. Some of them were engaged in

education, others organised protests or monitored manifestations of racism online. Antifascist activists report racist websites to police, who then initiate criminal investigations on charges of incitement to racism and anti-Semitism online.

There is more than a hundred antifascist NGOs — including autonomous mobile groups, who use social media to gather at the right time and in the right place. These include *Antifascist Action of Berlin* (AAB), *Antifa Anarchists*, *Direkte Aktion*, *Bundnis gegen Rechts* (Alliance against Rightists), *Dresden Without Nazis*, *Group Against Genocide and for Understanding Between Peoples*, *Hrant Dink Berlin Forum*, *Berlin Refugee Forum* and many others.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Activities of German antifascists are quite extensive. When it comes to public actions, these include protests against neo-Nazi and extreme right demonstrations. Antifascist websites publish a calendar of radical nationalist events in various cities, which is not hard to obtain from local authorities, and proposes counter-demonstrations in the same city at the same time. [100]

Antifascist organisations are also supported by local authorities, controlled by the aforementioned left-wing parties.

These parties support antifascist activists through government subsidies, whose organisations organise their own manifestations and protest actions against local neo-Nazis.

In January 2013 (Magdeburg) and February 2013 (Dresden), antifascists held largest protest actions against nationalist "funeral marches," gathering 10,000 people. [101]

It is worth also noting that these antifascist manifestations are usually accompanied by unsanctioned actions of antifascists, who block their opponents and attack them and police officers. During a counter-demonstration in Goppingen, southern Germany, on October 2013, two police officers were hurt by left-wing activists, who threw rocks and bottles at the law enforcement. Antifascists protesting the nationalist procession partially blocked the Goppingen railway. Deutsche Bank noted that several trains had to stand idle while the radical left activists stood on tracks. Antifascist activists also placed burning tyres on one railway track. They explained that it was their way of preventing neo-Nazis from coming to Goppingen.

Besides these actions, antifascists held hundreds of small-scale events across Germany.

- Presence of anti-racist and anti-fascist civic initiatives.

Antifascist initiatives in Germany can be divided into two categories: industrial — aimed at identifying and boycotting neo-Nazis by

service sector enterprise, and public — aimed at explaining the dangers of neo-Nazism and extreme right radicalism to the general public.

First category includes the aforementioned initiatives of restaurant owners, hotel unions, etc. (see Section 5). Second category involves large-scale public campaigns related to a certain event in the civil society.

In 2013, one of such events was parliamentary elections. Antifascists' main objective was to prevent NDPG neo-Nazis from entering parliament and terminate their state funding — as parties that receive more than 0.5% votes receive government funding. The total amount issued all parties as compensation of election campaign cost is calculated as the product of 0.70 euros to the total number of voters in a certain electoral region, and 0.85 euro for every vote, if the total number of votes exceed 4 million. [102]

In order to counter the electoral campaigns of neo-Nazi organisations, antifascists implemented a project called "We won't let Nazis steal our coal." The name of the campaign hinted that German coal companies are also forced to sponsor neo-Nazis in Germany. The aim of the project was to prevent neo-Nazis from entering parliament and receiving 0.5% votes.

The task was to increase the voter turnout, which would make the 0.5% target more difficult to achieve for radical nationalists. The campaign was launched on the social networks, press and the streets of German cities. [103]

Election results showed that radical nationalists, particularly NDPG, did not pass the electoral barrier, but still managed to gain 1.3% of votes and continued to receive government funding.

Another group of initiatives was related to Second World War. This includes the annual and largest counter-demonstration of the "funeral march" on February 13 in Dresden, which is held to commemorate the allied bombings in 1945, as well as celebrations of the end of World War II. [104]

A new interesting and effective initiative was launched by the Simon Wiesenthal Centre in Germany — "Last Chance 2," which identified former Nazi war criminals, who managed to escape justice (see Section 5).

In 2013, Islamic organisations presented their own initiative. On January 16, the Central Council of Muslims in Germany demanded that "anti-Islamic racism" was prosecuted by law; a special article was introduced to the Criminal Code. [105]

At the same time, local authorities took certain steps to familiarise Germans with Islam. From April 16 to 18, the German capital hosted a "Week of Islam in Berlin," which has already become traditional for the city. The event is considered an integral part of the interreligious dialogue in the country, a dialogue between Berlin residents and city's visitors, as well as Muslims and non-Muslims. The main theme of the event were the issues regarding the relation between science, education and moral values.

Traditional problems were also discussed, such as the place for religion in a secular state, relationship between religious organisations and democratic values, the role of an individual in a religious society, role of Muslims in a German society. The event was held under the aegis of the Governing Mayor of Berlin Klaus Wowereit.

"Islam is a part of Berlin. After Christianity, Muslims are the second largest religious group in our capital," Wowereit stated. "Currently people still know little about the life of Muslims, or Muslim views, and sometimes hostile clashes happen. Therefore, I am very happy that German-speaking Muslims are organising such an event. I welcome this initiative and thank its organisers." [106]

Sports fans are demonstrating their initiatives as well. For example, a group "Bavarian Fans against Extreme Right" launched their Facebook page, where anyone can report manifestations of xenophobia or extremism at stadiums. A similar group in Potsdam launched a new project, "Watch Football," to record manifestations of neo-Nazism at stadiums and attacks on antifascist fans. [107]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

On April 22, 2013, a memorial in the former Nazi concentration camp in Dachau was desecrated. [108]

There has also been an increased amount of publications glorifying Nazism, Wehrmacht and SS, and disguised as history literature.

Simon Wiesenthal Centre drew attention to this in summer 2013, after having conducted a special study. Research revealed that *Der Landser* magazine, published by *Bauer Media Group* — the largest publishing house in Europe — is whitewashing the history of the Third Reich and its crimes. A prominent German expert on Nazi war crimes Stefan Klemp urged German Ministries of Justice and Interior to investigate possible violations of Article 86 of the Criminal Code, which prohibits glorification of Nazism. [109]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such instances were not recorded by the monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such instances were not recorded by the monitoring in 2013.

- Historical revisionism, Holocaust denial.

This activity is prohibited by law in Germany. Nevertheless, on January 17, one of the leaders of the traditionalist Catholics, Bishop Richard Williamson was fined for 1,800€ (2,400$) by a German court for his comments, where he questioned the reality of the Holocaust. [110]

In early 2013, a book by a Holocaust denier T. Christophersen "Auschwitz Lies," banned in Germany was seen for sale at a summer party "Senioren Union" in Grafing — a Munich suburb. [111]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	0	–5
	Total for the section 12	–5	–10

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Monitoring did not record such instances in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Monitoring did not record such instances in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Monitoring did not record such instances in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Germany joined all major international agreements against racism and ethnic discrimination, including Framework Convention for the Protection of National Minorities and European Charter of Regional Languages or Minority Languages. At the same time, despite numerous recommendations of international organisations, it has not ratified protocol № 12 of the European Convention on Human Rights, which pro-

hibits all forms of discrimination, as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the reviewed period, Germany did not join any new international agreements or resolutions of the UN or other international organisations in this field.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

Foreign Minister of Germany Guido Westerwelle made several such statements — mostly related to combating anti-Semitism. On March 4, Westerwelle condemned the statements of a Turkish Prime Minster Recep Tayyip Erdogan, who called Zionism a "crime against humanity," deeming them "offensive and unacceptable."[112]

On May 6, German Foreign Minister spoke at the convention of the World Jewish Congress on May 6, where he called on the international community for a decisive and uncompromising fight against anti-Semitism. Westerwelle stressed, "Anti-Semitism has no place neither in Berlin, nor in Budapest, nor anywhere else in Europe or in the world." He also stressed the importance of a decisive fight against the masked manifestations of this phenomenon. "This fight is about preserving our common values, about standing up for freedom, for human rights, for our dignity."[113]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
×	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	5
	Total for the section 14	5	10

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

The level of radical nationalism in Germany has remained essentially the same compared to 2012. However, given the expanded list of countries under review, Germany moved from 16th to 17th position in the radical nationalism rating, which indicates its better performance compared to most other countries.

At the same time, it is worth paying attention to ECRI recommendations to focus not only on combatting the extreme right (which is evidenced by the exposure of the Nationalist Socialist Underground), but other forms of extremism as well. There has also been a noticeable growth in literature glorifying Nazism, Wehrmacht and SS under the guise of historical literature, and regular attempts to revise and deny the Holocaust.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

German legislation guarantees against any form of discrimination. However, imperfections in national and international law allows German government to exclude ethnic and religious groups that do not have deep historical roots in the country from the list of officially recognised minorities. Local governments try to correct this contradiction with their federal state laws, but this does not solve the problem as a whole.

In one way or another, the right to preserve their language and culture, or the right to collect the so-called "Church Tax," does not apply to 'new' ethnic minorities and the related religious communities, such as Islam. This is already creating certain problems — besides Muslims and peoples professing Islam, non-German Gypsies, Poles and many other people of the 16 million who arrived in Germany in the past decades are not recognised as minorities. In the future, given increasing immigration flows — primarily from EU states — this problem could become further aggravated, which would lead to confrontation between the recognised majority and unrecognised minorities.

Furthermore, racist motives are still not included as aggravating circumstance in the German law. The country lacks a comprehensive strategy to combat racial discrimination, focusing on the struggle against extreme right organisations, but not paying due diligence to public manifestations of xenophobia.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental*

Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)

Germany observes the norms of fundamental human rights documents. However, Framework Convention for the Protection of National Minorities was signed with reservations that left a lot of immigrants, including Poles, beyond the scope of a term "ethnic minority."

Furthermore, Germany has not ratified Protocol № 12 of the European Convention on Human Rights, which prohibits all forms of discrimination of groups and persons.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

These difference are not clearly pronounced, but concern above all the rights of national minorities to their native language, education in their native language, etc. Framework Convention for the Protection of National Minorities was ratified with reservations that left so-called "new" ethnic groups beyond the scope of this status.

- *Legislation enshrining inequality of minorities.*

Germany has no such legislation, except the aforementioned reservations to the Framework Convention for the Protection of National Minorities, which left Danes, Serbs (Sorbs), Friezes and German Gypsies (Sinti and Roma) beyond its scope.

- *Rulemaking in protection of minorities.*

In the context of the aforementioned reservations to the Framework Convention, local initiatives of federal lands and municipalities towards the "new" national minorities are very important, as they recognise organisations of these minorities. From this perspective, initiatives of Bremen, Hamburg and Hessen are most interesting, which provided Islamic organisations with more rights and powers. These organisations now get free access to public institutions such as prisons, hospitals and schools. Furthermore, Islamic associations and unions will now be able to establish special theological universities and schools, diplomas of which will be legally recognised. Islamic organisations will also be able to receive special permissions to conduct formal research and experiments on the territory of Bremen, Hamburg and Hessen. Public schools of these states will optionally teach Koran and fundamentals of Islam. These federal states also signed agreements to equate the status of Muslim and Christian holidays. Muslim employees will be able to take these days off, and their children will have the right not to attend school. Furthermore, these agreements provide for establishing Muslim cultural institutions and construction of mosques.

- *Freedom of speech violations.*

Germany has fairly severe freedom of speech restrictions related to propaganda of Nazi and neo-Nazi views, racism, ethnic and religious intolerance. German law also provides for a carefully designed control over the media in terms of psychological and physical health of children and teenagers. Besides these facts, Germany remains a country that observes the basic principles of freedom of speech.

- *Legislation and law enforcement practices concerning migrants.*

Germany has a well-developed immigration legislation, but the recent influx of immigrants brought new problems related in its enforcement — increased deportations of asylum seekers to countries where they may be under threat), and increased discriminatory practices towards immigrants as a whole.

This also relates to poor living conditions provided for asylum seekers, discrimination of immigrations in law enforcement, employment and education.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

German society is one of the most stable in terms of minority rights and xenophobia. The main threat lies in provisions of German legislation that exclude a significant part of immigrants from minority status.

Currently, these people constitute for 19.5%, and the number of first-generation immigrants — 7.5 million people. Globalisation, open borders within the EU and several other countries, as well as increased immigration from Asia and Africa will bring a constant increase in immigrants.

Ethnic minorities are already identifying themselves as separate groups with their own cultural and religious interests and rights. They are no longer satisfied with the substitution of minority rights with human rights. They demand more for themselves.

On the other hand, sharp increase in the foreign population over the last decade led to an increase in xenophobic sentiments in the German society. Over 60% of respondents believe that "there are too many immigrants" in Germany. 70% of the population support restricting immigration, including from EU countries. This reveals the problems with immigrants' integration into the German society and reflects the negative trends in social cohesion.

Therefore, if the policies related to national and religious minorities remain at current levels, it can cause problems for the whole commu-

nity in the nearest future. Therefore, if the policies related to national and religious minorities remain at current levels, it can cause problems for the whole community in the nearest future.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

So far, manifestations xenophobia and extremism in Germany do not affect the identity of minorities. However, the social phobias against Muslims, Jews and other minorities are growing. This process is not pronounced as of yet, but given the current trends in immigration processes and the current government policies on ethnic and religious minorities, the situation may deteriorate in the nearest future.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Germany, like all EU member states, has experienced the effects of the financial crisis. However, Germany's position in this sense was more attractive compared to its EU counterparts. This includes Germany's economic development and the unemployment rate. It is therefore evident that xenophobia is not yet reflected in the country's socio-economic development.

- *Economic turmoil and instability.*

Germany remains most economically successful and stable country in the European Union.

- *Decline in production growth, emigration of the labour force.*

Major emigration of the working population is not a problem in Germany. On the contrary, there is a significant influx of migrant workers and refugees.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Germany has a high indicator of political stability. Although some inter-ethnic and inter-religious tensions can be noticed, they are not significant enough to affect its stability. The 2013 parliamentary elections showed that voters supported the former course of country's development.

Nevertheless, the rise of nationalism as a political trend in German society was noticed by the right-wing politicians, who began to exploit xenophobic sentiments of the electorate. The fact that the German National Democratic Party is only represented in two German states should not be misleading, as the recently appearing new radical nationalist organisations may soon push the traditional neo-Nazis aside and try to combine into a single protesting electorate.

In this sense, the state policy of support for antifascist organisations is of great importance. These organisations still manage to contain the extreme right in a marginal framework.

- *Impact of xenophobia and extremism in the country on the issues of external security, on relations with third countries and the internal security in the region as a whole.*

For the moment, Germany's political stability raises no questions in the international community. Elements of xenophobia and extremism in the German society in 2013 had no impact on Germany's relations with individual countries and the foreign policy in general. Federal Republic of Germany continued to be a pillar of stability in the European space.

RECOMMENDATIONS

1. *General recommendations on the accession to international agreements and conventions*

Germany's refusal to join the Russian-proposed UN General Assembly resolution A/RES/67/154 "Glorification of Nazism: the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance" raises many questions, as the Federal Republic of Germany de facto and de jure pursues a policy to suppress any statements aimed at the incitement of ethnic hatred and the glorification of National Socialism.

Therefore, Germany's reluctance to support this international initiative is most likely connected to the so-called North Atlantic solidarity, aimed at protecting the freedom of speech, as it is understood in the United States and other NATO countries. Nevertheless, this resolution is fully compatible with country's policies, as well as the General Comment 34, Article 19 of the International Covenant on Civil and Political Rights. Therefore, its adoption would only enshrine the already existing approaches on combating neo-Nazism and Holocaust denial, and would raise the Germany's profile in the international arena.

In addition, Germany should extend the effect of the Framework Convention for the Protection of National Minorities over the so-called "new" minorities, which formed in Germany over the past decade through immigration.

Germany also needs to follow international recommendations and ratify Protocol 12 of the European Convention on Human Rights, which prohibits all forms of discrimination of persons and groups.

Given the high level of labour migration to Germany, it is important Germany joins the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2. *General recommendations on adjustment to the legal framework*

Germany needs to boost the adoption of amendments to the Criminal Code in order to supplement it (paragraph 46, section 2) with the relevant provision on hate motives as an aggravating circumstance in the commission of a crime.

Given Germany's reservations to the Framework Convention, the federal states should take advantage of their rights and provide individual ethnic groups that do not have state recognition with a special status, which would allow them to receive state support within a certain federal state.

The initiative on equating the Christian and Muslim religious holidays in Bremen, Hamburg and Hessen needs to be commended; it should serve as an example for other federal states with a significant Muslim population.

3. *General recommendations on the executive bodies in the field of law enforcement and human rights*

German authorities must do everything possible to adhere to the decision of the Federal Constitutional Court, which ruled that refugees and asylum seekers should enjoy social protection equal to German citizens. This includes changing the accommodation conditions of such persons during their waiting period.

Furthermore, it is necessary to abandon the practice of mass deportation of asylum seekers to the countries where they may be at risk. This includes the European countries such as Serbia and Hungary.

Tough response of the German authorities to discriminatory attitudes in the law enforcement deserves encouragement and support.

It is also necessary to establish a state programme aimed at curbing the discriminatory practices against immigrants in employment and education, with the mandatory participation of non-governmental organisations.

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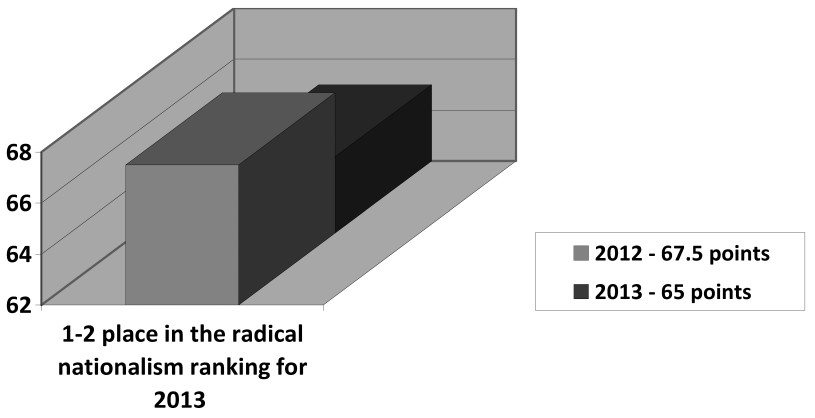
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–7.5	–7.5
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	20	20
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–2.5	–2.5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–10	–10
9	Extremist and radical nationalist public actions	–12.5	–10
10	Racist attacks, violence and terror	–10	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–5	–10
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	5	10
	Total	–10	–10

GREECE


68
66
64
62
1-2 place in the radical nationalism ranking for 2013
2012 - 67.5 points
2013 - 65 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in Greece in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Greece happens to be one of those countries that do not recognise the presence of national minorities within the country. Part Two of the Greek Constitution, which covers personal and social rights, guarantees equality only to Greeks. In particular, Article 4 (1) of the Fundamental Law states that all *Greeks* are equal before the law, and the second part of the same Article sets forth that the *Greek* men and women have equal rights and duties. Evidently, this part of the constitution does not refer to the citizenship per se, as subsections 3, 4, 5 and 7 of Article 4 clearly indicate that the stated points apply only to the citizens of Greece. That is, the Greek legislation deliberately treats all citizens of the country as Greeks without the appropriate recognition of the existence of the national minorities, which, in fact, is also characteristic of the French law and a number of others.

The official census does not keep record of different ethnic backgrounds of the population, which in turn is viewed as "a throwback to the times of the Ottoman Empire" by the authorities. Meanwhile, about 10% of the Greek population de facto consists of the national minorities. These groups are Albanians (5%), Macedonians (1.6%), Macedonian Romanians (1.1%), Orthodox Roma (1.8%), Armenians (0.5%), Turkish (0.5%), Serbs (0.3%), Arabs (0.3%), Pomaks (Bulgarian-speaking Slavic Muslims) (0.2%), Jews (0.05%) and a number of other smaller ethnic groups.

At the same time Greece recognises the culture and language rights of the Armenian community only, which has its own, albeit limited, culture and language autonomy.

According to the Lausanne Peace Treaty of 1923 Greece acknowledges the presence of a religious Muslim minority only in Western Thrace, home to about 110,000 Muslims (according to the official statistics there are 130,000 Muslim people resident in Greece, yet some researchers estimate the population to be at 140–150 thousand[1]), which is about 30% of the population.

As for other member of the minorities: ethnic Turks, Pomaks, Macedonians, Slavs and the Romany, their rights to ethnic identity, as well as culture and language autonomy, are not recognised. Athens officially generalise this population as "Turkised" and "Islamised" Greeks.

The practice among the courts of first instance in Macedonia and Thrace to obstinately refuse to register the associations of citizens the names of which would include "Turk" or "Turkish" was deemed illegal by the European Court of Human Rights (ECHR) in 2008. Currently, Greece is appealing this decision.[2]

As a result of the Treaty of Lausanne of 1923 the Muslim minority of Western Thrace has been able to retain their religion and language. In accordance to the Articles 45 and 41 of the framework, the Greek government guarantees access to public education in the "mother tongue" for the Muslims in Western Thrace in their places of compact settlement.[3] Yet due to the authorities regarding the entire Muslim population of the region as Turkised, the "native" language in the Western Thrace is set to be Turkish and occasionally Arabic. Consequently, despite the individual groups speaking Slavic languages that are within the category of Muslims in the region, teaching in schools does not always correspond to the commitments undertaken by Greece. This policy has led to the strengthening of the Turkish language and culture in the region at the expense of the Slavic culture. Consequently, the large Pomak community in Western Thrace was heavily Turkised. As of the 90's, being influence by the EU and fear of potential strengthening the Turkish influence in the region, Greece gradually began to rectify the situation by encouraging the growth of Pomak self-awareness and stimulating preservation of their language and culture.

Other Muslim population that resides in the central regions of the country is not entitled to enjoy even these privileges.

There is no legislation that would protect ethnic minorities in Greece. The country has not acceded to the major international agreements that protect their rights due to refusing to recognise the presence of the minorities.

In addition, as the Greek Orthodox Church is not separate from the state, Muslims who are resident in the country encounter administrative

obstacles and legal restrictions regarding their religious practices. This issue concerns the construction of places of religious institutions and the functioning of the religious schools of other religions in particular.

Article 13 (2) of the Constitution states that "all *known* religions shall be free and their rites of worship shall be performed unhindered and under the protection of the law." Moreover, the same article of the Constitution prohibits "performing religious rites that offend public order or moral norms" (although the essence of the concept of "moral standards" is not disclosed) and proselytism.

The emphasis on the popularity of a religion can be found already in subsection 3 of the same article of the Constitution, as well as in Article 14 (3a), which concerns the inadmissibility of " offence against the Christian or any other *known* religion." These constitutional provisions are open to abuse, and are in fact directed against the so-called "sects," and any alternative religion may become part of this category in Greece.

In 2010, Greece adopted the Law 3838/10 "Current provisions for Greek citizenship and political participation of repatriated Greeks and lawfully resident immigrants and other adjustments" which points directly at the inability of either active or passive participation in the elections for foreigners of "non-Greek origin" even if they are lawfully in the territory of the country.[4] In addition, the Criminal Code does not define the concept of a racist crime and does not outline criminal penalties for racist behaviour, and xenophobia as aggravating circumstance of these crimes.[5]

Article 347 of the Criminal Code deems underage homosexuality illegal, lifting the "age of consent" up to 17 years (for heterosexual relationships it is set to 15 years), and LGBT-prostitution is also criminalised.[6] According to the law № 3719/2009 only heterosexual people may enter civil partnership, thus this act discriminates against LGBT. On November 7, 2013 the ECHR adopted a resolution condemning Greece for prohibiting same-sex couples from entering civil partnership.[7]

A controversial aspect are the Articles 198, 199 and 201 of the Criminal dedicated to punishment for blasphemy, because many human rights activists believe that they seriously limit freedom of speech.[8]

There are also purely procedural measures that discriminate against those wanting to file a complaint about police misconduct. This is especially true of those categories of people who, at first, the most vulnerable, and secondly, the least affluent, namely the Roma and immigrants. The fact is that under the law requires one to pay a fee of 100 Euros when filing a complaint against the police, which is unaffordable sum for the groups mentioned above.[9]

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

There are no restrictions of this sort within the Greek legislation.

- Presence of legal norms or other normative documentation, which legalises the ideology of radical nationalism, its attributes and practices, as well as their distribution in the mass media and mass communication.

  No such norms were observed in 2013.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Firstly, the issue here is about the discrimination against the Roma people, who are denied access to the fundamental rights and social services. About half of the Greek Roma population live in squalid camps. Due to the payment default the authorities (e.g. in Aspropyrgos and Spata) refuse to provide them with electricity and running water under the same conditions as applied to the non-Roma population. [10]

45% of the Roma men and 57% of the Roma women are illiterate. 28% of the young Roma have never attended school. Only 6% of women and 17% of men continued their education after the age of 16. 38% of the Roma women had no health insurance (for the non-Roma women the figure is 7%). 32% of the Roma women face discrimination when looking for work. [11] Many Roma people do not have documents, and they are not included in the official civil records. [12]

In 2013 there was a number of forced deportations of the Roma whose houses were built without the necessary permits. The mass eviction included also those Roma who have lived in their settlements for decades. Thuswise on January 5, the Roma were evicted in Heraklion (Crete). [13] On April 17 the houses of 14 Roma families were destroyed due to the order of the authorities of the Megara municipality. On June 6 the eviction of the Roma in Rhodes took place — 35 people were deported to the Piraeus, and some of their property was destroyed. On July 30, 14 Romani houses Kalamata were demolished without any provisional relocation.

In August 2013, the police forcefully removed the Roma people from Atalanta to distant areas without any proper infrastructure and even without appropriate authorisation from the regional authorities. In September 2013 11 Roma houses in Menidi were demolished without any provisional relocation. [14]

An attempt to destroy the Roma settlement Chalandri in Athens took place in 2013. The demolition of the village began prior to relocation of its inhabitants and was interrupted only after the decision of the Council of Human Rights made in May 2013. Furthermore, the authorities were not going to finance the relocation, and thus in November it was decided

that the Roma people would move to the former military base without providing any alternatives and compensation for abandoned homes.[15]

The Government refused to financially assist the Roma, who could not pay the mortgage fees for the houses purchased, due to the income decline (in 2002–2008 60,000 Euro worth of mortgage were take out by 7,854 Roma families[16]).

The reluctance of the local school authorities to accept the Roma children into the schools is known, as well as their segregation into separate grades in Aspropyrgos, Castel, Komotini, Sofades, Karditsa, Spata. In many ways, the segregation has been linked to the racist stereotypes of the locals that their children will be "spoiled" by their Roma peers. There is a large-scale screening of Roma children — 8 out of 10 are forced to leave school before completing their education.[17]

On April 29 the ECHR rejected the request from Greece to transfer case of segregation of Roma children in Aspropyrgos to the Grand Chamber.[18] On May 30 the ECHR ruled on the case of segregation of the Roma in the Sofades school. The Court noted that the segregation is still present and the Greek authorities are obliged to put an end to it. In addition, each of the 23 applicants were ordered to receive 3,000 euros in damages. It was the third decision of the ECHR on the question of school segregation in Greece.[19] The Supreme Court did not respond to the inquiries of the human rights defenders and members of the parliament from the left-wing parties, filed in September 2013 and demanding to hold the local courts bound to counteract segregation of the Roma in schools.[20]

There is a problematic issue of Anti-Romanyism within law enforcement. On April 16 Nils Muzhniyeks, the Council of Europe Commissioner for Human Rights, acknowledged that the Greek police hold prejudice against the Roma.[21] Police carries out mass raids in the Roma settlements under the pretext of fighting crime. According to information on the November 23, 2013 the police conducted 1,131 operations in the Roma settlements, usually at 5–6 AM. 1 out of 7 Roma would be subjected to humiliating inspections, which in total equals to over than 52,000 people. 19,000 Roma were detained, 1,305 of them were arrested later, and approximately half of them were actually arrested for serious criminal offences.[22] In late July — early August 2013 there was a number of cases of "zero tolerance" on the behalf of the police in the Peloponnese towards the Roma.[23]

During the first nine months of 2013 230 Roma were arrested for "theft of electricity."[24] On June 27 17 Roma resident in the Perea camps in Thessaloniki were sentenced to three months' probation for "theft of electricity."[25] At the same time usually there are no compensations to the victims of police violence or unlawful evictions despite the requirements of the Human Rights Council.[26]

There is also a problem with the registration of the Turkish and Macedonian minorities' associations. The authorities recognise only three religious denominations as public entities — the Orthodox Church, the Thracian Muslims and the Jewish community. The remaining denominations do not have this status, and therefore cannot own real estate as a religious structure. Ceremonies held in their houses of worship will be void without a special permit issued by the Ministry of Education. The most serious situation concerns the Muslims who do not have any legal mosques outside Thrace (more than 100 illegal mosques are under the threat of being shut down). The corresponding cemeteries, too, are absent. As for Thrace, the authorities appoint imams without the consent of the communities.[27]

Discrimination against Muslims also takes place in the public sector and in the military. The use of the Turkish language becomes limited in the areas of the compact settlement of Muslims in Thrace. In November 2013, the manager of the public hospital issued a circular order banning the use of "unknown" language in communication between (Turkish-speaking) patients and the emergency doctors in the city of Komotini home to the largest Turkish community.[28]

On 22 and 23 November at Komotini during the academic and research conference dedicated to the 90th anniversary of the Treaty of Lausanne that secured the rights of the Muslim minority regarding the use of the Turkish language, journalist Evren Dede was not allowed to give his speech in Turkish. This led to a scandal causing the representatives of the Turkish minority to leave the hall, but the other members did not join them.[29]

In 2013, three programmes promoting and supporting for education of the Roma children and children of the Muslim minority in Thrace were discontinued.[30]

In 2013 there were cases of pressure on those who did not want to serve in the army on the grounds of freedom of conscience. At least 5 people were either fined or sentenced to probation. Furthermore, the alternative service is almost twice as long as the regular military service (15 and 9 months, respectively). In this case, according to the Amnesty International authorities rejected 7 out of the 8 queries about being redirected to the alternative service.[31]

Another common discriminatory practice is the examination of identification documents based on ethnicity. In August 2012 the Greek authorities launched the operation "Xenios Zeus" in order to combat illegal migration. As part of the operation those who are suspected illegal would be stopped by the police on the street. In this case, the usual criteria would be the colour of the skin or accent. As a result, a number of those detained were foreigners who are lawfully present in Greece.

In the period from August 2012 to June 2013, police detained 123,567 foreign nationals, while only 6,910 were in Greece illegally. Many foreigners were repeatedly detained. [32] Consequently in November 2012 the United States Department of State cautioned its citizens of African, Asian or Mediterranean origin that in Greece they could be arrested as illegal immigrants.

On 29 September 2013, 334 more people were apprehended in Athens due the recommencement of the "Xenios Zeus" operation. Only 41 of them were actually arrested, while just 2 were taken into custody for proper crimes [33]

Members of sexual minorities, as well, are subjected to discrimination. According to a survey conducted by the Agency for Fundamental Rights 26% of respondents experienced transgender violence or threats of violence in the year followed by the survey.

In late May 2013, police increased the instances of random identity checks of transgender women under the pretext of "improving the image" Thessaloniki. 25 transgender women were stopped for an these check, and then they were held for several hours at the police station in Thessaloniki. [34]

Compulsory HIV testing of alleged prostitutes, drug addicts and migrants, introduced in May 2012 and continued (with the exception of a break in the April-June) in 2013, was followed by photographs and personal data of HIV-positive persons published in the media, under the pretext of " the public health protection." [35]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and inflammatory statements by members of the authorities and media

Xenophobic manifestations in Greece are generally related to the parliamentary party "Golden Dawn," yet they are not the only ones.

In early January a "Golden Dawn" parliament member stated that the Roma destruction in Aitoliko organised by activists of his party, was a consequence of that the Roma allegedly "did not want to integrate into the society and wanted to live like animals." "It is their right, if their tradition says so then they can live like animals, yet not here but in the jungle with Tarzan" — he said. [36] In March 2013 A. Machaiopoulos, a member of parliament from the "Golden Dawn," called for introduction of separate school classes for immigrant children. [37]

On March 31, it was reported that members of the Greek parliament from the ultra-right party "Golden Dawn" are speaking in favour restoring the death penalty — for immigrants, found guilty of violent crimes. [38]

In early May, representatives of the "Golden Dawn" party published an anti-Semitic caricature of Prime Minister A. Samaras in the media controlled by their party. [39]

On May 22, Association of Muslims in Athens received a threat letter in Greek, Arabic and English languages with the official logo of the "Golden Dawn" party. Greek neo-Nazis wrote an ultimatum to Muslims of the country, demanding the "leave the country before June 30, otherwise from July 1 they will be cut like chickens." [40]

In August 2013 members of the "Golden Dawn" demanded to repeal those benefits that are offered to the university students from the Muslim minority. [41]

There is evidence of Anti-Semitic statements also taking place. On October 2 the "Golden Dawn" published a hostile statement, according to which the Jews were behind the pressure on the party, and it was suggested that the Jews "should not interfere in the Greek affairs." [42]

And in December the website of the "Golden Dawn" featured an article alleging that the Prime Minister of Greece A.Samaras received an acknowledgement award from the European Jewish Congress for his pursuit of the party. [43]

On July 15 the Metropolitan of Kalavryta Ambrossios published a blog article accusing the Jews of supposedly behind-the-scenes ruling over Greece and the world. He also referred to a number Greek politicians that he disliked as Jewish. [44]

A group of government officials have also took the liberty of making xenophobic statements. On January 30, Prime Minister of Greece, An-

tonis Samaras in talks with his Turkish counterpart Recep Tayyip Erdogan, said that he would not cancel the amendment to the Education Act, which prohibits the teaching of the Koran in schools of Thrace, densely populated by Turkish diaspora.[45] On July 25 Minister of the Interior Giannis Michelakis addressed the parliament with the idea that the problems of the Roma passportisation were reduced solely to the attempt of the Roma immigrants to pass off as Greek citizens.[46] In April 2013 during a visit to an immigration detention facility in Corinth a senior police officer referred to the detainees as "rats."[47] On December 19 it was reported that the chief of police of Greece Nikolaos Pappayanopulos said that illegal immigrants should be detained for as long as possible, to make their lives "unbearable" during a meeting with his subordinates.[48]

In addition, the police has actively spread claims of a certain enormous Roma criminality in order to justify their anti-Roma actions.[49] In October 2013 anti-Roma campaign was launched in the media in connection with the discovery of a girl at the Roma settlements in Pharsalus who was considered kidnapped. The commotion, however, ceased as the DNA test established that it was an abandoned daughter of the Bulgarian Roma.[50]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 5(2) of the Greek Constitution states that "all persons living within the Greek territory shall enjoy full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs."

In 2013, an amendment was made to Article 79 of the Criminal Code, which now provides that a hate crime due to race, colour, religion, national or ethnic origin, sexual orientation or gender identity is

an aggravating circumstance and the sentence cannot be suspended. However, this rule can be applied only *at the stage of the court's decision on the sentence* after the proof of guilt of the offender, which largely reduces its value to a minimum.

On the other hand the desire of legislators to "lessen the load" of the courts through the proclamation of amnesty for all cases, the maximum penalty for which was one year of imprisonment led to the fact that a number of cases of incitement to hatred committed before September 1, 2013 were included in the amnesty. [51]

Regarding the fight against racism the law "On the punishing acts and activities aiming at racial discrimination" 927/1979, amended by the Law 1419/1984 (Article 24), as well as the Aliens Act 2910/2001 (section 72) are usually applied.

In accordance with the section 1.1 of the Law 927/1979 "to wilfully and publicly, either orally or by the press or by written texts or through pictures or any other means, incite to acts or activities which may result in discrimination, hatred or violence against individuals or groups of individuals on the sole grounds of the latter's racial or national origin or [by virtue of article 24 of Law 1419/1984] religion" shall be punished with either imprisonment for a term up to two years or a fine. [52]

Belonging to an organisation whose purpose is promotion or activities of any nature relating to racial discrimination shall also be punished in accordance with this Act with up to two years' imprisonment or a fine.

Section 3 of Act 927/1979 states that refusal to provide services or sale of goods on the basis of racial bias are subject to a fine or 1 year in prison. The law also provides for liability for provoking or coercion to hate crimes.

Such a small extent of punishment, as well as a minor use of anti-racist articles clearly do not reduce the level of hate crimes within the country.

The inadmissibility of racial discrimination is to some degree registered in a number of other laws and regulations in Greece, such as the Civil and Administrative Law, Labor Code, and even Resolution 1 of the Council on Television and Radio Broadcasting "On the ethics of journalism and advertising on radio and television" and a range of others. [53]

Unfortunately, by 2013 Greece still has not ratified the Protocol 12 to the European Convention on Human Rights, the Framework Convention for the Protection of National Minorities, the Convention on Cybercrime and the Additional Protocol to the Convention on Cybercrime and the European Convention on Nationality and the Convention on the Participation Foreigners in Public Life at Local Level.

Thus, the Greek legislation on this issue can be assessed as quite fragmented.

- Presence and development of anti-discriminatory legislation.

Already back in 1984 Greek authorities passed the law 1414/1984, aimed at combating discrimination, but the impact was limited to the private sector.

Regarding adoption of a number of EU Directives on anti-discrimination issues in 2000–2002[54] the Greek Republic passed the Law 3304/2005, which is aimed at combating discrimination in employment on the basis of sex and race or ethnicity also including the public sector. The law introduces the legal concept of direct and indirect discrimination, and prohibits discrimination on the grounds of religious belief. In accordance with the requirements of the EU, it also prohibits "instruction" to discriminate or incite discrimination on the prohibited grounds.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, the Greek anti-racist legislation, as well as legislation against incitement of ethnic hatred remain underdeveloped. Failure to recognise the existence of a national minority means that the Greek government cannot provide an appropriate degree of law enforcement practice.

In January 2013 the headquarters of the Greek police issued a statement on having a single database on crimes due to xenophobia in response to a request by Amnesty International. Twice a year, the information collected and sent to the Ministry of Justice, Transparency and Human Rights. While not being openly accessed these data are available on request.[55]

However, the authorities refused to acknowledge the problem of increasing xenophobia. Thus, in early 2013 after the report on xenophobic violence against migrants by Human Rights Watch, Secretary General of the Ministry of Public Order stated that the government "never condemned that which did not exist," that Greece had always been tolerant and a Greek person could not be racist already on genetic level. According to the Europol survey of early 2013 the Greek police said that there were no active ultra right-wing groups.[56]

Prepared by the Ministry of the Interior and Police Command in 2010–2011 the circulars and guidelines on treatment of vulnerable groups was almost non-existent and was not introduced among the ordinary police officers. The National Council for Radio and Television,

in turn, does not use the authority to block those channels spreading xenophobic content.

According to the human rights organisations (both Greek and international) police does not seek to investigate cases of incitement to hatred, attacks on the Roma, migrants, LGBT, deliberately putting them off until the cases are places in the archive. When it comes to attacks on migrants the police often intervene to arrest the immigrants for illegal stay in the country, they can refuse to register a complaint, or offer migrants stay home without and "be quiet."[57]

The police did not prevent the murder of P. Fyssas, nor did they stop the right-wing attackers throwing stones at the anti-fascist demonstration in Athens. Probably, this is largely due to the spreading of xenophobic attitudes among police officers themselves (see below). Consequently many victims were afraid to seek help from the police. The change in the Greek authorities' attitude came only after the murder of P. Fyssas. The extent of the change remains unclear, but nevertheless it has been decided that the "Golden Dawn" had become extremely dangerous and thus the proceedings against the party members were directly authorised.

Powerful "low-grade" xenophobia is a yet another problem. On May 31 the representative of the Greek Helsinki Committee G.Panagiotis said: "The fact that we have a third record for school ghetto sentenced by the European Court shows that Greece refuses to comply with the Court's judgment due to the fear of the attitude of the local communities and municipal authorities."[58]

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)

Instances of punishment of perpetrators of violent acts due to racism have been extremely rare — largely due to the reluctance of the police to investigate such cases. As of October 11, 2013 39 cases were investigated and referred to the court (yet according to the Ministry of Justice 19 cases were passed on to the court).[59] We are aware of only few sentences. Interestingly, in contrast to the official statistics, which evidently suffers from inaccuracy, the Greek human rights activists recorded about 300 hate crimes in 2013. Moreover, in their opinion there may have been far more instances.

The situation changed only after the "Golden Dawn" activists murdered anti-fascist musician P. Fyssas in September 2013. This caused an uproar within the society. The police consequently took drastic actions against the neo-nazis. On September 28 the "Golden Dawn" leader Nikos Michaloliakos as well as 5 members of the parliament and around 30 party members were arrested.[60] They were charged with being part of a criminal group, as well as murder, armed assault and

money laundering. 32 cases were filed against the members of the party, and a special investigation regarding the police officers who supported the "Golden Dawn" was launched.[61] By December the number of arrested persons increased to 47.

The court corrected several cases of errors of law enforcement pursuing anti-fascists brought by "Golden Dawn." On September 5 the Greek court dismissed a lawsuit against leftist intellectuals, whom the "Golden Dawn" neo-Nazis accused of inciting violence against them.[62]

On October 10 the court in Athens acquitted 16 Roma accused of stealing electricity. The court accepted the argument of the Roma, that the lack of electricity carried a risk to their health, their children's education, life and property and thus theft of electricity was the result of an emergency.[63]

In November 2013 the court in Athens found two members of the "Golden Dawn" guilty of setting fire to the bar owned by a Cameroonian. They were sentenced to 3.5 years in prison[64]

- Unlawful use of anti-extremist legislation.

On June 5 the lawyer of Electra Kotra, one of the previously detained transgender, was arrested on false charges (but released after vigorous public protests).[65]

The manifestation of the so-called excessive tolerance could be made a note of. On November 22 a testament of a Muslim drawn up in accordance with the Greek Civil Code was annulled by the Supreme Court due to non-compliance with the provisions of Shariah.[66]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	2.5	2.5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	7.5	10

4. Statements by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Member of the parliament from the parties SYRIZA (Coalition of Radical Left), PASOK (Panhellenic Socialist movement) and the Democratic Left regularly spoke on issues of discrimination and segregation of Roma and LGBT during the parliamentary sessions. [67]

On March 29 the deputies and officials of political parties SYRIZA, PASOK, Democratic Left, Ecologist Green held a press conference dedicated to the problems of the Roma. [68]

On July 25 parliamentary member of SYRIZA Petras Tatsopoulos said that poverty of the Roma was predominantly the result of their stigmatisation by society and the state. Attending the meeting, the Minister of the Interior Giannis Michelakis agreed with the previous statement and acknowledged that many Roma did not have access to social services. [69]

On August 2 members of PASOK and SYRIZA D.Papadimoulis, P.Tatsopoulos, K.Rouh, T.Tsakri and Greek representatives of the European Parliament N.Chrysogelous and A. Skialakis adopted a declaration dedicated to the Day of Commemoration of the Roma victims of the Nazi genocide in Greece. "The history of the Roma in Europe is filled with stories of ethnic cleansing, humiliation, torture, kidnapping, forced labour. For centuries, the Roma have been branded as criminals, social misfits and charlatans. They paid the highest price during the years of World War II, but this genocide remains very much unknown even today, perhaps because the Roma are scattered and disorganised, there is no government department that would support them, and the "civilised" Europe still sees them as second class people," — was noted in the Declaration. [70]

On March 17, Prime Minister of Greece Antonis Samaras, speaking at the commemorative ceremony in Thessaloniki dedicated to the 70th anniversary of the deportation of Thessalonian Jews, stated that "the fight against neo-Nazis is more important than ever." Prime minister promised that legislation would be passed in the future, which will be "absolutely intolerant towards violence and racism." Samaras noted, that neo-Nazi parties are on the rise in Europe once again, and governments should "be very careful, not to let them get back on their feet, as they did in 1930s." [71]

After the murder of the leftist activist and musician P. Fyssas the president of Greece Karolos Papoulias called for institutional vigilance, public awareness and political will. "All of us are obligated to not leave open the way for fascism, even to a small extent," — the president said.

A government representative Simos Kedikoglou called for "erecting a barricade against the vicious circle of tension and violence."

The opposition left-wing party SYRIZA, the second largest in the parliament, called the crime "the highest point of criminal activities of ultra-right neo-Nazi "Golden Dawn" in the country," and urged to punish those responsible. The centre-left PASOK called the "Golden Dawn" a criminal organisation. [72]

September 28, the day of six members of the "Golden Dawn" being taken into custody was called "historic for Greece and Europe" by the head of the Ministry of Public Order and Citizen Protection Nikos Dendias. "In Greece there is no place criminal organisations that hide under the cloak of a political party and try to subdue the life of the country, undermine the institutions of the state, incite ethnic hatred, cast doubt on the notion of human rights and disturb the peace," — the minister said, adding that the country would not tolerate assault battalions. [73]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

Members of the left-wing parties (including the Vice Prime Minister E. Venizelous) boycotted the parade that took place in Thessaloniki on October 28 due to the fact the local governor had invited members of the "Golden Dawn." [74]

On December 18 the Greek parliament held a vote on the matter of discontinuation of financial support of the "Golden Dawn." [75]

In late 2012, the Greek authorities established a special prosecutor for consideration of hate crimes in the region of Athens. On the basis of a presidential decree, issued in December 2012, the police have set up special departments (in Athens and Thessaloniki) and 68 offices in the province (about 200 police officers are employed there) involved in the investigation of hate crimes. Their mission is to prevent and investigate crimes committed due to xenophobia. [76]

On January 10 a phone hotline was opened for calls about hate crimes. In the period from January to September 2013 the Greek police

received a total of 440 phone calls on hate crimes. 215 telephone calls were received by a special phone line installed for recording incidents of racist violence.[77]

In the academic year 2012–2013 the Police Academy offered a course on combating racism and xenophobia. Since March 2013 6 three-hour classes on racism and xenophobia have been introduced in the National School of Judges.[78]

In 2013 the Ministry of Education conducted a study on racist violence in schools. On November 4 in response to a parliamentary question the Ministry announced appointment of regional offices of education coordinators to combat xenophobia, appointment of 1–2 teachers in each school as intermediaries, and creation of a working group within the Ministry to promote the introduction of anti-racist material on the Internet, the media and in student venues.[79]

On May 16, it was reported that the Greek government will finance the construction of a mosque in Athens.[80] On January 19 the municipality of Athens organised an anti-fascist demonstration. In addition, the municipality issued an official statement in which it called the decision of the Greek government to ban issuing citizenship to children of migrants born in Greece "unacceptable.[81]

Unfortunately, according to human rights organisations of the measures taken are poorly executed at best, and in the worst scenario are a fiction. In December 2011 the National Strategic Framework for Roma was adopted. The Interministerial Committee on Roma issues was established and adopted the national strategy for Roma integration in education. Their work, however, is hardly noticeable.[82] According to the Greek Helsinki Committee the commissioner for Human Rights has systematically refused to address complaints from the GHC, which relate to national minorities. The labour inspectorate and the Committee for Equal Treatment created the Ministry of Justice do not report work on such complaints either.[83]

The report for 2013 prepared by the European Union Agency for Fundamental Rights noted that there was no evidence of systematic efforts to combat racism, discrimination and intolerance through the cooperation of the authorities, schools, doctors, as well as the involvement of local communities in the development or implementation of this policy.[84]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

According to official figures of 2012 more than 1 million migrants were resident in Greece, while at the same time, according to unofficial data, there were about three million of just illegal immigrants. [85]

Up until 2005 the regulation of migration processes covered by Law 2910/L2-5-2001. The Act aimed to resolve the legal status of an increasing number of illegal migrants in the country. Another objectove of the Act was to limit the flow of illegal migration into the country by establishing more stringent measures of internal and external control of migration flows. Foreign nationals were to obtain two separate authorisation documents — the residence and work permits. At the same time, employers received cumbersome regulations for employing foreign workers.

In 2005 Greece brought its national legislation on migration in accord with the requirements of the EU, i.e. the Law 3386/2005 was adopted, which includes several provisions of the Directives of the European Union, in particular the EU Directive 2003/109/EC in respect to foreign nationals holding a permanent residence permit (long-term residents, the period of 5 years of continuous residence which should be accounted for since 2001)

Furthermore, the Act included provisions of the EU Directive 2003/86/EC rules regarding family reunification. In particular, a ban on the deportation of pregnant women for up to six months after childbirth, requirements for entry-level income for families via family reunification have been increased. Also, procedures in relation to the integration of immigrants were simplified, it was decided to grant a single residence and work permit, with a minimum two-year period of validity issued by local authorities.

Moreover, the Act introduces the right to obtain a permit for a long-term (permanent) residence for foreign nationals. This right is granted to foreign nationals legally residing in the country continuously for at least 5 years. To obtain this permit for permanent residence, a migrant must have "a stable and regular income," health insurance and housing of "appropriate health and hygiene standards," as well as command of the Greek language at a sufficient level and be familiar with Greek history and culture. The Law established the Inter-Ministerial Committee to oversee and coordinate the implementation of the migration policy. This Committee includes Ministers of Interior, Public Administration and Decentralisation, economy and finance, foreign affairs, national

defence, the Ministry of Labour and Social Protection, Ministry of Justice and Public Order, as well as maritime trade. Among others, the objectives of this Committee are to coordinate measures for the implementation of the Common Action Plan for the Social Integration of foreign citizens on the territory of Greece.

Some provisions of the Act 3386/2005 were changed in 2007 (Law 3536/2007 "Defining issues of migration policy and other matters within the competence of the Ministry of the Interior, Public Administration and Decentralisation"). The National Committee of Social Integration of Migrants was established under the new Act. It also included an explanation of the criteria for the legalisation of migrants living in the country up to 2004.

However, looking back at the recent years shows that this legislation does not fully solve the problem of migrants, which has been particularly evident in the economic crisis.

Greece has not joined a number of international agreements regarding provision of citizenship to foreigners and their participation in the social life of the host country. This concerns the "European Convention on Nationality" from 1997 and the "European Convention on the Participation of Foreigners in Public Life at the Local Level" from 1992. Instead Act 3838/10 "Provision of Greek citizenship and political participation of foreigners legally residing immigrants and other parameters" adopted in 2010 contains not only a number of clauses that impede the acquisition of citizenship, but also carries a certain component discriminatory on racial grounds (see below).

The Greek law provides that illegal migration is punished with either a fine or imprisonment. Aiding illegal immigration is subject to imprisonment for a term up to 10 years. Furthermore, penalty is inflicted upon those who helped migrants unconditionally, including distribution of humanitarian aid (with the exception of missions rescuing migrants drowning in the sea). Renting accommodation out to migrants is also considered illegal. [86]

In addition, Greece has not ratified the Framework Convention for the Protection of National Minorities, the European Convention of Regional Languages and Minority Languages, and has not acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Greek law does not protect victims and witnesses of hate crimes that do not have the legal status from detention and deportation during the criminal investigation. [87]

Thus, the migration legislation in Greece is considered underdeveloped. The degree of adaptation of its national law to uniform European legal norms is one of the lowest in the EU.

- Government's compliance with such legislation (law enforcement practice)

The existing immigration legislation functions only partially. Providing fairly good implementation of the social component of the legislation, execution of it shows weak compliance with migration legislation regarding the fight against illegal immigration. Greece, washed by the Mediterranean Sea, is the goal of many migrants illegally crossing the maritime border just as are Italy, Malta and Spain.

Meanwhile, in the recent years Greece has been turning into a rout of main migration flows from Asia and Africa. There are two ways: overland, across the border with Turkey in the Evros river area; and across the Aegean Sea.

In December 2012 the Greek government, however, declared a moratorium on granting of citizenship of their country. The Ministry of the Interior announced that whole chain of applications and citizenship granting would be frozen, including the filing of documents, their consideration and decision, the oath procedure of new citizens and their registration. The moratorium followed the decision of the Supreme Court of Greece to repeal the law of 2009 on immigration, which allowed immigrant children born and studying in Greece to obtain citizenship. Abolishment of the law was one of the programme requirements of the centre-right party "New Democracy," headed by Antonis Samaras, who became the country's prime minister following early elections in June 2012. The "Golden Dawn" neo-Nazis were after the same result.

The reaction to the growing number of migrants was to deploy 2,000 guards on the Greek-Turkish border and build a defensive fence. This has led to a decrease in attempts to move via land (in 2013 12,500 people were detained at the land border versus 34,000 in 2012), with a simultaneous increase in the number of migrants who have chosen a more dangerous sea route. [88]

According to international organisations guards often use violence and intimidation to "greet" migrants, sometimes strip them naked and take their property before sending them back to Turkey. [89] Between August 2012 and January 2014, the coastal protection confirmed at least 181 refugees and migrants, most of whom were from Syria and Afghanistan, dead or missing according to the 12 known incidents of migrants attempting to reach Greece by boat from Turkey. [90]

To counter the violations of Greek law authorities exercise mass deportation of migrants priort to determining whether they really need shelter. Thus in November 2013 more than 100 people, including small children were deported back to Turkey from the Praggi village. [91]

Amnesty International reported at least ast 39 cases of such expulsions during the period from August 2012 to May 2013. [92]

Migrants complaining about various types of injustice are subjected to deportation, too. Thus, after resettlement of the Bangladeshi strawberry pickers, 4 of them, who filed a complaint against the police and farmers, were arrested in order to execute deportation despite that being legally resident in Greece. The situation was resolved around only after the intervention of the Refugee Council. [93] These actions were cultivated by the European Commission, which has contributed 227 million Euros in 2011–2013 to control migrants, and only 20 million Euros to help with their integration. [94]

At the same time, in response to allegations of the human rights defenders regarding brutality towards migrants, the Greek authorities denied any of the facts or reduced everything to the "excessive act." Thus, in late 2013 similar statements occurred in the correspondence with the Commissioner for Human Rights in the EU N. Muiznieks, in which the Minister of Public Order and the Minister of Shipping said that collective deportation did not take place. In response to the Amnesty International Greek Coast Guard in July 2013 claimed that he knew nothing about the practice of violent counter measures against migrants. [95]

- Discriminatory practices against immigrants.

Discriminatory practices relate mainly to illegal immigrants, although legal immigrants also encounter certain violations. For example, the same Law 3838/10 prohibits foreigners of non-Greek origin to participate in the elections. Also the issue of restoration of citizenship rights of former Greek citizens who have been deprived of it as not resident in the country for a long time has not been addressed for years. The issue regards only those of *non-Greek origin*, which was covered by the old law on migration.

In the reception centres for migrants in Iasmos, Mytilene, Phylace, Komotini, Tychero, Metaxades, Amygdaleza and Corinth the human rights observers have taken note of complaints about the poor quality of food, poor hygiene (due to the absence of funds to pay the cleaners), lack of medical care and hot water, the difficulty obtaining access to a telephone and a lavatories, as well as fresh air. In some places children were kept with adults. On August 10 2013, these conditions resulted in riots in Amygdaleza when it was announced that the migrants would have to stay in the centre for 18 months instead of 12 as they it was said before (the provision for 18-month period of isolation during the period required to assess the applications for asylum was introduced in late 2012). Thousands of migrants were kept for months in chambers of preliminary detention in police stations due to the absence of places

in reception centres for migrants.[96] In January 2013, the court of Igoumenitsa acquitted 15 migrants who fled from the police station as they have proved that the conditions of detention were dangerous to their health.[97]

In order to apply for the refugee status bribes had to be paid to those people who "kept" good places in the queue. Candidates who failed to apply ran the risk of being deported by the police.[98]

Applications for asylum are reviewed by the Greek authorities for a lengthy period of time. Consequently, often enough the three month term reserved for these legislation procedures expires, and applicants for the refugee status are automatically converted into illegal migrants.[99]

The most striking sign of degradation of the asylum seekers treatment system is the fact that the European Court of Human Rights recognised Greek methods of dealing with refugees as inadequate, and the majority of EU member states stopped sending back those refugees who came through Greece.[100]

- Use of ethnic crime as justification for discrimination against immigrants.

Deprivation of rights and legal means of subsistence experienced by a significant proportion of illegal and sometimes even legal immigrants who are denied the right to work is a substantial reason for the growth of crime in Greece. The Greek voters are concerned with this situation, which in turn is very much successfully manipulated by the radical nationalists of various types.

The concept of "ethnic crime" is in the list of the main manifesto and political programmes of the neo-Nazi parties.

- Social assistance for immigrants.

The Greek social assistance scheme is quite well developed, the assistance offered to legal immigrants is not much different from the assistance for the citizens. In accordance with current legislation foreign nationals legally residing in the country have the same rights within the national health care system as citizens of Greece. Migrants of an irregular legal status, including minors, are entitled to receive emergency medical care. HIV positive immigrants who cannot get free health care in their own country are entitled to accommodation and free medical care in Greece.[101]

According to the International Organisation for Migration (IOM) lower secondary education (nine years) is compulsory for all children in Greece including the children of immigrants. Children have the right to attend school regardless of legitimacy of parents' residence.

Some schools offer additional Greek language courses for these children. The Ministry of Education has also established 26 schools

with cross-cultural educational component aiming to teach children of different cultural and ethnic backgrounds.

Migrants legally residing in Greece also have the chance to obtain education in the so-called "second chance schools" which are open to individuals from 18 to 30 years old without secondary education. Older migrants have the opportunity to take free courses for adults which are organised by the General Secretariat for Adult Education of the Ministry of National Education. Unemployed immigrants can participate in job training organised by the Labour Organisation in collaboration with the vocational training centres which are funded by the EU. [102]

In 2012 due to the economic crisis Greece was forced to limit all social benefits and cut the salaries of civil servants. Unemployment benefits were cut by almost 60%. Other payments were also decreased by approximately the same amount. Nevertheless, legal migrant workers are entitled to health insurance, partially paid rest leave, and the state also compensates for part of the amount spent on rent once a year. Workers lost their jobs also receive benefits and the poor are entitled to one-off payments. It is clear that legal migrant workers in Greece have to pay taxes and social security fees just as the citizens of the country.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

The mass influx of migrants and the authorities' failure to integrate them together with the severe economic crisis, led to the rise of xenophobia in the country.

The level of xenophobia is relatively high in Greece. According to research conducted by the Ministry of Education in 2013 one-third of cases of school violence are hate crimes. [103]

Homophobia is prevalent within the country. A survey conducted by the European Agency for Fundamental Rights in 2013 26% of LGBT representatives and 45% of transgender people have not reported threats and attacks to the police due to fear of homophobic or transophobic attitudes of the police. [104]

During an interview with "Mega" on December 2 Metropolitan Seraphim of Piraeus threatened to excommunicate those members of the Greek parliament who had voted for the adoption of amendments to family law which would allow same-sex marriages. "There cannot be psychologically healthy relationships in same-sex marriage," — he said. [105]

In addition on April 8 Metropolitan Seraphim protested against the plans to build the first official mosque in Athens. He appealed to the Council of State to adopt a special resolution against the construction of mosques. Metropolitan said that he opposed the idea of Muslims being able build a place of worship in Greece. [106]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Presence and development of migration laws	2.5	2.5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	–5	–5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

The main newspaper distributing xenophobic and neo-Nazi materials is the one published the party "Golden Dawn" and is of the same name. Since 1993 the motto of the newspaper states: "*Every foreign worker means an unemployed Greek citizen: the deportation of all illegal immigrants means hundreds of thousands of new jobs for the Greeks*."

Party media are riddled with racist and Nazi statements. For example, in the newspaper of the "Green (environmental) wing" party claimed: "Underdeveloped people such as schizophrenics, epileptics, paranoid, mentally retarded, carriers of mutant genes, incurable alcoholics, heavy drug users and others should be sterilised."[107]

Their published material is spread throughout the city, including secondary schools. Promotional materials with racist themes are freely available in schools and among parents of students.[108]

Violence in Etoliko was organised by activists of "Golden Dawn" accompanied by chants of the slogan: "Dirty Gypsies, get out of Etoliko, or we kill you!"[109]

At the end of May Association of Muslims in Athens received a threat letter in Greek, Arabic and English languages with the official logo of the "Golden Dawn" party. Greek neo-Nazis wrote an ultimatum to Muslims of the country, demanding they "leave the country before June 30, otherwise from July 1 they will be cut like chickens."[110]

On May 28, Athens had a mass rally of radical nationalists, supporters of the ultra-right party "Golden Dawn," dedicated against the construction of the mosque in the capital. Protesters chanted "No to mosque construction" and "No to Islamisation of Greece." "If the authorities continue to ignore our demands, we will have to resort to tougher measures! They can build a mosque, but we will destroy it anyway!" — stated one of the party representatives at the rally in Athens. [111]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

There are several rock bands of neo-Nazi orientation in Greece. The most popular one the band with the symbolic name "Pogrom," which includes a parliamentarian from the "Golden Dawn" party Artemis Matseopoulos.

Matseopulos became the second Greek parliamentarian related to Nazi rock scene. The first one George Germenis became known in the market destructions in Rafina. He was elected in May 2012 and then confirmed his status in the June elections. His stage name Kiades is a reference to the name of the place in which the Spartans killed their children if they were born with defects.

The new politician is known as the bass guitarist and vocalist in an explicitly neo-Nazi band "Πογκρόμ" ("Pogrom"). The band members consider themselves "black metal" and believe that their songs are of "national patriotic" style. The most famous song was the anti-migrant "Μίλα Ελληνικά ή Ψόφα" — "Speak Greek or die." In particular, it has the following lines: "You came to our country / You have no job / You are hungry, you are tramps and you eat your own children / You speak Russian, speak Albanian / But now you have to speak Greek / speak Greek or die!" In addition, the Pogrom has anti-Semitic songs, such as "Άουσβιτς" — "Auschwitz."

On February 18, it got known that a Greek musician Jimmy Panousis placed a Star of David with a swastika inside it on his advertising poster. [112]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

The most influential pro-Nazi party in Greece is the "Golden Dawn" party. The radical nationalist parties include "The Popular Orthodox Rally" ("Laos"), which was in the parliament in 2011–2012, and while it lost in the 2012 election it had 2 members in the European Parliament.

In addition, ultranationalist movement includes some non-governmental organisations and groups such as the "People's patrol."

In the May 2012 parliamentary elections "Golden Dawn" received 400,000 votes (6.68%), and a couple weeks later in the June 2012 elections (the elections in May failed to form a government) "Golden Dawn" received 6.97% of votes. Thus "Golden Dawn," which exists as an association since the 1980 and converted into a political party in 1993 won 18 seats in the parliament. "Golden Dawn" promotes the policy of migrant isolation and requires them to be sent to labour camps.

The party's logo has certain resemblance with swastika. Their ideology is inspired by the German Nazis.

The bases of practical ideology of "Golden Dawn" are anti-immigrant xenophobic attitude, denial of communism and liberalism, all put together with capitalism and a call for a return to traditional Christian values.

The activists of "Golden Dawn" use paramilitary form for outdoor activities, which is typical for the majority of European right-wing movements. Black t-shirts are decorated with stylised figures of the party under the localised theme of swastika. Party members greet each other with a raised fist. All this resembles the fascist Nazi rituals of the 1920's and 1930's.

When joining the organisation new members stated: "I belong to Golden Dawn, as we are the rebels. Let's kill the Jew hidden within us," while raising his hands in a Nazi salute. Party leader Nikos Michaloliakos addressed his supporters: "They say we are vicious fascists and nationalists. The truth is that they are right."[113]

The party managed to win votes not only by promoting xenophobia, but also through social events in Athens. The party supplies those who are in need and elderly people with food, provides them with various kinds of assistance, distributes soup, but all this is only for ethnic Greeks who have the appropriate identification. For example, the party has taken action to establish a blood bank "Only Greek blood."

The party is engaged in advertising in the problematic areas of the city, also holds events in secondary schools, a lot of attention is paid to working with young people's focus. "Golden Dawn" has a policy of exclusion of minorities, especially migrant workers and asylum-seekers, shared homophobic and anti-Semitic ideas, sets people against the Roma. Its armed followers attack people with different skin colour, as well as left-wing activists.

Golden Dawn uses the current situation of economic crisis and rising xenophobia to recruit followers. It appeals to security threat which in their view is represented by migrants, refugees and people illegally crossing the sea border of the country. The party has positioned itself as the representative of the interests of social dissatisfaction of the population. The theory is supported by practice: thugs in black motorcycle helmets, parades in particularly densely populated areas of Athens foreigners.

After the members of "Golden Dawn" murdered left activist musician P.Fyssas authorities began active operations to crush the party (the arrests of higher ranks and several activists, the cessation of funding) and perhaps eventually its star will set.

Prior to "Golden Dawn" the right-wing extremist circle was dominated by party "The Popular Orthodox Rally" ("LAOS"), which in contrast to the "Golden Dawn" could not exploit the idea of economic crisis. Thus the party lost votes.

Experts believe that this happened because LAOS became part of the Greek government of Lucas Papademos. According to the Greek right-wing radicalism scholar Vasiliki Geogriadu, "the party that opposes the current party system against the" Panhellenic Socialist Movement "(PASOK) and the "New Democracy" and then suddenly wanted to be part of the system is doomed in advance."[114]

Key members of the party moved to the "New Democracy," and LAOS virtually collapsed, consequently the void was taken over by the party "Golden Dawn." And if LAOS is just a right-wing populist party, the "Golden Dawn" is a far-right neo-Nazi party. Unlike LAOS "Golden Dawn" uses violence as a political tool, and is a follower of the current theory of "Magna Graecia," i.e. does not accept the current borders of the state.[115]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

LAOS and "Golden Dawn" oppose the influence of foreigners, but "Golden Dawn" is more aggressive and uses illegal methods.

The party's programme contains characteristics of the era of democracy in Greece, which in the opinion of the party is experiencing the sunset, as the "era of national tragedy and national betrayal." The

programme sets the requirement to get out from under the American dictate and reconsider relations with the EU, which according to the party brought to a standstill economy.

A panacea is offered to combat unemployment: "deportation of illegal immigrants and an emphasis on domestic production." The programme states that "Golden Dawn" distinguishes Greek citizens from foreigners *legally* residing in the country and, of course, from the illegal immigrant invaders (illegal or illegally legalised). The programme compares illegal immigration with "the unofficial army, which decomposes the social structure and leads the national identity into oblivion. Illegal immigrants, being alien to the Greek society, should be immediately deported. "

The following measures are offered in order to combat illegal migration:

"— Immediate arrest and deportation of all illegal immigrants. Until their final repatriation, they should be transferred to specialised detention facilities away from residential areas, where conditions are not ritzy as they are now.

— The phenomenon of illegal immigrants who are "under supervision" and live in air-conditioned rooms, receive free meals and other luxuries that cannot be accessed by many of the Greeks, is absolutely unacceptable and will be immediately eliminated.

— Any offense committed by a foreigner shall be deemed established. The penalty will not be served in jail, but in specialised detention facilities, where offenders will work for the benefit of the public.

— Fight against illicit trade of illegal aliens, remittances to their home countries to be controlled strictly financial. The huge loss of revenue for the Greek state will be stopped. The policy of "zero tolerance" will be used regarding international smuggling networks."

In the official statements the party has repeatedly demonstrated its anti-Semitic stance. For example, during a visit to Athens in February 2013 of the executive director of the American Jewish Committee, David Harris, who discussed with the country's authorities the issues on anti-Semitism in Greece, the party made a statement in which they described the visit as "an attempt to strengthen the impact of global bank capital along with the international Zionist organisations on the policy of the Greek government."

"This gentleman David Harris came here due to the instructions of the world Jewry, which desires to control the foreign policy of Greece and major tycoons who want to line their pockets on the country's economic problems. We do not need the solidarity of the Jews and their crocodile tears. When our party comes to power, all those who cooperated with the Jews will pay the full bill," — it was said in a statement posted on the official website of "Golden Dawn"

It should also be emphasised that according to the ideology of "Golden Dawn" immigrants, the Roma who disagree with the ideas of the party and people with mental health problems are recognised as "subhuman."[116]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

By July 2013 the popularity of the "Golden Dawn" peaked as they had almost 15% of votes. The growing influence of the party was so extensive that the Human Rights Commissioner of the Council of Europe Nils Muiznieks' calling out to ban "Golden Dawn" as a serious threat to Greek democracy was published on July 6 in the British journal The Economist.[117]

In September popularity of "Golden Dawn" halved from 15% to about 6% due to the scandal regarding the murder of P. Fyssas. According to a survey commissioned by the newspaper "Eleftheros Typos" 8 out of 10 respondents called "Golden Dawn" a fascist and criminal organisation. 77% of respondents believed that the authorities need to urgently take legislative measures to prevent criminal activity of the radical nationalists.[118]

However, once the shock of the murder P.Fyssas died down the popularity curve of "Golden Dawn" went up again. In October 7.8% of the Greeks were ready to vote for the party, while the November figures equalled to 8.4%. This suggests the formation of a dedicated group of nationalist voters that is large enough to influence the outcome of elections.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Last elections for local authorities were held in 2010, which were won by the Panhellenic Socialist Movement PASOK. The second place was taken by the "New Democrats." Nationalists almost did not get any representation in the local government bodies. Yet they had a lot of support from the police. According to an internal investigation conducted by the police in the autumn of 2013 at least 10 senior police officers' activity was linked to "Golden Dawn." Among the police officers arrested based on these accusations was the ex-director of Agios Panteleimonas police department in Athens, the place of the highest amounts of racist attacks. The Minister of the Interior stated that two groups supporters of "Golden Dawn" had been found among police officers in areas with significant numbers of immigrants.[119] 2 senior police officials have resigned due to "personal reasons," while 7 other senior police officials and middle ranking civil servants were replaced or transferred to other positions.[120]

In addition, about a third of racist incidents observed in 2013 was attended by officers of regional law-enforcement bodies.[121] The Com-

missioner for Human Rights received 17 complaints about racist actions of the police in 2013.

The governor of Central Macedonia Apostolos Tzitzikostas invited representatives of "Golden Dawn" to a military parade in Thessaloniki, which was held on October 28 in honour of the Greek resistance against the "Axis" during the Second World War, despite the involvement of the party in the hate attacks and killings, referring the fact that he was supposedly legally obligated to invite all the parliamentary parties. [122] This shows a trend of rising influence of neo-Nazis on the local executive bodies for several years, which was partially suppressed by the central authorities in the autumn of 2013.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

The "Golden Dawn" party has 18 seats out of 300 in the Greek parliament that is only 6% of the total number of seats in the highest legislative body of the country. But its members are so active, scandalous and, most importantly, they are involved with morbid societal problems so much so that the ruling majority has to take that into account. In the wake of its growing popularity "Golden Dawn" has an active influence on the political agenda in the country expanding the extent of acceptable actions.

Thus as of July 1, it was announced that a politician from the right-wing party A. Georgiadis who had professed anti-Semitism was appointed Minister of Health of Greece. [123]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–5
	Total for the section 8	–20	–20

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  The authorities did not prohibit such actions.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

On February 2, members of the neo-Nazi party "Golden Dawn" held a multi-thousand procession on Saturday night, the anniversary of the conflict with Turks near the Imia islands. The demonstrators marched to the U.S. embassy, where a rally took place, hundreds of people stood with lighted torches. [124]

On March 25, the "Golden Dawn" party had organised a demonstration in Athens, protesting against the broadcasting of Turkish films on TV. During the demonstration, a deputy from "Golden Dawn" Christos Pappas publicly urinated at the doorstep of the TV studio which was showing these films. [125]

On May 28, Athens had a mass rally of radical nationalists, supporters of the ultra-right party "Golden Dawn," dedicated against the construction of the mosque in the capital. Protesters chanted "No to mosque construction" and "No to Islamisation of Greece." "If the authorities continue to ignore our demands, we will have to resort to tougher measures! They can build a mosque, but we will destroy it anyway!" stated one of the party representatives at the rally in Athens. [126]

On August 12, "Golden Dawn" held a meeting in Heraklion. [127]

On December 16, around 700 members of "Golden Dawn" attended a demonstration of protest against the construction of a mosque in the capital of Greece. [128]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

As a general rule, most of the activities of "Golden Dawn" are held with the participation of the leaders of this party who are members of the parliament as well.

- Presence of "football xenophobia" and racism amongst sports fans.

The football community in Greece, fan clubs of different teams are an exaggerated reflection of the situation in the whole Greek society torn by opposing political contradictions. For example, those fans of Greek football club AEK identifying themselves as anti-fascists and an-

archists united into the fan-club "Original 21," and fans of the same club supporting "Golden Dawn" and the radical nationalists united in club "Ghetto." Neo-Nazi associations also include "Gate 13," which was formed around the team "Panathinaikos." Anti-fascist fans of "Atromitos" united into "Fentagin." The clashes between the two sides are a regular thing, football events included.

On March 16, 2013 AEK midfielder Giorgos Katidis marked the scored goal with the Nazi greeting. [129]

On October 11, during the match against Slovakia Greek fans chanted xenophobic slogans. [130]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–20	–20

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013 4 cases of vandalism were recorded in Greece. Mainly it regarded Christianophobia.

On May 20, it was reported that unknowns have destroyed a Chapel of St. Constantine and Helen near the city of Xanthi. [131]

On August 29, it became known that neopagans desecrated Orthodox church in Lygaria in Crete. [132]

On November 22, it was announced that the frequency of incidents of vandalism in the temples of Heraklion rised. [133]

On July 19, it became known about the desecration of a Jewish cemetery on the island of Kos. [134]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

On January 4 the Roma were attacked in the Etoliko village. Firebombs, stones and boards were thrown into their homes. 6 homes and 4 cars were burnt down.[135]

On 13 May, a group of nationalists demolished an Athenian cafe, which belonged to a native of Cameroon.[136]

- Cases of violence, including murder on racial, ethnic and religious grounds.

A total of 19 racist attacks were observed in 2013, 2 of which were fatal to the victims and 91 people were harmed. More than half of the cases happened at Athens (2 dead and 49 affected). The most major cases regarding the number of victims were the shooting of strawberry pickers in Nea Manolada, the breaking up of an anti-fascist demonstration in Athens on September 18, and September 13 attack made on anti-fascists (32, 31 and 9 respectively were affected). 37 people were injured at the hands of police.

In Kavala, right-wing radicals from the party "Golden Dawn" on January 9, attacked the Turkish Consul.[137]

In mid-January in Athens due to the fact that his bicycle allegedly blocked a way for a motorcycle, which belonged to one of the activists of the far-right party "Golden Dawn," a native of Pakistan was murdered.[138]

A Somali immigrant was beaten up in Athens in January.[139]

In February police officers beat up a Syrian refugee in Corinth.[140]

In early March, a group of teenagers in Larissa have smashed up a shop owned by a native of Pakistan, and have beaten his son.

On March 10, an immigrant from Syria was beaten up by police as he started filming a clash in prison for migrants with a mobile phone.[141]

On April 2, ten members of the ultra-nationalists party "Golden Dawn" attacked two immigrants in Chania. However, the two "Golden Dawn" members were injured in a clash with the locals who came to the rescue, and leading them candidate for deputy Stelios Vlamakis was thrown into the sea.

On April 12, it was reported that in Thessaloniki a bus driver — member of the "Golden Dawn" party — kicked two immigrant passengers off the bus.[142]

On April 22, police officers attacked a migrant woman in Athens.[143]

On June 27, 3 migrants from Pakistan who refused deportation were severely assaulted by the police at Athens airport.[144]

On August 13, a crowd of 20 people supporting of the "Golden Dawn" attacked 2 immigrants from Pakistan in Heraklion (Crete).[145]

On September 13, 9 communists were seriously injured after the attack of 30 right-wing radicals, including President of Piraeus' Union of Metalworkers Sotiris Poulikogianis.[146]

On September 16, a Roma child was attacked.[147]

On the night of September 18 in Athens, a member of "Golden Dawn" killed the Greek anti-fascist musician Pavlos Fyssas. [148]

On September 18, during a large public anti-fascist demonstration in Athens, police assaulted demonstrators with batons and used tear gas. 31 protestors sought medical help. [149]

On November 30 an Egyptian migrant was attacked. [150]

On December 9, a journalist Panagiotis Bousios said that he and his cameraman had been beaten by members of "Golden Dawn." [151]

On December 28, a Roma street trader was beaten in Athens. [152]

There were cases of neo-Nazi murders by unidentified persons. On the night of November 1 in Athens 2 supporters of "Golden Dawn" were killed, previously-unknown "People's revolutionary forces" took responsibility for these murders. [153]

- Nationalist or religious terrorist attacks.

On April 18, a Greek man opened fire on an immigrant demonstration near a settlement Nea Manolada on Peloponnese, where approximately 200 immigrants protested the six-month delay of wages for strawberry picking at three local farms. As a result, 32 workers from Bangladesh were injured, four of them are in critical care, ten — in a serious condition. [154]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	–5	–5
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5	–5
	Total for the section 10	–25	–25

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

In Greece, there is a fairly strong anti-fascist movement represented by various anarchist and leftist groups, such as "anti-authoritarian move-

ment," the Assembly against fascism, the Company Municipalities, Autonomous Zone — Youth Unit — Anti-fascist fans of FC "Panathinaikos," anti-fascist union of Arta, etc., which carry out the basic anti-fascist actions in the country and also have a determining influence on the groups of football fans. Tough anti-fascist position also taken by the Communist Party of Greece, the Coalition of the Radical Left, the Panhellenic Socialist Movement PASOK party, the "Democratic Left" and several others. Objectively the Jewish community in Greece, as well as the communities of immigrants from Asia, primarily the Pakistani community have anti-Nazi position.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Greek anti-fascists are capable of gathering large numbers of people at the anti-fascist demonstrations and other mass actions. At the same time one of the most common methods of many of them are violent campaigns against their opponents. Thus both sides present an escalation of violence with serious consequences.

On January 19 the municipality of Athens organised an anti-fascist demonstration. Under the slogan "Punish the Nazi murderers" and "Athens — Anti-Fascist city" gathered 3,000 people. The reason for the mass action was the murder of a Pakistani, in which the two suspects are members of "Golden Dawn."[155]

As of September 18 mass anti-fascist demonstrations took place in more than 20 Greek cities. The biggest one happened in Athens on September 18 and attracted over 10,000 people.[156]

On November 18, more than 10 thousand protesters gathered in Syntagma Square in front of the Parliament in Athens on the 40th anniversary of the student uprising against the fascist junta. They chanted the slogan "Fascism will never be!".[157]

Harsh anti-fascist stance is taken by the Greek Football Federation. A striking evidence of this is its decision on a lifetime ban of the AEK player Giorgos for a Nazi welcome gesture after scoring his winning goal in one of the matches of the national championship in a match against "Veria" on March 16, 2013.

The Greek Football Federation made the following statement: "Players act, deciding to greet fans in a Nazi manner, is a serious provocation, insulting to all victims of Nazi regime and is damaging to the peaceful and humanistic nature of football. We absolutely condemn the Nazi acts of atrocity and consider such "manifestation of emotion" unacceptable in football. Due to this the Federation has decided to impose a lifetime ban on Katidis, as this act is one of the worst violations considering the current rules of the UEFA and FIFA. We call for a contractual obligation to prohibit these actions in the football team agreements."[158]

On March 21, Katidis himself asked to be temporarily removed from AEK team, calling his actions "completely unacceptable." "I feel

terrible for those whom I upset with the stupidity of my action. I also fully understand the reasons behind the decision made by the Greek Football Federation, to whom I must apologise greatly, as it helped me become the person I am now in my profession," he said.[159]

- Presence of anti-racist and anti-fascist civic initiatives.

On January 11, an anti-fascist declaration of science and art activists of Greece was published. It said: "Six months have passed since "Golden Dawn" came to parliament. Now no one can say, 'but I do not know'. From the eggs of a vermin, bastards have crawled out. Poison of their bite is deadly — it threatens the lives of poor people who were born with the "wrong" skin colour, and those who had the misfortune to fall in the way of neo-Nazi stormtroopers. They are: immigrants, leftists, anarchists, trade unionists, gypsies, gays — all those who do not "agree" with the taste of stormtroopers in brown shirts. The rise of neo-Nazism has to frighten, especially in times of economic crisis — such as today. In history, the struggle against fascism was always balanced between "too early" and "too late." For us — for those who signed the declaration — now is neither too early nor too late. It is time! The hour of battle against fascism has come! !" That is why we have organised a movement "January 19" — for the sake of unification of different forces opposing fascism."[160]

On September 30, it became known that the Muslim (or rather, the Turkish-Muslim minority), living in Thrace the north-eastern province of Greece, sent a letter to the Minister of Education of the country Konstantinos Arvanitopoulos letter proposing the establishment of bilingual kindergartens for the minority.[161]

As of October 2011 there is a network for registration of racist violence incidents, an initiative of the National Commission on Human Rights and the High Commissioner of the United Nations Commissioner for Refugees with the participation of 34 NGOs and agencies for the purpose of registration of racially motivated crimes.[162]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

  No such events were observed in 2013.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  No such events were observed in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

Glorification of Nazi regime is an attribute of the members of "Golden Dawn." On May 8, a member of parliament from "Golden Dawn" party Christos Pappas read out a text praising Hitler at the Parliamentary session, and stated that these were the "works for our youth," adding that nationalism is "the world's future."[163] After the arrest of Pappas in September 2013, it was found out that his house was a true museum of Nazism, and the politician loved to pose in a Nazi uniform during his youth.[164]

In late May, the cries of "Heil Hitler!" have been repeatedly reported coming from "Golden Dawn" accompanied by the appropriate greetings in the parliament.

In July, during the"Golden Dawn's" distribution of food to the poor people the Nazi anthem "Horst Wessel" was reported playing.[165]

- Historical revisionism, Holocaust denial.

Coupled with the glorification of the Nazi regime the Holocaust denial was heavily manifested by the members of "Golden Dawn." On February 18, deputy of the Greek parliament from "Golden Dawn" party Giannis Lagos filed a request to the Minister of Education and Minister of the Interior, where he criticised the implementation of activities in Greece dedicated to the International Day of Holocaust Remembrance. In his request, he noted, that Jews are being excessively praised, whereas Greek students have no knowledge of Greek history "and the real Holocausts."[166]

On March 17, "Golden Dawn's" website published a statement in connection with the participation of the Prime Minister A. Samaras in

the commemorative ceremony of Thessalonian Jews. "Little Antonis put on a kippah and went to a synagogue... to worship the Zionist capital," statement said. The ceremony itself was called a "part of the international Zionist plan designed to bring about the destruction of Greece and rebuild Jerusalem of the Balkans."[167]

On June 7, a prominent Greek MP from the far-right party "Golden Dawn" Ilias Kasidiaris stated at a Parliamentary committee session, that he is a Holocaust denier.[168]

Nor do the official authorities have much enthusiasm in preserving the memory of the Holocaust. The authorities are trying to silence the Holocaust. Thus in Thessaloniki the authorities are trying to hide the fact of the destruction of the Jewish cemetery in 1942. Greece does not her own monument at Auschwitz either.[169]

Unfortunately the Greek Prime Minster A. Samaras refused to support the project, which turns Holocaust denial into a crime.[170]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–/×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	–2.5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–5	–7.5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  No such facts were observed in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  No such facts were observed in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  No such facts were observed in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–2.5	0
	Total for the section 13	–2.5	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Greece acceded to the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and a number of other international agreements.

Greece has not ratified the Framework Convention for the Protection of National Minorities, the European Convention of Regional Languages and Minority Languages, and has not acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

In addition, the Hellenic Republic does not participate in the European Convention on Nationality of 1997 and the European Convention on the Participation of Foreigners in Public Life at the Local Level of 1992.

Therefore, the participation of Greece in the most important international agreements to combat racism and discrimination against ethnic minorities is only partial.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the observational period Greece did not accede to any new international agreements and UN resolutions or of any other international organisations promoting the fight against Nazism, racial discrimination, and protection of minorities and others.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013, there was not a single international statement or the initiative against discrimination, xenophobia and neo-Nazism on behalf of the authorities or prominent politicians of Greece.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	2.5	2.5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	2.5	2.5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Slight improvement in Greece in 2013 was entirely due to the reaction of the Greek society and government to the brutal murder of neo-Nazis and anti-fascist Greek musician Pavlos Fyssas. This event led to the ruling coalition to reconsider its position on the activities of the neo-Nazi party "Golden Dawn" and start pursuing not only the leaders of the party, but also to investigate a number of crimes that have not previously been investigated.

In addition, the police reviewed their decisions on unlawful prosecution of anti-fascists, previously adopted under the pressure coming from "Golden Dawn." An important resolution was made regarding the prosecution of a number of high-ranking police officers who have illegally cooperated with the party earlier.

Nevertheless, this slight improvement did not lead to a significant change in the position of Greece in the ranking of radical nationalism. In 2013, the country has retained the dubious reputation of being nationalist Europe sharing it with Latvia.

Evidently the level of xenophobia in Greek society is extremely high. The fact that even after revelatory actions on neo-Nazis the support of voters is at almost 9%, eloquently testifies to this. Hate crimes, coupled with the killings, discrimination against minorities, mass discriminatory practices against migrants, the glorification of Nazism and Holocaust denial — all that remained at the same level and calls for hard work on the internal order of the political elite and the society itself.

It is noteworthy that public activism of "Golden Dawn" stayed the same, which in 2013 was based not only on the statements from the parliamentary rostrum, where it is not uncommon to hear direct praising of Adolf Hitler. Neo-Nazis in black T-shirts with the logo of the party can still be found distributing food to "pure-blood Greeks," doing illegal document checks in the markets in order to identify the aliens and so on. All this creates a climate of inter-ethnic tension in the country and contributes to the fact that the party's popularity among a certain part of the Greek society remains high.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Greece does not recognise the presence of the ethnic minorities within the country, although formally guarantees protection of citizens from all forms of racial discrimination. Out of religious minorities Greece recognises Muslims in Western Thrace, whose freedom of religion and public education in the Turkish language is legally protected, although there is a sufficient amount of the Slavs among Muslims. De facto, Greece recognises the cultural and linguistic rights of the Armenian minority. Modern discrimination against indigenous minorities is, on the one hand, in the Slav people in Western Thrace getting Turkised; and on the other hand in shutting the Turkish schools down, banning of teaching of the Koran, in the attempt to intervene in the process of controlling Muslim religious hierarchy and so on.

The Constitution of Greece also creates the conditions for discrimination of non-traditional religions, because it guarantees the equality of rights to representatives of only "known" religions, the notion of a "known religion" is not disclosed in any document.

The state does not provide for rights of migrants. Errors in the migration policy, a moratorium on granting of citizenship, residence permits without a work permit consequently criminalise immigrants' environment. A large number of illegal immigrants significantly worsens the situation in this area.

Jawboning and street terror unleashed by the neo-Nazis in 2012 led to a further deterioration of the situation of immigrants and minorities in general.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Greece has not ratified and adhere to the basic provisions of the Framework Convention for the Protection of National Minorities, which together with the refusal to ratify the European Charter for Regional or Minority creates conditions for linguistic and cultural discrimination against ethnic minorities. Greece's failure to accede to these two fundamental documents aimed at protecting the unifying nature of the linguistic and national policy, which is ultimately aimed at the assimilation of minorities. However, in the context of globalisation, when migration processes get enhanced, as well as in the process of strengthening of national identity of ethnic minorities, the policy leads to a political stalemate, a driving the issue into a corner.

Greece's refusal to acceded to the European Convention on Nationality and the European Convention on the Participation of Foreigners in Public Life at the Local Level creates the conditions for discrimination against migrants in the provision of citizenship and political participation, which resulted in a moratorium on granting of citizenship and discriminatory laws 3838/10 in 2012, which allows only foreigners of Greek origin to participate in local elections.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such discrimination is present and also concerns, above all, the rights of national minorities to use their native language, obtaining education in it and so on, which are provided by the requirements of the International Covenant on Civil and Political Rights of the United Nations, to which Greece acceded in 1997, the Framework Convention for the Protection of National minorities and the European Charter for Regional or Minority Languages, which she has not ratified.

- *Legislation enshrining inequality of minorities.*

A problem Greece has is not primarily in the presence of discriminatory legislation, but in the absence of legislation recognising the ex-

istence of national minorities in the country and legal protection of their rights.

However, certain provisions of the Constitution clearly indicate the possibility of foreigners and non-traditional religions being discriminated by the State. Furthermore, the immigration law 3838/10 explicitly establishes the inequality of political rights between foreigners of Greek and non-Greek origin.

The existing anti-racist legislation should be mentioned separately. The Law 927/1979, amended by the Law 1419/1984 (Article 24), as well as the Aliens Act 2910/2001 (section 72) provide extremely soft penalties for racial discrimination. The maximum penalty is 2 years' imprisonment.

- *Rulemaking in protection of minorities.*

In 2013, an amendment was made to Article 79 of the Criminal Code, which now provides that a criminal act of hate due to race, colour, religion, descent, national or ethnic origin, sexual orientation, gender identity is an aggravating circumstance and the sentence cannot be suspended. However, this rule can be applied only at the stage of the court's decision on the sentence after the proof of guilt of the offender.

On the other hand the desire of legislators to "lighten the workload" of the courts through the proclamation of amnesty for all cases, the maximum penalty for which was a year's imprisonment led to the fact that the amnesty has got a number of cases of incitement to hatred committed before September 1, 2013.

- *Freedom of speech violations.*

Freedom of speech declared in the Greek Constitution is limited by a number of laws that criminalise various kinds of statements, ranging from blasphemy and ending with unflattering remarks against the top officials.

- *Legislation and law enforcement practices concerning migrants.*

There is an immigration legislation in Greece, yet it is not satisfactory as it contains a certain discriminatory component relative to non-Greek foreigners permanently and legally residing in the country. It concerns rights to active and passive suffrage, which are outlined by the current legislation stating that ethnic Greeks may vote in the elections to local authorities while foreigners of non-Greek origin cannot enjoy the same rights.

Thus, Greece does not comply with the European standards of citizenship and the EU rules on the participation of foreigners in public life at the local level.

The developed system of social assistance in Greece is worth noting, which is almost devoid of discriminatory component against foreigners, even though the country was undergoing a profound economic turmoil and had to cut most of the benefits and social benefits in 2012.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

The main problem in this case is the failure to recognise the presence of a number of ethnic minorities. For this reason, there are no laws that guarantee their rights, and Greece has not acceded to the system of international agreements on the protection of national minorities.

In doing so, these minorities (such as "indigenous" and formed from recent migrants) require a compliance with their religious, cultural and linguistic rights, which in principle are not provided by any law other than the Treaty of Lausanne of 1923.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

Consequently due to the rise of xenophobia of the Greeks and mistrust among various ethnic and religious groups in recent years the process of voluntary assimilation in the country has become a major challenge. Self-identification as Greeks among members of ethnic minorities, particularly among immigrants of past ten years, has practically disappeared. This identification takes place today as no more than a means of salvation from the neo-Nazi rioters. Terror unleashed by neo-Nazis in the streets of Greek cities has led to increased social phobias of the Greeks, as well as of the minority members who actively organise a communities, societies of self-defence, etc.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Formally, Greece has ranks 54th in terms of the life standard. However, the country is still going through the economic crisis. As of June 2013 unemployment reached 27% (the number was much higher among the youth — 58% (!)). However, it has nothing to do with xenophobia.

- *Economic impacts and instability.*

As it has already been mentioned, the economic problems are not related to xenophobia, but in 2013 street terror against migrants un-

leashed by "Golden Dawn" has become one of the causes of political instability in the country.

- *Decline in production growth, emigration of the labour force.*

The emigration of the working population is indeed present, but purely due economic reasons.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

The growing popularity of "Golden Dawn" and their sense of impunity have seriously destabilised the country. However, it should be noted that after the decision to suppress the activity of the party and clearing up the police of the most explicit supporters of Golden Dawn the degree of tension within society has declined.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

The problems in Greek-Turkish relations could be noted, which are caused by the reluctance of Greece to meet the demands of the Muslim minority.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

For Greece to overcome the festering crisis of the traditional nation-state it is necessary to revise the unifying approach to the national and language policy. It is recommended to accede to major international agreements aimed at ensuring the rights of ethnic minorities, and to ratify the signed documents. This refers to the ratification of the Framework Convention for the Protection of National Minorities and the European Charter on Regional Languages and Minority Languages.

In addition, in order to bring its immigration legislation to a standard level Greece should join the European Convention on Nationality of 1997 and the European Convention on the Participation of Foreigners in Public Life at the Local Level of 1992.

In order to improve the efficiency of the fight against the increasingly popular neo-Nazi ideology within the country, Greece should support the UN General Assembly resolution A/RES/67/154 "Glorification of Nazism: Inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia

and related intolerance" and similar resolutions against neo-Nazism, that are before the UN every year. The resolution is directed against the glorification of Nazism and revision of the postwar realities and that fully complies with the policies of the country, as well as the General Comments No 34 to Article 19 of the International Covenant on Civil and Political Rights.

2. *General recommendations for adjustments to the legal framework*

By joining international agreements, Greece should bring the national legislation in line with these agreements, in particular laws to protect the rights of national minorities ought to be adopted and immigration laws ought to be reconsidered, especially the adoption of amendments of 2012 to the immigration law 3838/10, which legalised inequality in the implementation of the electoral rights of foreign citizens in the elections to local authorities, depending on ethnic origin. Greece should also remove all provisions from the procedure for granting of citizenship to foreign nationals legally residing in the State.

It is also important to consider the amendments to the Constitution in terms of equal rights not only for the Greeks, but also for foreigners staying in the country, except for participation in parliamentary elections.

It is also important for the Greek parliament to adopt a new anti-racist act as soon as possible which would come to replace the outdated law.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

It is necessary to reconsider the practice of shutting of the Turkish schools in Western Thrace and a ban on teaching of the Koran.

Also, the Greek government should abandon attempts to appoint Muslim religious leaders, and reconsider the practice to fill these positions by specialised bodies consisting of Christian religious figures, especially.

It is necessary to abandon discriminatory practices against the Roma population, i.e. to stop the practice of school segregation, as well as evictions without alternative accommodation.

Greece should cease the practice of registration of hate crimes as domestic crimes, which results in official statistics not rousing any confidence among observers. It is also necessary to strengthen the application of Article 79 of the Criminal Code of Greece, which examines racial discrimination as an aggravating circumstance in the commission of crimes, as well as the whole system of existing anti-racist laws, especially with regard to the statements, appeals and media activists of the party "Golden Dawn." The programme of the party should also be checked for compliance with to the current anti-racist legislation and the Constitution.

It is important to remove all restrictions on granting of citizenship to foreigners who are lawfully resident in the country for the necessary period of time. The practice of issuing temporary residence permits without a work permit, which is completely contrary to the European standards, must be abandoned.

It is also necessary to change the conditions of keeping immigrants in the temporary detention facilities, bringing them in line with the European standards, as well as to return to the same maximum term of immigrants residing in these areas.

The practice of ill-treatment of detainees should also be abandoned.

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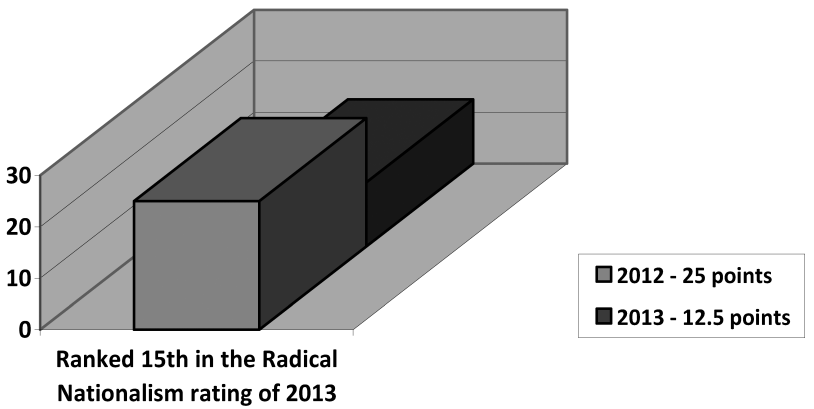
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	7.5	10
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–5	–5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–10	–10
9	Extremist and radical nationalist public actions	–20	–20
10	Racist attacks, violence and terror	–25	–25
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–5	–7.5
13	Persecution of veterans and partisans of the anti-Hitler coalition	–2.5	0
14	International aspects	2.5	2.5
	Total	–67.5	–65

ITALY


30
20
10
0
2012 - 25 points
2013 - 12.5 points
Ranked 15th in the Radical Nationalism rating of 2013

ASSESSMENT CRITERIA FOR THE STABILITY/INSTABILITY FACTORS

1. Legislation (central, regional, and municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Italy does not have any discriminating legislation that would target the local minorities. At the time the study was conducted, Italian legislation had articles prohibiting prejudice-based acts of discrimination and physical abuse incitement against specific race, ethnic origin, or religious beliefs of the victim. Italian Criminal Code also outlines that when crimes are committed due to prejudice against race, ethnic origin, or religious beliefs of the victim — it is to be treated as aggravating circumstances. In October 2013 Italian Parliament introduced a new law that added committing a crime due to sexual prejudice to the list of circumstances that are considered aggravating. A corresponding section was added to article 61 of the Criminal Code. [1]

Nevertheless, there are still imperfections in Italian anti-discriminatory legislation. For example, the fact that in 2006 an amendment to the Criminal Code was passed (known as Law No 85/2006), which reduced the standard prison sentence for hate crime from three to one and a half years and established that fine for discrimination and inciting racial hatred cannot exceed 6,000 Euro, is considered a major setback for the development of proper discrimination preventing law enforcement practices.

Moreover, people found guilty of the aforementioned crimes are only considered criminally liable in cases when crimes were committed

in an attempt to influence a large group of people, thus "changing their behavioural patterns."[2]

This discussed above amendment indirectly improves the position of neo-Nazis and nationalist far-right politicians who spread anti-immigrant and xenophobic rhetoric. In the report on situation in Italy, published by the European Commission against Racism and Intolerance (ECRI) in February 2012, it was pointed out that racist and xenophobic statements against the most vulnerable population groups (Africans, Muslims, Gypsies, refugees, and immigrants) have been made by the politicians more frequently of late. Such statements provoke violence against these social groups, lead to discrimination, as well as generally incite racist and xenophobic ideas in the population.[3]

A known piece of "anti-immigration" legislation called the "Bossi-Fini Law" (2002), named after the politicians that initiated its passing in the Parliament, also raises questions. This law introduces stricter country entry regulations, implements harsher punishment for illegal immigrants — up to imprisonment — and makes their consequent deportation mandatory, even in cases when court rulings prohibit such actions. This law was the reason Italian actions were not consistent with EU directives on asylum seekers and refugees. Only the amendments to the Immigration Legislation passed in 2012 made Italian law more compliant with the European standards.[4]

- Legislation, limiting the voting rights of the permanent residents of the country based on their ethnic background or country of origin.

Italy was one of the few countries that signed and ratified the Equal Opportunities for Civic Participation for Foreigners Agreement (2005). However, section "C" of this agreement contradicts the Italian Constitution, which clearly states that only Italian citizens have voting rights, thus making that section of the agreement void.

European Commission has on multiple occasions urged Italy to amend section "C" in such a way that would make it consistent with the state legislation, yet at the present time any progress on the matter has only been achieved on a regional level, where local legislative institutions had introduced Constitutional Court approved laws that legalise such practices.

- Presence of the norms in the legislation or other normative documentation that legalises the ideology of radical nationalism, its attributes and practices, as well as public propagation in media and mass communication.

No such norms were present in Italy during the observed period.

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

In 2013 the National Office against Racial Discrimination (*Ufficio nazionale antidiscriminazioni razziali — UNRAR*) received 959 discrimination complaints, 80% of which were later recognised as viable.[5] Most of the complaints reported cases of ethnicity-based discrimination, and only 4% — discrimination based on sexual orientation. The main groups that were discriminated against were people with Romanian and Moroccan origins.

Discrimination against Gypsies should be mentioned separately. Firstly, their right to housing was violated — Gypsy settlements were, and still are being closed down. Neither were the inhabitants of the closed settlements provided with the legally required guarantees, nor were the official procedures followed. For example, on September 12th 2013 approximately 35 Gypsy families were forcibly evicted from the informal settlement of Via Salviati in Rome and taken to a segregated formal camp for Gypsies against their will.[6] Nothing was done to improve the appalling living conditions in most of the government-approved camps. Local authorities still deny Gypsy families access to social housing programmes. Specifically, town council of the city of Rome violated the international law in an attempt to ban all Gypsies from receiving state housing.[7]

Even though in November 2011 the Italian state council finally revoked the "state of emergency," which had been active in five distinct regions of Italy due to the "Gypsy settlement problem"; the Gypsies still have not received any compensation for the humiliation and moral damage they suffered. This decision was challenged in 2012, when the State Authorities filed an appeal to the Supreme Court. In May 2012 State Council ruled in favour of allowing several procedures that were active during the state of emergency to be introduced again — at least until the final decision of the Supreme Court was known. This resulted in Italian courts suggesting justifying any evictions with the "state of emergency" excuse — as if it was never cancelled. Finally, results of the population census that was forcibly conducted in 2008–2011, included compulsory fingerprinting, and targeted solely Gypsy people, still were not destroyed.[8]

The national strategy that was made public in February 2013 and had been designed to facilitate the process of integrating Gypsy people into Italian society was reported to have been mostly unsuccessful.

Religious communities that have not reached an agreement with Italian government are more likely to find themselves a target of dis-

crimination. Islam is one of such communities. So, unlike for the "registered" religious confessions, employers are not legally required to provide their Islam practicing employees with conditions that allow them to carry out their religious rituals (i.e. prayers), or provide days off on their religious holidays.

Italy does not have any legislation prohibiting anti-gay propaganda in public places or during provision of goods and services; neither does it have legislation outlawing hate propaganda. Gender identity is also not included into the official anti-discrimination legislation.

Italy has certain issues related to discrimination of sexual minorities. Based on the data published on May 22nd, which was gathered by the poll that had been conducted among 3,500 senior students of Roman lyceums (organised in partnership with the "Gay Center" association and "T6" cooperative), it was revealed that 5% of the respondents considered themselves homosexual. Over half of those (55%) claimed that they were being discriminated against by their educational institutions because of their sexual orientation. They also claimed to be discriminated against by their families (42%), by staff at bars and other establishments (33%), as well as by Mass Media and internet portals (30%).[9] Sometimes such discrimination had truly severe consequences: on August 9th a 14-year-old teenager from Rome committed suicide because of homophobic ridicule.[10]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	0	0
–/×	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	–2.5	–2.5
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–7.5	–7.5

2. Xenophobia and hate inciting statements made by members of the authorities and media

Deputy mayor of the Bernareggio city and member of the "Nord League" (Lega Nord), Stefano Tornaghi resigned after making a statement in which he tried to convince Italian women not to marry Muslims. Tornaghi claimed that the idea of a successful and peaceful marriage between Italians and Muslims is just a "utopia."[11]

Deputy Minister of Equal Opportunities Michaela Biancofiore resigned from her post the day after joining the new Italian government (May 2013). She did so after making a statement that argued that it was the actions of gays that provoke discrimination against sexual minorities — specifically, gay people forming segregated groups.[12]

On July 14th Deputy Speaker of Italian Senate, Roberto Calderoli, who is also a member of the "Nord League" political party, compared the Italian Minister of Integration — Cécile Kyenge — who was born in the Democratic Republic of Congo, to an orangutan. "I love animals — bears, wolves, and everyone knows it, but when I see photos of Kyenge, I cannot help noticing that she has certain features of an orangutan, although I am not claiming that she is one," — said Calderoli. He also argued that Kyenge should have become a Minister in her own country. He was later forced to apologise.[13]

On July 27th Cécile Kyenge had bananas thrown at her at the Democratic Party meeting.[14]

In July a high-ranking member of the "Five Star Movement" Di Stefano MP made an anti-Semitic statement after returning from his trip to Israel and Palestine. Not only did he criticise the Israeli government rather harshly, but he also implied that the future of the Jewish community in Italy depends on the policy Israel decides to adopt.[15]

In November 2013 chairman of the "Nord League" Gianluca Buonanno publicly protested against providing aid to black immigrants. He did so by smearing dark paint on his face and claiming that Italians need to be "much darker" now in order to have any hope of receiving social aid. This protest was caused by the fact that black immigrants are provided with free government funded housing, as well as many additional benefits, while indigenous Italian citizens are struggling to survive. Buonanno argues that Italian government is spending too much money on all kinds of aid for the immigrants, while completely neglecting Italian citizens.

The leader of the Left Ecology Freedom (Sinistra Ecologia Libertà) democratic socialist party, Nichi Vendola responded by calling his opponents "racist" and reminding them that "they live in the third millennium and in a civilised country."

On the one hand, all of this points to the sad fact that the level of xenophobia is extremely high in Italy, but on the other hand, it also proves that xenophobia has not yet reached the highest circles of the local political elite.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practices preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, antiracist and anti-extremist legislation, and legislation directed against incitement of ethnic and religious hatred in the country.

Italian anti-racism and anti-extremism legislation is based on the contents of Italian Constitution. Article 3 of the Constitution guarantees all citizens equal treatment and social value without gender, race, language, religion, political views, and personal or social status related bias. In addition to that, article 6 of the "General Law" states that "Italy protects its linguistic minorities."

The modern anti-racism and anti-extremism legislation started to develop in Italy in the 1990s. In June 1993 Italian Senate implemented a law designed to help fight racism (Legge Mancino, decreto-legge Nr 205/1993). This law introduces a punishment of up to 3 years of imprisonment for religious, ethnic, and racial intolerance. The aforementioned law also prohibits the creation of any unions attempting to provoke discrimination against foreigners and nonconformists. This law is an updated and improved version of the 1975 law against racial discrimination, which was never used.

On February 24th 2006 the Law No 85 ("Legge Castelli") was accepted, which introduced legal repercussions for abusing the basic human right to free speech. Article 3 of the Law No 654/1975 states that any discriminating statements or actions aimed against specific races, ethnicities, or religions are punishable by a three year ban for any political activity for the person responsible.[16] The "Legge Castelli" law, however, had the concept of "incitement" replaced with "influ-

encing an individual to take action." Such phrasing ensures that it is taken into consideration if a person is not simply inciting racial hatred, but is also trying to influence another person to commit a hate crime. The new law has also reduced the prison sentence for hate crime from 3 years to 18 months (which can be replaced with a 6,000 Euro fine). The new law was widely criticised for its rather subjective views on the right to freedom of speech. This law did, however, have a positive impact, too — it extended the legislation banning incitement of racial hatred against Catholicism to protect all other religions in the same way as well. [17]

In February 2011 new trial regulations for discrimination cases were introduced, which shifted the necessity to provide the burden of proof from plaintiff to the defendant. If the defendant was found guilty, the court now also had the right to not only invoke a fine, but also take measures ensuring that the offence would not happen again. [18]

In 2012, which was also the year of the 69th anniversary of Italy deporting Roman Jews to concentration camps, Italian Senate introduced several amendments to Article 3 of the Law No 654 (October 13th 1975). These amendments revisited such issues as prosecution for committing genocide, crimes against humanity, and war crimes. The newly introduced amendments made it illegal to deny any of those crimes, as well as Holocaust. [19]

In October 2013 the Senate's Justice Committee approved these amendments. [20]

- Presence and improvement of anti-discriminatory legislation.

Italian anti-discrimination legislation is also based on the Constitution. As was already mentioned, Article 3 of the Constitution guarantees all citizens equal treatment and social value, while Article 6 of the "General Law" promises government protection to linguistic minorities.

Italian Constitution segregates the Catholic Church in its statement that "the State and the Catholic Church are independent and sovereign — both in their own areas." Therefore it could be said that the Italian government puts the Catholic Church and itself on the same level. At the same time, Article 8 guarantees equality before the law to all religious. According to this article all non-Catholic religions have the right to establish organisations in accordance with their own regulations for as long as their actions do not threaten the Italian legal order. Articles 19 and 20 declare the right to freedom of worship and absence of restrictions for religious organisations. [21]

Protection of linguistic minorities is regulated by the legislation passed on December 15th 1999. According to this piece of legislation,

all languages, spoken by large groups of people residing in Italy, fall under the protection of the law. These languages are: Albanian, German, Slovenian and Croatian, Greek, French, and Franco-Provençal. Local authorities have the power to officially recognise a territory as largely inhabited by linguistic minorities, but this can only be done if it is requested by more than 15% of local electorate. If such recognition takes effect, the local schools, kindergartens, and city councils have to use the mother tongue of the recognised minority group as well as the State language.

The Italian Ministry of Education, as well as regional authorities, has the power to fund projects dedicated to ensuring that members of linguistic minorities have access to education and services in their mother tongue in places where they reside in large groups. Members of minorities also have the right to restore their name to its original format after "Italianisation."[22] Congruent laws have been passed in Friulian-Julia (2007) regarding Friulian and Slovenian languages,[23] and in Sardinia (1997) regarding Sardinian language.[24]

Legislation, explicitly outlawing any form of racial, religious, and origin-based discrimination, was passed in 1998. This legislation also contained regulations on discrimination prevention. Two new laws based on corresponding EU directives[25] were introduced in 2003. These laws banned any forms of discrimination based on race, ethnic origin, religious beliefs, sexual orientation, disability, or age.[26]

In 2005 segregated areas of Italia started legalising same-sex civil partnerships. Since then, same-sex civil partnerships have been made legal in the following regions: Tuscany, Umbria, Emilia-Romagna, Campania, Marche, Puglia, Lazio, Liguria, and Abruzzo. In 2011 Italian Supreme Court ruled that same-sex couples have the right to a family life, including (in certain cases) being treated the same as heterosexual married couples. However, at the same time Supreme Court also ruled that Italian legal system will not recognise same-sex marriages registered abroad.

- Compliance with anti-Nazi, antiracist, and anti-extremist legislation by the authorities (central, regional, municipal), law enforcement and judiciary, as well as their compliance with legislation directed against incitement of ethnic and religious hate and compliance with anti-discriminatory legislation.

Generally, Italian auhorities tend to adhere to such legislation. Moreover, in 2004 the National Office against Racial Discrimination (UNAR) was established. Its duties include aiding victims of discrimination, investigating discrimination complaints, promoting introduc-

tion of specific measures and regulations that could help compensate victims of ethnic and racial discrimination for their moral, financial, and physical damages, providing consulting on issues related to racial discrimination, ethnic discrimination, and equal rights, and, finally, evaluating existing anti-discrimination legislation and suggesting new legal projects.

UNRAR provides annual reports containing recommendations for further advancement of the anti-discrimination and anti-xenophobia fight. In 2011 UNAR was also granted authority over cases involving discrimination against specific sexual orientation, gender identity, age, disability, or religious beliefs.[27]

- The Countermeasures against hate crimes (criminal cases against organisers and participants, convictions).

In its 2012 report on the situation in Italy, European Commission against Racism and Intolerance pointed to an unsatisfactory situation with the registration of hate crimes. The European Commission expressed its discontent with the fact that Italy hardly maintains any statistics that could help estimate the total number of hate crimes, their clearance rate, compensations paid to the victims of racism and xenophobia, etc.[28] Italy also has not provided any statistical data on the court rulings related to hate crime cases, as well as on compensations provided to the victims or racism and xenophobia.[29]

Members of the Committee on the Elimination of Racial Discrimination (CERD) report a very low number of investigations and convictions compared to the number of registered cases of discrimination and hate crimes.

After receiving the 2011 annual OSCE report on hate crimes in the region, Italy complained that it had not provided any information on the subject.[30] As was learned from multiple practical examples, declining to provide statistical data on hate crimes both indirectly increases the number of such crimes and diminishes their clearance rate.

The Italian government is currently attempting to prevent from spreading — even if not full heartedly — any racist ideas that could affect the views and behaviour of large groups of people. Spreading propaganda on the Internet falls under that category.

The law enforcement practice in this field showed a positive dynamic in 2013.

For example, on January 24th Italian police conducted a special raid that resulted in several far-right extremists, suspected of inciting racial hatred and anti-Semitism, as well as of assaulting and causing bodily harm to a Jewish schoolboy, being arrested in various Italian cities. The

investigation is in possession of several video recordings, which show the accused giving speeches of anti-Semitic context and trying to convince their followers to assault and rape students, whose only fault was being born Jewish. Search parties discovered guns and explosives hidden in the houses of the arrested, who were members of the "Casa Pound" neo-Nazi faction and used Hitler's "Mein Kampf" to educate the youth in the ways of anti-Semitism and racial hatred. [31]

In April 2013 four people from different Italian cities were arrested for posting racist propaganda on the website belonging to the Italian branch of the "Stormfront" newspaper. All four were arrested immediately after the website's closure. [32] Lately Italian courts have been issuing rather severe verdicts for as much as planning to carry out terrorist actions. For example, on May 19th the local court of Brescia city sentenced 22-year-old immigrant from Morocco, Mohammed Sermon, to 5 years and 4 months in prison for preparing a terrorist attack on the main Milan synagogue and on a Jewish school. [33]

In 2013 Italian authorities conducted an entire series of activities aimed at preventing far-right extremists from taking action. [34] Specifically, the annual neo-Nazi rock festival, which normally takes place in Cagliari every August, was banned. [35] Everything mentioned above points to the fact that the views on hate crime in the country are starting to shift.

- Unlawful use of anti-extremist legislation.

  No such incidents were registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	5
–	Unlawful use of anti-extremist legislation	–5	0
	Total for the section 3	12.5	20

4. Statements made by government representatives, members of the ruling party, and influential politicians against xenophobia and radical nationalism

Left-wing Democratic Party was the first to condemn Silvio Berlusconi's statements glorifying Mussolini (see below) on January 27th 2013 and called them "a disgrace for Italy." "Our republic was born on the idea of defeating fascism, which is why such statements must not be tolerated, as they are absolutely incompatible with the democratic political system Italy has adopted," — said the Democratic Party's speaker Marco Meloni.[36] This was not the first precedent of such remarks being made by the former Italian Prime Minister, as earlier that year he had argued that, apart from the racial laws, Mussolini developed the right internal policy.

On January 22nd 2013 it became known that a member of Italian Parliament, Fiamma Nirenstein was leading a protest campaign in Strasburg, attempting to prevent two MPs from European anti-Semitic parties ("Jobbik" and "Golden Dawn") from joining the Parliamentary Assembly of the Council of Europe (PACE). Nirenstein justified her position by arguing that the two MPs were acting members of "anti-Semitic and racist" political parties and their sets of values and beliefs were incompatible with the ideals of the European Council.[37]

On March 25th 2013 a remembrance march took place in Rome to honour the memory of civilians that lost their lives to Nazi butchers. Italian president, Giorgio Napolitano laid a wreath at the monument of 335 victims of Nazism that were killed in 1944. "We shall never forget the martyrs that lost their lives to Nazism" — said the leader of the country.[38]

In April and June 2013 mayors of the two major Italian cities — Milan and Rome, expressed their support for the Jewish community and decried the anti-Semitic graffiti that had been appearing on Jewish houses, as well as the desecration of Jewish cemeteries[39, 40]

In July 2013 Italian politicians had an overall dignified reaction to R. Calderoli's insulting racist statements against the Minister of Integration — C. Kyenge, whose family immigrated to Italy from Congo. On July 15th the left-wing Italian Democratic Party, who was at the time in control, demanded Calderoli's resignation.[41] "Enough is enough. It is impermissible that a man holding such a high position would use his power to spread racism and make fun of a woman, who also happens to be a minister," — said the Democratic Party's official statement.[42] Italian Prime-minister, Enrico Letta referred to Calderoli's remarks as "unacceptable" and "crossing all borders," while the president of Italy, Giorgio Napolitano stated that he was "dazed and aghast" by what Calderoli said.[43] In spite of all that, senator Calderoli retained his post.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

As a part of the national strategy designed to improve integration of Gypsy (Roma) people in such fields as education, employment, healthcare, and housing, many local city councils have developed programmes making it easier for children from Gypsy families to receive education (i.e. by providing them free access to school buses, etc.).[44] Such a simple action as providing Gypsy children with free school bus services can help solve the segregation problem on multiple levels, as it would make children from Gypsy families interact with children with other ethnic backgrounds on a regular basis, thus catalysing the social assimilation process.

UNRAR (National Office against Racial Discrimination) is currently working on implementing its plan to "encourage any activity from NGOs and other non-profit organisations that would support the fight against racial and ethnic discrimination"

In addition to that, UNRAR, together with the Italian Football Federation (Federazione Italiana Giuoco Calcio) and Italian Sports Federation (UISP), is currently implementing a programme that will help battle racism at sports venues. For example, as part of this programme Italian football team went on field in March 2013 wearing t-shirts saying "Eject Racism from Football!" Later Gianluigi Buffon and Mario Balotelli have added their backing to the campaign by giving national shirts signed by the whole Azzurri squad to special guests at the squad's Coverciano training base, including political refugees, asylum seekers, and children of immigrants born and raised in Italy. A special film was shot as a part of the programme, depicting the visit of the Italian football players to the concentration camps in Auschwitz and Birkenau.[45]

Italian Chamber of Deputies founded an "observatory," the primary goal of which is to help prevent xenophobia and racism. Fiamma Nirenstein's initiative helped create an Interdepartmental Committee against Anti-Semitism. A working group from within this committee submitted

a report dedicated to the issue of anti-Semitism, specifically its manifestation on the Internet websites and social networks.[46] This resulted in consequent banning of multiple web pages containing racist and xenophobic material. That process is still in motion today.

Some municipal authorities are working on developing and implementing programmes that would help integrate Gypsy people into Italian society. The measures suggested so far include: "simplified" conditions upon which children from Gypsy families are to be accepted into schools, unobstructed access to the job market, and medical services in Romanian language. A series of such initiatives was implemented in several Italian regions in order to ease the immigrants' adaptation to Italian housing market and health services. Italian authorities are also working on opening their own offices dedicated to protecting the rights of minorities on an international level.

In 2013 Italy partook in European initiatives aimed at developing peaceful and unbiased communication between Islam and Christianity. Specifically, took place a series of widescale debates that involved religious leaders of various confessions and powerful NGOs. These debates discussed the idea of making people more tolerant.[47]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and improvement of migration laws.

The main document regulating migration is the 1998 "Law on Immigration." According to Article 2 of this law, a foreigner living in Italy has the same rights as an Italian citizen, unless it is decided otherwise by specific legislation or international agreement. Foreigners have the right to participate in the social life. According to section 1 of the third Article of the Law on Immigration, every three years Parliament has to develop an immigration strategy. Section 5 of Article 3 makes it compulsory for the local authorities to take any necessary measures that are needed to facilitate the immigrants' social assimilation process. Aid-

ing illegal immigration is punishable by up to 5 years in prison and a 15,000 Euro fine for each illegal immigrant aided. If the motive is financial gain, then the prison sentence can vary from 4 to 15 years. Fines are increased if a group consisting of more than 5 illegal immigrants was aided to enter the country. Same applies if immigrants were put under threat by the person responsible or mistreated/abused by him or her in any way, as well as if the illegal operation was performed by a group consisting of three or more people. If immigrants were brought into the country to be used in sex industry, or if child labour was involved, then the prison sentence is increased by 30–50% and fines go up to 25,000 Euro for each person imported. An employer that hires illegal immigrants is punishable by a 3–12 months prison sentence and a 5,000 Euro fine for every illegal immigrant employee.

Article 19 prohibits readmission of immigrants if they were under threat of persecution in their home country due to their race, gender, language, citizenship, religious beliefs, political views, etc.[48]

The introduced in 2002 "Bossi-Fini Law" reduced the duration of a standard work permit from 4 to 2 years, increased the period of time citizens of non-EU countries need to live in Italy before being able to apply for permanent residence from 5 to 6 years; implemented immediate deportation of illegal immigrants system; and, finally, cancelled the possibility for immigrants to reunite with their non-direct family members. In addition to that, from 21 reasons for applying for an Italian visa only the following 5 are seen as valid for immigration and give the right to later apply for permanent residence (after having lived in the country for 6 years) and citizenship:

- Reuniting with the family (family member must either already have an immigration status, or be an Italian citizen);
- Adoption of an underage foreigner by a person who either already has an immigration status, or is an Italian citizen;
- Employment (in case the potential immigrant has a work contract for an undetermined time period); in such case staying in Italy after having lost the job that was used to obtain the immigration status in the first place is considered a crime;
- Private entrepreneurship (after receiving a permit for such activity) of various types (commerce, trade, sport, art);
- Seeking to reside in Italy while having large stable income located in applicant's original country of residence (not in Italy).

As was noted in 2006 by a UN rapporteur in Italy, the "Bossi-Fini Law" has the direct opposite effect from the one initially intended — instead of integration and international dialogue it leads to criminalisation of Italian immigrant communities.[49]

Refugees in Italy have a right to employment, as well as free access to the state healthcare and education systems. After five years of per-

manent residence and employment in Italy they have the right to apply for Italian citizenship.

In 2013 Italian government introduced a series of measures implementing stricter regulations for employment-related immigration into the country. Specifically, on June 26th 2013 government issued a decree, according to which an employer must provide evidence that he was unable to find a suitable employee in Italy before hiring one from abroad. [50]

- Authorities' compliance with such legislation (law enforcement practice)

Law enforcement practice of the mentioned above pieces of legislation has many weak points.

Italy accepts a major part of European immigrants onto its territory; their numbers only increased after the events of the "Arab Spring" in North Africa and Middle East.

At the start of 2013 4.4 million foreign citizens were registered in Italian councils; that constitutes 7.4% of the total Italian population. At least another 500,000 people reside in Italy illegally. The largest immigrant communities in Italy are the following: Moroccans (513,374), Albanians (497,761), China (304,768), Ukraine (224,588), and Philippines (158,308). [51]

According to Flussi's Decree — a normative act that Italian government uses annually to determine the number of immigrants that can obtain employment in the country without damaging the economy, in 2013 13,850 legal immigrants entered Italy. [52] Another 43,000 immigrants entered the country illegally, or seeking asylum, which is 325% more than in 2012.

The figures are astronomic even though they do not include immigrants who died in shipwrecks while trying to reach Italian shores. It is impossible to estimate how large the number of those had been, as Italian government refused provide any exact figures. However, judging by the information reported in Media, it could be thousands of people. In October 2013 alone 400 people died in a shipwreck near the Lampedusa Island.

Immigration issues in Italy are handled by the Ministry of Interior, which, in turn, commands the Immigration Bureau and the Border Police. Local immigration councils are also present in certain regions. Those councils include members of local authorities, labour unions, organisations, and employers. They monitor the situation on immigration and evaluate the country's "capacity" to accept new immigrants. [53]

Human rights activists have on multiple occasions criticised Italy for cruelty towards refugees. The living conditions in the temporary

refugee centre on Lampedusa Island are not consistent with European standards. After the video footage made in this refugee centre, which for many looked like a Nazi concentration camp," was broadcasted in December 2013, European Commissioner on Internal Affairs, Anna Cecilia Malmström threatened to cut Italy's funding that Europe provides for prevention of illegal immigration, while prosecutor's office of Agrigento filed a "mistreatment of refugees" lawsuit.[54]

UN High Commissioner for Human Rights, Navi Pillay urged the Italian government to immediately find and prosecute the responsible for such atrocious treatment of refugees in the Lampedusa refugee centre. General overcrowding of such refugee centres is a whole separate issue.[55]

An entire series of disturbances have taken place in deportation centres throughout 2013. On August 28th immigrants started a commotion at the Pian del Lago deportation centre in Caltanissetta (Sicily) demanding to be personally interviewed by a commission, which would later decide whether the respondent has the right to remain in Italy.

Approximately during the same period of time two convicts tried to escape from a deportation camp in Turin, and one attempted to commit suicide. In Lampedusa 672 immigrants have been allocated to deportation centres, which exceeds their maximum capacity (250 spaces) by almost three times.

According to the data gathered by the Human Rights Watch, around 18 thousand asylum seekers that had entered the country in 2011, in 2013 still were held in refugee camps. Extrajudicial deportations of illegal immigrants to Greece continued in 2013; they included ticketless and unsupervised children and people seeking asylum, who attempted to enter Italy on a ferry. In September Commissioner for Human Rights Nils Muižnieks and UN rapporteur on Rights of Immigrants, François Crespo attempted to convince Italy to at least partially halt the deportation of any people to Greece due to serious issues with the asylum provision system there.[56]

- Discriminatory practices against immigrants.

According to the data provided by UNRAR, over 73% cases of discrimination registered in 2013 were against immigrants. Discrimination was most common in Rome (156 registered cases), Milan (65 registered cases), and the city of Rovigo that is located near Italy's northern border (54 registered cases), which provides evidence that such occurrences are common not only for large cities, but also for small industrial towns that have large numbers of foreign workers.[57]

Immigrant workers often become a target of discrimination. It is quite common for them to receive salaries that are 20–30% less than the salaries of Italian workers occupying the same position (in Basili-

cata and Calabria salary gap can reach up to 40%). Most immigrants occupy low-skill jobs and find it difficult to advance in their careers even if they possess necessary knowledge and skills. Statistically, immigrants have better average education level than indigenous Italians. 12.1% of immigrants have a university or a college degree, whereas the same can be said about only 7% of Italians. This clearly showcases the problem of immigrants' education level being inconsistent with the positions they occupy. Just like in other European countries, in Italy immigrants are used to fill the jobs that are not wanted by the Italian citizens — un-prestigious, hard, and low-paid.

Some immigrants — especially Gypsies from former Yugoslavia — do not have any citizenship, which constitutes a whole separate issue. Having entered Italy in the 1990s, they integrated into the society, whilst never bothering to complete the official naturalisation procedure. From 239 Gypsy people that were interviewed as a part of the poll organised by the "Open Society" fund (the results of which were published in 2013), 139 admitted to not having a citizenship. From those 139, 105 claimed to be planning to apply for citizenship and 23 declared that they preferred to stay stateless. [58]

According to Italian legislation, people without citizenship, as well as their children, do not have the same rights as Italian citizens. More worryingly, this segment of the Gypsy population frequently does not possess any official documents whatsoever — identification-related or otherwise, which makes them especially vulnerable to such actions as forceful eviction and limits their access to basic rights and services.

- The use of the "ethnic crime" theme in order to discriminate against immigrants.

The "ethnic crime" issue occupies a very viable position in the ideology of the Italian far-right activists. Exactly the "ethnic crime" argument was used to trigger the proclamation of "state of emergency" that was supposed to help deal with the "Gypsy issue" back in 2008. In Mass media (especially internet-based) the "ethnic crime" issue is raised immediately after each new "big crime" that was committed by immigrants. According to the results of the last poll, 45% of the Italians consider immigrants responsible for the growth of the crime rate in the country. [59]

- Social assistance for immigrants.

According to legislation introduced in 1998, the responsibility for helping legal immigrants integrate into Italian society lies upon the shoulders of the Ministry of Social Development. The main targets of the aforementioned integration are, as follows: improving the collaboration between the indigenous Italian citizens and members of ethnic

minorities residing in the country, as well as providing equal rights and opportunities to legal immigrants. One of the tasks delegated to regional immigration councils is planning and implementing regulations that would ensure that immigrants receive the necessary social integration aid. [60]

Based on Articles 20 and 25 of the "Law on Immigration" working immigrants (including seasonal workers) are entitled to social insurance and social security. Articles 34–35 of the same law regulate the access immigrants have to medical aid. Article 40 declares that immigrants can be provided state housing as a part of general quota (the "Bossi-Fini Law," however, introduced a 5% limit to the amount of state houses that can be occupied by immigrants).

Article 41 states that foreigners that have received a residence permit are entitled to the same social aid as Italian citizens. However, due to the nuances of the local legislation, full pension can be received only by those who have been paying taxes to the Pension Fund for a period of 42 years, which far from all immigrants can claim to have done. Otherwise pension is mere 429 Euro a month. [61] According to Article 42, authorities of all levels must do everything within their capabilities to help the integration of immigrants (i.e. establish special learning courses for them). Article 46 specifies that the Council of Ministers has to have a special commission that would resolve integration-related issues. [62] A foreign citizen that resides in Italy has a right to maintain features of his or her culture and religion. [63]

A web portal called "Immigrant Integration" exists on the internet. It was created by the Immigration Office and by the Ministry of Labour and Social Policy using funds provided by the European Integration Fund. This portal contains information that can help immigrants integrate into Italian society. Website has the following subsections: education and learning, work, housing, access to main services, and teenagers and children born in Italy. [64]

- Negative attitude of the community towards immigrants, foreigners, and various ethnic groups.

According to the results of the published in May 2014 poll conducted by the "Pew Research Center," xenophobia-wise Italy takes on of the first places in Europe.

80% of Italians think that immediate measures must be taken in order to stop immigration; 79% argue that immigrants do not want to assimilate and integrate into Italian society; 69% see immigrants as stealing jobs and social benefits from Italian citizens; 45% are convinced that immigrants are to blame for increased crime rate.

85% of Italians do not like Gypsies, 63% do not like Muslims, and 24% do not like Jews. [65]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	5	5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media, mass communications, and graffiti.

Since 1963 a neo-Nazi publishing agency called "Edizioni di Ar" has been regularly publishing many anti-Semite authors. It has published works of a Fascist theorist Julius Evola, German race researcher and eugenicist Hans F. K. Günther, Romanian anti-Semite Michael Erzengel, "Iron Guard" (Garda de Fier) member Corneliu Zelea Codreanu, Muammar Gaddafi, and holocaust denier Claudio Mutti who supported the leader of Livia in the Israeli conflict and made many racist statements. "Edizioni di Ar" spreads its publications through the internet and also has its own book store in Avellino/Campania. [66] "Casa Pound" faction founded a culture centre called "Fascists of the Third Millennium" and a book store named "Futuristic Circle."

In 2013 Italian police closed a whole series of website containing racist and xenophobic propaganda. For example, on April 12th Republican commission in Bolzano closed access to websites holywar.org and holywar.tv. These two web pages, among other things, had published two lists. One contained names of 163 university professors, and the other contained names of people accused of "collaborating" with Israel. [67]

Despite Italy refusing to publish data on hate crimes, there have been many reports of racist graffiti, especially of anti-Semitic content. Below are some examples:

4 cases of vandalism were registered in Rome,[68] Asti,[69] Udine,[70] and Turin[71] in January 2013. All four cases involved anti-Semitic graffiti.

On February 8th buildings in the Italian city of Fiuggi were defaced with the following anti-Semitic graffiti: "Anna Frank is a liar" and "Holocaust is a fraud," as well as swastika images.[72] On March 6th multiple anti-Semitic graffiti were painted on the walls of the "Liceo Kennedy" public school in Rome[73]

On May 16th anti-Semitic graffiti were reported in Venice.[74]

In June anti-Semitic graffiti were reported in Verona,[75] Rome,[76] and Padua.[77]

On August 5th more anti-Semitic graffiti appeared in Rome.[78]

- Presence and popularity of radical nationalist literature, films, music. Ultranationalist rock bands and their concerts.

There are several Italian extreme right musical bands, most popular being ZetaZeroAlfa — Casa Pound's official band.[79] Besides ZetaZeroAlfa, there are multiple smaller neo-Nazi bands, such as "Civico 88," "Garrota," "Legittima Offesa" and "Linea Ostile." Usually, these bands are tightly related to various neo-Nazi organisations. For example, according to police reports, Garrota is tied with a neo-fascist organisation "Twelve Rays" and was recently subject to police search.[80]

In 2013, there was a number of neo-Nazi concerts. Often, they were timed to various historical events, such as Adolf Hitler's birthday on April 20.[81]

The larges concert/rally was held in Milan suburbs on June 15, 2013, gathering 2000 people. The concert, involving Nazi rock bands from across the world was organised by *Skinhouse* organisation.

In July 2013, Cuvelier physician Jianantonio Valli was noted distributing neo-Nazi and xenophobic literature.[82]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

The main ultra-right organisations of Italy are the parties "New force" and "Tricolour Flame."

"New force" was established in 1997 in London by members of the former neo-Nazi party "Italian social movement" Roberto Fiore and Massimo Marcelo. It recruits not only in ultra-right and neo-fascist circles, but also in ultra-conservative catholic circles. [83]

"New force" actively uses internet resources and also closely collaborates with Greek right extremists "Golden dawn," French "National Front," British "British national party," c German "National Democrat party" and Belgian "Flemish block." [84]

The "Tricolour Flame" party was established in 1995 by Pino Rauti and is a follower of the former neo-fascist party "Italian social movement," which at the time has already transformed into "National alliance" and opted out of extremism. The current party leader Luca Romagnoli represents a party, which underlines its spiritual link with the "Nazi era" and pursues a pro-Palestinian policy. In July 2012 "Tricolour Flame" organized a global meeting in Milano with the participation of Hungarian party "For a better Hungary," French party "National front" and British "National Party." [85]

In November 2012 representatives of Italian branch of the Greek neo-Nazim racist, anti-Semitic party "Golden dawn," decided to take part in the regional elections of 2013 under the name of the progenitor party "Golden Dawn of Italy." The "Golden Dawn of Italy" was established in October 2012. Alessandro Gardossi of Triestine became the party secretary. He also worked for the "New Rule" and "Northern league." The party's symbol is a yellow wreath on a blue background, which represents a stylized swastika. [86]

In 2003 the nationalistic fascist fraction "Casa Pound" was created, which positioned itself as an "association of extremism followers" and "fascists of the third millenium." It was named in honor of American poet Ezra Pound who lived in Italy and was a fan of Mussolini. During World War Two he actively propagandized anti-Semitic ideas on the Roman radio. The party headquarters are located in Rome. The party keeps contact with musicians, who support national-socialistic views. [87]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The "New force" in its programme proclaimed the necessity of combating masonry. It also highlights combating immigration as its priority, characterizing it as a "full-fledged Muslim aggression towards Europe," endangering the fate of Italians as a nation. That said the party accused the Italian authorities of depriving Italians of housing and jobs in favour of migrants. As a solution to the problem they suggested deporting all migrants. [88]

"New force" is also a racist, homophobic and anti-Semitic party. The party is against abortions, which it calls "the only Holocaust of the 20th century."

"Tricolour Flame" in its declaration states that it can be defined by the legacy of Mussolini. [89] It is a classical fascist party, whose ideal is Mussolini's social policy.

"Italian Golden Dawn" calls itself an anti-Zionist party, but behind anti-Zionism there is plain and obvious anti-Semitism. The party lobbies for dictatorship of the intellectuals, is fascinated by the economical policy of Hitler and social policy of Mussolini. [90]

"Casa Pound" positions itself as a fascist party, borrowing nationalistic ideas from the right and social views from the left. Its ideal is a social nation-state of Italians.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

Neo-Nazis and radical nationalists have partial influence on the Italian public community. It mostly spreads to people, who uphold rightist views.

For example, in January 2012 it was revealed that the ally of Roman mayor D. Allemano — M. Vattani, appointed as Italian consulate in Osaka (Japan) sang in a duet with Nazi rock-group ZetaZeroAlfa frontman D. Iannone and for many years performed pro-Nazi songs under the alias of "Katanga." [91] In May 2012 it also became known that the mayor of Verona F. Tosi invited Andrea Miglioransi, a "Tricolour Flame" member who performs anti-Semitic and xenophobic songs in one of the rock-groups, as the manager of his election campaign. [92]

In the middle of May it came to light that at the residence of the director of the immigration department of Trieste police Carlo Baffi, who was accused of the death of a Ukrainian immigrant, Nazi literature was found. [93] On October 2, it also emerged, that the son of Roman mayor D Alemanno posted a photo of himself on "Facebook" where he was depicted raising his hand in a Nazi salute. [94]

It needs to be said that the increase of the radical-nationalist party and group influence in Italy has its objective and subjective reasons. On one hand, this is a sharp increase in migration flows and obvious

economical difficulties, on the other hand, an effective use of new technologies by the nationalist-radicals, the Internet above all. For example, "Casa Pound" has an active presence on the Internet and allows effectively using the social media to circulate their messages and recruit new members.[95] The organization, in particular, has a 24-hour Internet radio "Bandiera Nera" and a weekly webcast "Tortuga-TV."

Fascism in Italy is gradually starting to be perceived as something normal. In various locations throughout the country it is more and more common to come across bottles of red wine with Hitler and Mussolini imagery. Those who wish to purchase this product can freely do so — according to vendors it is in special demand.[96]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

During local elections in 2012 the right and the nationalists suffered a crushing defeat: they were able to push their candidates only in several election districts. As experts think, the voter voted against the regime of economy and corruption scandals, which engulfed the rights.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Extreme right parties did not receive any seats in the 2013 parliamentary elections. However, a Eurosceptic Five Stars party was relatively successful, which indicates that Italian electorate is slowly turning towards nationalism.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–2.5	–2.5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–12.5	–12.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

On February 11, Casa Pound activists broke into an event of an electoral bloc Civil Revolution in Civita Castellana, throwing smoke bombs. [97]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

In comparison to many other countries in the world, the Italian nationalists prefer half-closed conferences, disputes, pickets in support of the poor and students and even organize cultural events such as wildlife excursions and visits to historical place of Italy. This is done in order to attract supporters and new members. Nevertheless, in 2013 several extreme right events were recorded.

The largest of them was held in Milan on June 15 [98] and in Como on September 12–14. Event in Milan was formally aimed at raising funds for neo-Nazi organisations and was accompanied by a neo-Nazi concert.

The even on September 12–14 was organised by New Force party under the name Festival Boreal. The event was attended by neo-Nazi organisations from the UK, Spain and Croatia, among other countries. [99] Both events were actively protested by antifascists.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Such cases were not recorded by the monitoring in 2013.

- Presence of "football xenophobia" and racism amongst sports fans.

Italy remains one of the countries where racism is most widespread in football.

According to police reports in 2013, Italy has around 41,000 football ultras, spread across 388 different groups. 60 of them have clear political undertones, particularly in group "A". Despite government's and football union's definitive measures (e.g. introduction of "tiffozi" classification), ultras are a "time bomb," according to the police. [100] Fans organised in extreme right groups (ultras) can become an effective weapon in the hands of radical politicians.

Nevertheless, police actions during the monitored period gave certain positive results. The 2012–2013 football season, compared to 2007–2008, had 52% less injuries sustained during football-related clashes, and the number of arrests decreased by 55%. However, if we compare this to 2011–2012 season, the number of arrests increased by 26%.

In total over 2013, 13 football fans have been disqualified for racist actions against football players. These instances mostly involved gestures or verbal insults, such as a banana thrown at Monza-Rimini FC player from Senegal, Ameth Fall. [101]

The whole world was shocked by an incident during a friendly match between Milan FC and Pro Patria FC, which was interrupted due to racist abuse against a Milan player Kevin-Prince Boateng. After hearing insulting chants, the player kicked a ball in their direction and left the field. After this, team captain Massimo Ambrosini took the team off the stadium. [102]

There have been cases of anti-Semitism on the tribunes. On May 28, during the finals match of Cup of Italy in Rome, "Lazio" fans displayed a following poster addressing the Roman fans — "The story is always the same, you want the star on your chest," alluding to the Star of David. [103] In early December, the same fans pasted pictures of Anne Frank dressed in Roma football uniform around the city. [104]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–15	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

Several such incidents were recorded in 2013, including vandalism and desecration of religious buildings. Some of them are listed below:

On January 28, anti-Semitic graffiti was found on the fence of a Jewish cemetery in Asti. [105]

On April 13–14, a Jewish cemetery in Milan was attacked by vandals, who desecrated more than ten tombstones. [106]

On July 30, four Moroccans desecrated a Catholic school in Serravalle a Po. [107]

On August 8, a memorial plaque dedicated to antifascist V. Valibrandi was desecrated. [108]

On September 16, it was reported about two cases of vandalism against Virgin Mary statues in Torre a Mare and Bolgna. [109]

On Christmas Eve, Our Lady chapel was desecrated in Caravaggio. [110]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

No interethnic clashes have been recorded by the monitoring in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

Italy lacks credible statistical data on hate crimes. Nevertheless, according to media reports, the number of such crimes in 2013 was significantly lower than in 2012, which indicates that authorities are paying more attention to this problem.

At the same time, it cannot be said these incidents have completely stopped. Some of the cases recorded during the monitored period are listed below:

On September 1, 2013, four Middle Eastern immigrants were attacked and beaten in Lazise. [111]

On October 15 in Milan, a group of 8–10 Moroccans who were sitting in the bar in Milan, having identified Adam Atafu and Mauricio Pina as "Jews" grossly insulted them, and threatened physical violence. [112]

On October 16, unidentified assailants threw acid at a young Roma woman and her small child in Napoli. Both were taken to hospital with

multiple burns. [113] In response, Roma Association in Italy made a statement demanding an end to racial discrimination of Roma.

On October 30, Muslim father and son were verbally assaulted on their way home from a prayer service. [114]

- Hate crime, nationalist or religious terrorist attacks.

In 2013, monitoring did not record any cases of terrorism or murder motivated by hate. In many ways, this is due to the efforts of Italian police. In June 2013, a young man of Moroccan descent was arrested in Brescia for preparing a terrorist attack against one of the synagogues in Milan. [115]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–10	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

There are numerous active anti-fascist and anti-racist organisations in Italy. The following parties consider themselves anti-fascist: "Alliance of Red and Anarchist Skinheads (R.A.S.H.)," anarchic movement "Autonomous action," the Italian Communist Party, Communist Renaissance party, "Italy of Values" (Italia Dei Valori), the Democratic party, the National alliance of Italian partisans, the National association of the politically repressed of Italy, the National association of Italian political exiles and prisoners of Nazi concentration camps, Association of

Freedom Volunteers and others. The total number of non-governmental organisations which deal with combating fascism and racial discrimination amounted to around 500.

They are active in Rome, Milano, Napoli, Padua, Palermo, Parma, Florence and other cities. [116]

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Anti-fascists regularly organize protests against activities of radical-nationalist organisations. Here are some of the most notable ones:

On February 2, an antifascist march against revival of Nazism and fascism was held in Pesaro, gathering more than 1,000 people. A similar march was held on February 9 in Fano. [117] Antifascist march against the arrest of five antifascist activists was held on February 9 in Teramo. [118] On February 26, antifascist rally was held in Milan. On April 29, a commemorative march in Milan was dedicated to Alberto Brasili and Gaetano Amoroso — antifascists murdered in 1975–1976.

On March 29 and May 25, antifascist held public actions against neo-fascist organisations in Venice. [119] On April 25, an antifascist rally was held in Trento. [120]

On June 15, a protest rally was organised in Milan, against the largest neo-Nazi rock festival held in city suburbs. [121] On September 12, a similar rally was against New Force party's procession was held in Como. [122] Regional antifascist rally was held on October 12 near lake Revine. [123] On December 13, antifascist demonstration was held in San Lorenzo. [124]

- Presence of anti-racist and anti-fascist civic initiatives.

ASGI (Association of immigration law studies) annually, starting from 1995 organizes Global Anti-Racism Conferences, a week of initiatives, when government authorities and private organisations combating racism and estrangement throughout Europe, can meet and exchange ideas and opinions, share information regarding the proper practices and organizing of training seminars.

On February 18, Anti-Defamation League awarded the Italian President Giorgio Napolitano with a Badge of Honour for his efforts in combating international terrorism, anti-Semitism and consistent political support for the Israeli state. At a ceremony held in Washington, head of ADL Abraham Foxman presented the Italian president with the Jewish symbol — gold-plated menorah. "This award demonstrates a great appreciation and respect for your uncompromising stance against the rise of neo-Nazi sentiments in Italy and in Europe, against manifesta-

tions of anti-Semitism and racism, for your efforts to implement educational programmes about the Holocaust tragedy" — said Abraham Foxman in a congratulatory speech. [125]

On March 15, it was reported that one of the first acts of the Pope Francis as a head of the Roman Catholic Church was a letter to Rome's Chief Rabbi Riccardo Di Segni. The letter said — "I very much hope to be able to contribute to the progress that relations between Jews and Catholics have experienced since the Second Vatican Council, in a spirit of renewed collaboration and at the service of a world that can be ever more harmonious with the will of the Creator." [126]

On January 15, during the Italian Cup quarterfinals, football team members in Milan, "Milan-Inter" and "Bologna," were wearing T-shirts with the slogan "No to Racism" and a portrait of Arpad Weiss, a Hungarian Jew who coached the two football teams in the 1930s, who was then was deported and murdered in Auschwitz in 1944. Officials, including the mayors of Milan and Bologna, Jewish community members and the Hungarian consul, took part in a ceremony before the game, during which the teams exchanged shirts with the Weiss' name and number 18. [127]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

On January 31, swastika was found painted on a memorial plaque to antifascist partisans in Turin. [128]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

Former Italian Prime Minister Silvio Berlusconi on 27 January, speaking in Milan at the ceremony to commemorate the victims of the Holocaust, said, "The racist laws have been Mussolini's worst mistake, as a leader who had done right in many other things." Berlusconi also stated that Mussolini was a "good leader" for the country. [129]

In late July, poster congratulating Nazi war criminal Erich Priebke with 100th birthday were found across Rome. [130]

In the first half of 2013, San Domenico Museum in Forli hosted an exhibition called "Twentieth Century," dedicated to an interwar period. In reality, the exhibition was dedicated to Benito Mussolini as a fascist ideologist. [131]

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such cases were not recorded by the monitoring in 2013.

- Historical revisionism, Holocaust denial.

  Such cases were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
–	Historical revisionism, Holocaust denial	–5	0
	Total for the section 12	–10	–10

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such cases were not recorded by the monitoring in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such cases were not recorded by the monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

Such cases were not recorded by the monitoring in 2013. However, antifascists are often detained during their counter-demonstrations against fascist events. Although in this case, it is not related to prosecution for antifascist activities.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5	0
	Total for the section 13	–5	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

By 2013 Italy has ratified the Global convention on the liquidation of all forms of racial discrimination (1966), Convention on the liquidation of all forms of discrimination against women (1979), Convention

of foreigner integration into social life on the local level (1994), Framework convention regarding the rights of national minorities (1997).

Italy also signed, but has not ratified the European Charter of regional languages and minority languages (2000), regardless of a direct plea from PACE in 2007; Additional protocol to the Convention on Cybercrime regarding criminalization of racist and xenophobic acts committed through computer systems (2011); protocol № 12 to the European Convention on Human Rights, which includes an overall ban on discrimination; the European Convention on Citizenship; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Apart from that, Italy did not adopt chapter "C" of the Convention on integration of foreigners into social life on the local level to national legislation, which guarantees foreigners, who permanently reside in the country, the right to take part in elections to local authorities.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the monitored period Italy did not join any new international agreements or resolutions of the UN or other global organisations, dedicated to combating Nazism, combating discrimination, or protecting rights of minorities etc.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

Official Italy made no international initiatives or statements against racism and discrimination.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Italy improved its performance in the radical nationalism rating, moving from 13th position in 2012 to 15th position in 2013. Largely, this was due to improved efficiency of law enforcement practice with regards to hate crime and neo-fascist organisations.

It seems that under the criticism of ECRI, Italian government is starting to realise the neo-Nazi threat in the country. This is expressed in judiciary, prosecution and law enforcement. In addition, there have been no cases of anti-extremist legislation abuse, or persecution of antifascists, unlike in previous periods.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Minorities in Italy are protected from discrimination by separate articles of the Constitution, as well as by laws passed in 1998 and 2003 about combating discrimination and the law of 1999 regarding rights of linguistic minorities. In 2013, homophobia became an aggravating circumstance in commission of crime.

Nevertheless, amendments to the Penal Code in 2006 excluded a list of hate crime felonies from it and shortened the possible sentence term for such crimes to the minimum, which one can regard as critical.

At the same time, compare to 2012, Italy had serious improvements in the struggle against hate crime. It is obvious that authorities listened to recommendations of international organisations and took measures to design a prevention and warning system for hate crime, particularly incitements to enmity online.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Italy has not ratified the European charter on the protection of regional languages and languages of national minorities. The official cause is the fact that the authorities cannot come up with a list of languages, which must be protected, because in the last decades representatives of nations, untraditional for the country, have made Italy their home and now make up a substantial part of the population.

Chapter "C" of the Convention on integrating foreigners into social life on a local level was not adopted by Italian national legislation because it contradicts the Constitution of the country, which guarantees the right to vote to Italian citizens only.

The issue that remains is Italy's refusal to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The official stated cause is the inability to distinct permanently working migrants from seasonally working migrants, however it then means that Italy has a conflict with international standards in the sphere of working migrant rights.

As for other signed, non-ratified international agreements, Italy de facto complies with their terms.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such differentiation, even though unpronounced, exists and above all relates to rights of the Roma (Gypsies), as well as immigrants from Asian and African countries in the question of housing, equal pay and discrimination from the police.

- *Legislation enshrining inequality of minorities.*

Such legislation does not exist in Italy.

- *Rulemaking in protection of minorities.*

Such instances were not recorded during the monitored period.

- *Freedom of speech violations.*

In Italy, even with all the disadvantages of the anti-racist legislation quite strict cases of restricting the freedom of speech exist regarding to propaganda of Nazi and neo-Nazi views, racism, ethnical and religious intolerance which includes in the mass media and mass communications.

- *Legislation and law enforcement practices concerning migrants.*

Italy has harsh immigration legislation, which basically leads to criminalization of the immigrant environment, instead of leading to its regulation (Law of Bossi—Fini 2002). Law enforcement practice in refugee centres has been repeatedly criticised by human rights activists.

2. State of society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Italy experienced a major influx of immigrants in the last several years. Against the background of a recession, this caused discontent in the general population. Nevertheless, this factor has not become crucial for the growth of ultra-radical and neo-Nazi parties, who experience a serious deficit in memberships and supporters among voters. Because of that the neo-Nazi threat in Italy is not as big as in several neighbouring countries. The level of xenophobia and migrantophobia in the Italian community, however, is high enough for this issue to receive a more serious treatment.

The danger lies in the underestimation of the fact of racism and neo-fascism by authorities. The country lacks any sort of statistics of hate crimes, does not have any serious programs of governmental support of non-governmental organisations that oppose the rightist radicals. The amendments to the Penal Code of 2006 objectively assist the activity of neo-Nazi organisations. All of this can create certain problems in the future. Today, when neo-fascist parties are still moderately weak and preoccupied with attracting new members, this issue cannot be topical. Only the local authorities of certain residential places are de facto associate themselves with rightist radicals and pass certain local laws and regulations aimed at discrimination of Roma and migrants. However, the situation can change and then the danger of a fracture in the society, the threat of a power shift in favour of neo-Nazis can become a reality, as evidenced by the Greek scenario.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

In Italy, social phobias against Roma and Sinti, as well as immigrants from Asia, are actively evolving. The mass immigration of the Roma from Eastern European countries, propaganda of rightist radical organisations, as well as some official figures, including representatives of the government and the mass media increase xenophobia in Italian society.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to Legatum Institute's "prosperity index," Italy is in the 32nd place out of 142 (30th in 2012).[132] Nevertheless it is obvious that the development of the recession, job cuts and introduction of harsh means of economy will directly or circumstantially lead to worse standards of living and to an increase in migrantophobia, to an ambition to

eliminate the competition on the job market, which causes devaluation of the work force.

- *Economic impacts and instability.*

According to Istat agency, Italian GDP fell by 1.9% in 2013.[133] Unemployment was 12.2%, which is 4.2% more than in 2012. According to International Labour Organisation, the number of unemployed in Italy has doubled since 2007.[134] In these conditions, extreme right statements about Roma and immigrants spending taxpayers' money or taking jobs from the native population seems quite attractive to certain groups of Italian society.

- *Decline in production growth, emigration of the labour force.*

The recession caused an abrupt decrease in manufacturing, which hit the working migrants hard, because they were the first to be fired. Considering the fact that in Italy after the loss of a job the immigrant loses the right to stay in the country, they are forced to accept the worst conditions and transfer to the category of illegals. Emigration of the employable population mostly occurs to more appealing countries, such as Germany or Great Britain, however it is overlapped by immigration from Eastern European countries that are doing worse economically.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Italy has a high index of political stability. Meanwhile, infusion of xenophobia in respect to the fact that national minorities make up almost 10% of the population is bound to lead to the increase of tensions within the society.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

For the time being the political stability of Italy does not raise any doubts in the international community and the level of xenophobia stays low enough not to impact that stability.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Italy should ratify the European charter on regional languages and languages of linguistic minorities without any major provisions regard-

ing the list of protected languages, Additional protocol to the Convention on Cybercrime regarding criminalization of racist and xenophobic acts committed through computer systems (2011); protocol № 12 to the European Convention on Human Rights, which includes an overall ban on discrimination; the European Convention on Citizenship; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Italy should consider the adaptation of Chapter "C" of the Convention of integrating foreigners into social life on the local level.

2. *General recommendations for adjustments to the legal framework*

Italy has to reconsider amendments to the Penal Code of 2006 in order to generalize the effect of anti-racist articles for all acts of discrimination, racism and xenophobia and not only those, which can lead to changes in public predispositions. Apart from that it is necessary to make the legislation more rigorous in the department of liability for racist crimes, including hate motives in the commission of crimes.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Italy should reconsider its practices in the immigration sphere and abandon illegal return of asylum seekers to their countries of origins.

It is crucial to implement a strict statistical count of incidents and crimes based on hate, which is the first step to combating such crimes.

In addition, active measures in the area of eradicating consequences of the "emergency state" in favour of the Roma should be taken. Additionally, authorities should broaden the staff of UNAR, so that the authority given to this administration could be realized more effectively.

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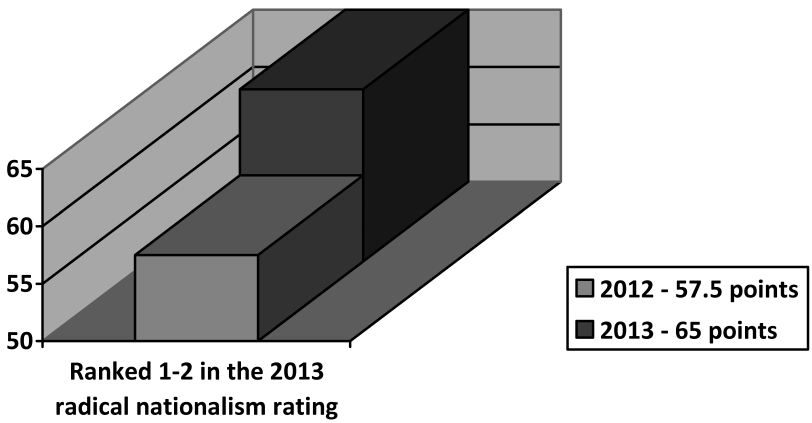
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–7.5	–7.5
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	12.5	20
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–2.5	–2.5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–12.5	–12.5
9	Extremist and radical nationalist public actions	–15	–15
10	Racist attacks, violence and terror	–10	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–10	–10
13	Persecution of veterans and partisans of the anti-Hitler coalition	–5	0
14	International aspects	5	5
	Total	–25	–12.5

LATVIA


65
60
55
50
Ranked 1-2 in the 2013
radical nationalism rating
2012 - 57.5 points
2013 - 65 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Latvia has had discriminatory requirements for obtaining citizenship since 1990s. In 1991, citizenship had been granted only to citizens of pre-1940 Latvia and their descendants.

Persons who moved to Latvia from other Soviet republics between 1940 and 1989 and their descendants became "non-citizens" in 1990s.

Non-citizens do not have voting rights, though they can donate to and be members of Latvian political parties. They cannot serve in the military or the law enforcement, or work as prison guards, government officials, attorneys, notaries, pharmacists, and be employed by the State Revenue Service, Registry Office, etc. Purchase of land by non-citizens must be considered by municipal authorities. At the same time, they are subject to diplomatic protection of the Latvian Republic and have the right to live in Latvia without a residence permit.

In total, there are 80 differences between the rights of citizens and non-citizens of Latvia. [1]

Naturalisation of non-citizens has been extremely slow in recent years (no more than 2,000 people per year). This was largely due to the existing restrictions (Latvian citizenship is prohibited for pro-Soviet activists, former KGB and former soldiers of the Soviet Army and USSR (Russian) internal troops) and the extreme difficulty of naturalisation exams.

Until recently, criteria of assessment of Latvian citizenship exams has been unknown to the public. On November 9, 2012, this informa-

tion was published by the Office of Citizenship and Migration Affairs of Latvia, after the request of Party of Reforms deputy chairman Vjačeslavs Dombrovskis. [2]

According to a survey conducted by the Office of Citizenship and Migration Affairs of Latvia and published on October 8, 21.3% of respondents believed they would fail the exam; 17.2% were waiting for easing in citizenship exams; 13.5% noted that international travel is easier with a non-citizen passport; 9% responded that they do not have time for naturalisation process. [3] At the same time 18% of non-citizens are unaware they can register their children as Latvian citizens. [4] In general, this procedure is humiliating for the people who were born in the country.

By late 2012, Latvia had 297,883 non-citizens (13.5% of the population). Such figure in an EU member state is nonsense.

In addition to restrictions in citizenship, there are language restrictions. The 1999 State Language Law introduced a list of occupations in private and public sector that require a certain level of Latvian language proficiency — from the basic A1 level to the highest C2. In 2008, this list was greatly expanded, and in 2009 and 2011 — fines for violating these language restrictions were increased. Section 14c of the Code of Administrative Offences describes twelve violations of use of the state language. Most often, the State Language Centre applies article on insufficient state language proficiency for performance of professional duties.

The 201- Electronic Media Law provides restrictions for broadcasts in a non-state language for both public and private channels. Article 4 of the Municipal Deputies Law and Article 18 of the Saeima (Latvian parliament) Rules provide lack of sufficient Latvian language proficiency as grounds for dismissal of deputies (MPs).

On February 21, 2012, European Commission Against Racism and Intolerance published the fourth report on Latvia, where "ECRI recommends that the Latvian authorities reconsider their policy on the use of state language and provide for an obligation to use the state language only in cases where a legitimate public interest can clearly be discerned." ECRI also recommended to abrogate the provisions that entitle regional courts to terminate the mandate of elected Council members who have been found not to master the state language (paragraph 69).

The progressive tightening of the regulations on language use and raising of the sanctions was assessed as creating "an inquisitorial climate which is very likely to deteriorate inter-ethnic relations" (62). ECRI urged the Latvian authorities to review the new law on electronic media in so far as it restricts the right to broadcast in minority languages (99). ECRI found the new ban to work in municipal police imposed on non-citizens a "direct racial discrimination" (124). ECRI also commented on Constitutional Court's decision not to count the years worked in Caucasus and Central Asia as pensionable service, stating

that "the Constitutional Court's decision, at best, gives a very narrow interpretation of the ECtHR's judgement"(130).[5]

A series of discriminative Acts have been adopted in 2012, alongside continuously failing proposals to abrogate or, at least, mitigate discriminatory regulations. On January 17, parliamentary faction "Union of Greens and Farmers" ("Zaļo un Zemnieku savienība," ZZS) introduced a draft amendment project, which would prohibit the conduction of referendums threatening Latvian statehood. Draft amendments also prohibited referendums to revise the position of the Latvian language as the only official language of the state. On January 19, the project was submitted to the voting commission, with 78 deputies in favour.[6]

On February 9, Latvian parliament rejected a draft law on ratification of the European Convention on Nationality, signed by Latvia in 2001, which does not allow denial of naturalisation for political reasons. 30 deputies voted in favour, the whole Harmony Centre faction, 60 voted against and three MPs abstained.[7]

In 2012 Saeima adopted several amendments to the Law on Labour, proposed by the ruling National Alliance and Unity along with the Union of Greens and Farmers in the opposition. These amendments prohibited employers from requiring a "foreign language" proficiency (any language other than Latvian and Livonian), if it is not required to fulfil job duties, or posting such requirements in job adverts, if it is not "reasonably necessary." Deputies voted in favour of the amendments, regardless of sharp criticism of the Ministry of Economics, employer unions and others.[8]

Latvian parliament also rejected Harmony Centre's proposal, also supported by the Union of Farmers and Greens, on making Orthodox Christmas an official holiday. The proposal failed by the chair of Saeima Human Rights Commission Inara Murniece (National Alliance[9]), who cited possible division of society, even though no such objections were made with regards to other Christian denominations — Roman Catholics and Lutherans.[10]

On September 20, Saeima rejected Harmony Centre's proposal to allow non-citizens to file collective petitions to the parliament.[11]

Discriminatory processes in legislation continued in 2013.

On April 1, Article 149[1] of the Criminal Law was drastically changed. The first half of the article — repeated violation of the prohibition of discrimination in the course of the year *without* aggravating circumstances — was cancelled (the violation became an administrative offence, rather than criminal). The second half (violation of the prohibition of discrimination *with* aggravating circumstances) has been expanded by removing the 'repeated' tag. On the other hand, the maximum punishment was reduced from two to one year imprisonment.

On May 9, final amendments to the Law on Citizenship were adopted, tightening the residency requirement for naturalisation and expanding grounds for denying citizenship.[12]

It is also worth noting that the same amendments package (for the first time in Latvian legislation) introduced the definition of Latvians as a "state nation."[13]

These amendments also introduced inequality in obtaining dual citizenship. As a general rule, Latvian citizenship can only be combined with citizenship of EU, NATO, EFTA members and Australia, Brazil and New Zeeland. Two of the three most numerous groups of foreign nationals in Latvia, citizens of Russia and Belarus, are thus being subjected to discrimination.

Latvian citizens — ethnic Jews and Armenians, for example — are at a disadvantage as well, since they are not able to qualify for dual citizenship of Armenia or Israel.

Finally, all persons who do not belong to the Latvian people or the nearly extinct indigenous Livs can only apply for dual citizenship with the above-listed countries if they or their citizen ancestors have been deported or fled from Latvia.

In December 2013, the Law on Civil Process was amended with restrictions on non-governmental organisations ability to provide legal assistance to victims of human rights violations. Since 2014, a natural person in civil court of appeal can only be represented by a sworn advocate.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

Law on Citizenship dictates that Latvian "non-citizens" have no voting rights to central or local authorities. As mentioned above, non-citizens are permanent residents of Latvia who have moved from other Soviet republics in 1940–1989 and their descendants.

Thus, majority of non-citizens are ethnic non-Latvians, whose native tongue is Russian.

After June 2013 municipal elections, Article 4 of the Law on the Status of Deputy of city or regional duma[14] came into force. Its provisions allow for depriving MP of his mandate if his Latvian language proficiency is unsatisfactory. Given the high requirements (category C1), these provisions lead to indirect discrimination of non-Latvians, particularly in south-western regions where many do not speak Latvian at such level. In November, Constitutional Court upheld the provisions on language requirements for municipal deputies.[15]

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

Latvian Law on Citizenship and Law on State Language virtually legalise the radical nationalist ideology, since they are aimed at depriving a large group of permanent residents — majority of whom were

born in the country — of basic civil right, and discriminates minority languages — particularly Russian, which is a native tongue of more than 40% of the population.

In September 2013, parliamentary Judicial Committee conceptually approved the draft preamble to the Constitution,[16] which as one of the state goals outlined the preservation of just the Latvian nation, culture and language and declared that the state was founded by just Latvians, containing such term as "state nation." The draft preamble also prohibited the introduction of a second official language and listed "nation-state" alongside other supreme principles (human and minority rights did not get such status).

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

Political discrimination of the Russian-speaking residents is prevalent in Latvia. Majority of these people (300,000 as of the monitored period) did not receive Latvian citizenship and were thus excluded from the political process.[17] In the public sector, Russian-speakers constitute for just 10%, despite the fact that they represent 40% of the population.[18]

Despite being a comparable in numbers community, Russian language remains foreign. Poor knowledge and use of Latvian language is punished by significant fines even in the Business Law.

In August 2012, Latvian *For Equal Rights* NGO managed to collect the required amount of notarised signatures to launch a referendum for granting Latvian citizenship to local non-citizens.[19] However, on November 1, Central Election Committee (CEC) by six votes against two rejected the next stage of the petition, filed by 12.7 thousand citizens, citing the "anti-constitutional nature" of the bill. At the same time, there is reason to suspect that CEC failed to comply with impartiality and succumbed to the influence of politicians opposed to the referendum.[20]

CEC argued that the proposed amendments do not comply with Article 2 of the Latvian Constitution and the May 4th 1990 Declaration of Independence. Furthermore, the dramatic expansion of Latvian citizens will cast doubts on the continuity of the Republic of Latvia.[21]

Article 2 of the Latvian Constitution states, "the sovereign power of the State of Latvia belongs to the Latvian people," not distinguishing between citizens and non-citizens of the country.

Declaration "On the restoration of independence of the Latvian Republic" talks about the restoration of the 1918 Republic of Latvia, which served as grounds for the conclusion that only citizens of pre-war Latvia and their descendants could be citizens of the modern Latvia.

Therefore, following the judges' logic, "Latvian people" are only those who belong to this category and those who passed naturalisation. Thus, the argument against the proposed bill were largely focused on the fact that granting citizenship to "non-citizens" (who arrived in Latvia between 1940 and 1991 and their descendants) contradicts the doctrine of the continuity of the Latvian Republic founded in 1918.

In 2013, law enforcement practice of the State Language Centre (a special body under the Ministry of Justice designed to govern the use of Latvian language) reached a new level after the prohibition on distributing Russian-language cancer awareness leaflets without special permission.[22] Latvian Ombudsman Juris Jansons did not see this as a violation of human rights.[23]

State Language Centre also prohibited the municipal enterprise in Daugavpils (largely Russian-speaking city) from duplicating the information on tram stops in Russian language.[24] State Language Centre also prohibited the Ministry of Finance from distributing Russian-language gazette about the change to euro, without special permission.[25] Finally, the SLC imposed a ban on the Bureau of Corruption Prevention and Combating, prohibiting it from posting bilingual posters in public places.[26] Compared to 2012, the number of persons fined by the State Language Centre grew by 10% (or 106 persons).[27] Similar fines for insufficient use of the state language in the media are imposed by the National Council on Electronic Media, where the largest sanction was more than 2,000 euros in September.[28]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
×	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	–5	–5
×	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–5	–5
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–20	–20

2. Xenophobia and inflammatory statements by members of the authorities and media

Xenophobia plays an important role in modern Latvia's domestic and foreign policy. This is particularly related to Russophobia and anti-Russian rhetoric. Former leader of the National Harmony Party, Janis Jurkans, very accurately describes this phenomenon, its tasks and objectives:

"Sadly, Latvia cannot offer anything else to the world community... just anti-Russian rhetoric and moans about occupation... Remarkably, Latvian authorities talk about occupation in the context of just Russia. As if it alone bears responsibility for Yalta and Potsdam. What about USSR allies? Obviously, our government doesn't need any EU or NATO recognition of the occupation. They just need to use history to settle accounts with Russia. Why Russia — is also clear. Latvian government needs a permanent enemy and for this purpose, Russia is perfect. Russia is our only political resource, both inside the country and abroad. As long as there is a "Russian enemy," as long as there is "occupation," everything can be written off on these factors. Feed the people with this Russophobia — and then there is no need to be accountable for high inflation, corruption... Russia as an enemy is the ideal and, unfortunately, the only nationalist card."[29]

The monitored period (2013) provided countless examples of xenophobia in the media and government.

Most striking were statements related to May 9th Victory Day celebrations, antifascists who annually protest the March 16th SS legionnaire processions, and proposals on the demolition of the monument to Soviet soldiers — liberators of Riga.

Incitement of ethnic intolerance largely originated from the National Alliance and the daily *Latvijas Avize*, whose main competition in this field is the Unity party and *Neatkariga* newspaper. Remarkable calls to abolish public education in minority languages originated not just from politicians, but also from the office of Latvian Human Rights Ombudsman.

On January 8, director of the State Language Centre M. Baltins, in an interview with "Latvijas Avīze" argued that many non-Latvians are capable, but unwilling to speak Latvian. He also attacked the employers who propose "unmotivated" requirements for knowledge of "foreign" languages. M. Baltins also expressed his disappointment in the fact that "the 1999 law [on state language], trimmed the enforcement mechanisms."[30]

On February 19, deputy chief editor of the daily *Neatkarīgā* Elita Veidemane criticised the Law on State Language for being too "soft," and regretted the tolerant attitude towards politician's use of the term

"Latvian commune." "In our country, you can call Latvians a commune and, excuse me, not be hit in the face." Meanwhile, she wrongfully referred to Russia, where supposedly "no one dares to speak on some regional language status or minority right to use their language in communications with municipalities."[31] This notion is clearly false, since all Russian national republics have a second official language — language of the titular nation.

On March 5, Unity party spoke proposed to gradually convert all pre-school institutions to the state language. "Current owners of Riga (oppositional parliamentary party, Harmony Centre) are ignoring not only Latvians, but also minority families that want their children to study Latvian language and be successfully integrated in Latvia. (..) Latvian language has to be the first or second native tongue of anyone who lives in Latvia." They argued that supposedly the majority of Russian-speaking citizens prefer to send children to schools with the Latvian language environment.[32]

On March 9, at the National Alliance congress, mayoral candidate B. Broka promised that if elected, she would convert all municipal nurseries to just Latvian language in two years, stating that "the power and right to decide in Riga will be with Latvians," ignoring the rights of the non-Latvian population of the country.[33]

Openly insulting non-Latvian residents, newspaper *Latvijas Avize* wrote on March 13, "There is a community in Latvia of people of god-knows-what nationality and cultural-historical tradition, in whose minds our state (Latvia) is some kind of broken loose half-Russia."[34]

On March 22, newspaper *DDD*, published a discussion with a deputy chief editor of a daily newspaper *Neatkarīgā* Elita Veidemane, who used the obsolete and insulting word "žīdi" to describe Jews, expressed hatred towards "apologists of liberalism," stating — "I, of course, would not want my daughter to marry some foreigner, but, if she chooses such — what can I do?"[35]

On April 1, a renowned demographer I. Mezs, in an article posted on a popular portal ru.delfi, intimidated the population with a forecast, that in a few decades immigrants will account for a majority of the population[36]

On April 2, *Neatkariga* interviewed a popular Latvian Russian-speaking journalist A. Mamikin. A laudable attempt to build a bridge between the two linguistic media fields was ruined by the following questions: "Who is your audience — those to whom Latvians are fascists, ungrateful prostitutes who cannot fear their liberators, or those who enjoy the lovely interviews you make with the people of art?" and "I know that many Russians are angered by everything Latvia — mindset, culture, traditions. Do you feel at home in Latvia, with your heart and soul?"[37]

On April 18, one of the leaders of an emerging party "For the Development of Latvia" E. Jaunups was interviewed by the daily *Latvijas Avize*. He assured readers that "obviously, the natural partners are all Latvians (non-Russian) parties."[38]

On May 3, Elita Veidemane of *Neatkariga* expressed her protests against selling land to persons without Latvian citizenship, which is a discriminatory demand towards not just foreign nationals, but also Latvian non-citizens.[39]

On the same day, one of the leaders from the National Alliance's list to Riga parliament A. Kirsteins advocated the demolition of the monument to Liberators of Riga, describing it as a "symbol of occupation."[40]

On May 9, *Neatkariga* website nra.lv published photos from the Victory Day celebrations in Riga under the headline "Celebrating Occupation of Latvia at the Freedom Monument."[41]

On May 15, Riga mayoral candidate from the Party of Greens, G. Belevics, said that all children in Riga's nurseries and schools must study in Latvian language only.[42]

On May 20, Deputy Chief Editor of the daily "Neatkarīgā" Elita Veidemane wrote about the presence of certain "local deniers of Latvian state and history," who are supposedly mocking Latvians and joke about Stalin's deportations. No evidence of these cases have been presented.[43]

On May 27, MEP Sandra Kalniete expressed dissatisfaction with the fact that movies are screened with both Latvian and Russian subtitles. "Before, it was assumed that 'they' are imposing Russian, but now it's happening voluntarily."[44]

On May 29, popular journalist L. Lapsa wrote a piece against the current mayor of Riga Nils Usakovs (Harmony Centre), insulting his electorate by hinting at their non-Latvian origins. "He and his party will always do what their voter demands. The one that cannot or does not want to speak Latvian, who simply cannot live without bilingual street signs and (I am exaggerating, of course) the ability to piss at the Freedom Monument once a year."[45]

On May 31, newspaper *Diena* conducted a survey among the people of art and science, before the June 1 elections. Writer and former parliamentarian A. Bels urges, "On the election day, Latvians must hold their capital."[46] Leader of the National Alliance's list B. Broka expressed the desire for a coalition of "Latvian and right-wing parties."[47] After the election results became clear, Prime Minister Valdis Dombrovskis said that Latvian parties lost the Riga elections because of their fragmentation.[48] Secretary General of the ruling Unity party A. Kampars later also advocated cooperation between Latvian politicians.[49]

On June 6, member of the Party of Reforms R. Tukiss explained in *Latvijas Avize* why he resigned as adviser to the Minister of Education and Science after member of the same party, Vjačeslavs Dombrovskis, became the new Minister. "One of the reasons — Minister spoke Russian with the head of the bureau Anna Kononova.[50]

On June 7, the daily *Neatkariga* published an interview with a well-known lawyer, anti-Semitic publicist and a former parliamentarian A. Grutups, who talked about the European Commission against Racism and Intolerance criticism of his book — "Jews declared my "Beylisiada" a banned book on EU level." Deputy chief editor E. Veidemane sympathetically mocked — "It seems that any book about Jews is anti-Semitic." Grutups also called the possible restitution of the Jewish community's property a "completely unfounded Jewish profiteering at the Latvians expense."[51]

On June 11, president of the Medical Association of Latvia P. Apinis wrote an article, criticising the Minister of Education and Science Vjačeslavs Dombrovskis for his lack of attention towards sports in schools, where he mocked that the only non-Latvian Minister "simply did not read the manual. Mainly due to business and lack of Latvian language proficiency."[52]

On July 2, director of the film "Soviet History," famous for equating USSR to Nazi Germany, E. Snore, urged to demolish the monument to Liberators of Riga.[53]

On July 18 and 19, Administrative District Court issued a verdict on a civil case about children's names. Claimants wanted to name their child Miron,[54] but state authorities write the Latvian version of the name — Mirons. It is worth noting that in this case, the Latvian version resembles the word "mironis" (corpse). The court ruled against the parents, however they have the right to appeal.

On July 22, *Neatkariga* interviewed composer Z. Liepins, who proposed to move the monument to Liberators of Riga further away from the city centre, similar to the Bronze Soldier in Tallinn.[55]

On July 22, the daily *Latvijas Avize* assessed the proportional growth of Latvians, stressing that the absolute number of Latvians is falling and some "Latvians" by passport speak Russian at home. The author makes no mention of the Latvian-speakers, whose nationality is written as "Russian" or other, indimidating his readers by stating that the number of Latvians will fall under a million (currently — 1.2 million) before the 2021 census. Author Libeka boldly summarises, "Latvians are leaving and Russians are coming. 23% of immigrants come from Russia." She does not mention that the number of Russians is falling quicker than the number of Latvians, and does not indicate the ethnic composition of emigrants. On the same day, head of *Latvijas Avize's* policy department M. Antonevics was sur-

prised at commemorative events in Riga dedicated to the Romanov family, "What is the connection to Latvia?". He writes, "In recent years, popular among the Russian 'compatriots' literature includes books like "Russians in Latvia: Ten Centuries" or "Russian Riga," which try to hammer into their heads that Russians are historically indigenous inhabitants of Latvia and this is their land. Of course, nobody in science takes these publications seriously, but for propaganda purposes, they do well."[56]

On July 26, faction of the National Alliance in Riga parliament expressed their dissatisfaction with a disco — part of the international music contest "New Wave" — being held in Riga without Latvian translation. "Russian public event is a slap in the face to all inhabitants of Riga who just recently, during the Song Festival, could experience Riga as a capital of a nation state."[57]

On July 26, Prime Minister's Press Secretary M. Panke tweeted about the annual May 9th events at the monument to Liberators of Riga, calling it a farce. He then explained that it was just his personal opinion.[58]

On July 29, *Latvijas Avize* wrote about the international music contest "New Wave," held annually in Latvia. The newspaper called it a "soft expansion" of the "former metropolis" and "imperial thinking." According to the author, Ciganovs, one of the goals of this expansion is to belittle the local spiritual values and impose their own. At the end of his article, Ciganovs digresses into history, talking about the 1929 Soviet cultural rapprochement community, whose members entered the government created under the Soviet Union's pressure in 1940. "But first, there were songs, dances, pictures..."[59]

On July 31, public attention was drawn to the discussion on Twitter about the Calovski case — a Latvian citizen of Russian-Polish descent, whose extradition was demanded by the USA on suspicions of hacking. Member of National Alliance and parliamentary consultant Jānis Iesalnieks asks, "Why do we need this criminal urlens?" (urlens — derogatory term, referring to Russians and crime).[60] In August Iesalnieks clarified his statement, "I am a supporter of ethnic rather than civic conception of the state. Latvia was built as a country of Latvians (...) Latvia must protect any Latvian, even if he is not a citizen of Latvia. Latvia, of course, needs — and they need to be protected — non-Latvians that can positively contribute to the development of the country, but here we are talking about a man who is very likely to have committed a crime. Among other things, Calovski joined a Facebook campaign "Nil, we are with you," which means he is a Harmony Centre supporter — a force hostile to Latvia. Protection of this person — is it honour and conscience of all 'nationalist' forces?"[61]

On August 6, National Alliance MP Janis Dombrava discussed the abolition of the law on "investment in exchange for residence permit." Dombrava said, "The state must first protect the interests of the state nation, and not the interests of people who arrived during the occupation to support the occupying power." When asked, what exactly is wrong with wealthy Russians coming to Latvia and leaving their money here, MP replied, "What is the point of these pennies if Latvia becomes less Latvian as a result?"[62]

On August 14, Minister of Defence Artis Pabriks asked a question on Twitter, "Speaking against the Euro as a common currency of Latvia and European countries are mostly people of non-Latvian descent. Geopolitical sense?"[63] It is worth noting that the specialist working on the government Euro awareness project E. Stendzinieks pointed out that "Russian have a more positive attitude to Euro than Latvians."[64]

On August 19, at 15th congress of the politically repressed, their leader G. Resnais said, "There are many ethnic Russians in Latvia, who have long been tied to our state. They are loyal to it and actively work for its betterment. These people should not be confused with the masses of Russian-speakers who wandered in here during Soviet times, lost their identity and are trying to restore the bygone regimes."[65]

On August 23, members of the *Visu Latvijaj* ("All for Latvia") party — part of the National Alliance — signed a joint declaration with the Latvian National Union (*Tautininkų Sąjunga*) and the Conservative People's Party of Estonia (*Eesti Konservatiivne Rahvaerakond*). Parties protested the mass immigration of "cultural Marxism, post-modernist multiculturalism, destructive liberalism, chauvinist imperialism and international globalism."[66]

On August 26, priest G. Kalme spoke about the Russian-speaking Latvian citizens in *Latvijas Avize*. He regretted that "repatriation programmes have not been effective. Instead of solving the issue in accordance to international law, this was made in accordance with the interests of the great powers — integration of civil invaders was forced upon us." Previous year's vote of 273,347 people (Kalme calls those "Latvian citizens" in quotation marks) in favour of Russian as a second official language, according to Kalme, is "manifestation of the unsuccessful outcome of integration and activity of Russian special forces," and "essentially — a vote against Latvian as the state language."[67]

August issue of the Latvian edition of *Playboy* magazine published an interview with a parliamentary consultant and member of National Alliance Janis Iesalnieks, where he spoke of the "Russification process," claiming that "among those who consider themselves Latvian, people speak Russian at home, more so than in 1989" (which is explained by the fact that in the nationalist environment, non-Latvians started registering as Latvians. It should also be seen in the context of the rapid

decline of Russian-speakers in general). Talking about Harmony Centre's accession to the ruling coalition, Iesalnieks said, "Many believe that the twenty-year quarantine on Russian forces is sufficient and we can now allow them in the government. I think, you give them a finger, and they'll take the whole hand." On Harmony Centre itself — "They simply have a different way of thinking. These are colonists who came in Soviet times, who have a different mentality." On Latvians in the Harmony Centre — "Latvians have a long tradition of betrayal." On SS legionnaires — "They fought so that there wouldn't be the Terrible Year" (term for 1940–1941, launched during the Nazi occupation."[68]

On August 27, Minister of Defence Alfreds Pabriks (Unity Party) appeared on LNT channel and stated that children of investors who receive Latvian resindence permits in return for investment have to be taught in Latvian (not Russian) schools.[69]

An open letter by 7 people (including publicist A. Liepins, director D. Geki, professor of Latvian Agricultural University D. Kreismane) was published on September 1. Authors urged the Saeima to prohibit the sale of land to foreign physical persons and legal entities.[70]

On September 10, *Latvijas Avize* invited their readers to mark the Sign of Life — an ancient Latvian sign with a swastika. It was included in newspaper's calendar for 2014.[71]

On September 11, head of the Unity faction in Riga parliament S. Erlete said that bilingual education in Latvian schools is possible, but only if its Latvian and English.[72]

On September 16 — MEP Kārlis Šadurskis (Unity) urged to convert to Latvian education financed by the state ("just Latvian language in public schools") in order to avoid "creating two different communities." Citing that "integration in Latvia can only be Latvian," Šadurskis essentially replaces the concept of "integration" with forced assimilation. On September 18, Head of National Alliance Raivis Dzintars published an open letter to Unity party, supporting Šadurskis.[73] Leader of Unity party Solvita Aboltina, in turn, said that Šadurskis was expressing personal opinion, although it was later reported that Šadurskis will lead a party work group on converting schools into Latvian language.[74]

On September 19, member of National Alliance Janis Iesalnieks took part in televised debates, where he said that selling residence permits is the same as colonising the country. Iesalnieks attacked his opponent, S. Dolgopolovs (Harmony Centre), saying, "Given Dolgopolov's origins, I understand that he is not concerned with Russification of Latvia. The reason for Latvia's existence is Latvians. Latvian youth cannot find jobs because they don't know Russian language. This is not normal!"[75]

On September 23, National Alliance MP V. Porina spoke at the OSCE conference, talking about the "disloyal Russian-speakers," linking

them with the desire to make Russian a second official language and separate Latvia's east.[76]

On September 27, chairman of the parliamentary commission on education, science and culture Ina Druviete (Unity Party) encouraged to "recall language policy specialists' call to ensure that officials use only the state language in public communication."[77]

On September 27, deputy editor of *Neatkariga* Elita Veidemane intimidated her readers with the "European model law for promotion of tolerance," which is supposedly "to be introduced in all 28 countries" (in reality, this project was just proposed by several non-governmental organisations and only presented in one committee of the European Parliament). She approvingly quoted an article by British National Party member "Final decision of the EU for white Europeans."[78] In the same issue, Veidemane published her interview with the son of Gerbert Cukurs (executed in South America in 1965, presumably by Israeli intelligence, for participating in the Holocaust in Latvia). Opinion that Cukurs was innocent was expressed not just by his son, but also by the author's introduction to the interview titled "Son of Gerbert Curkurs reveals the truth about his father."[79]

On October 1, MEP Sandra Kalniete (Unity) told *Neatkariga* newspaper, "I was invited to the Baltic International Academy to read a lecture about the EU, and I was asked to speak Russian. I refused and spoke in English. Russian-speaking students were asking quite illiterate questions, especially challenging in their Russian-ness. I then understood that the hand which Latvians, after the extremely difficult historical period, stretched to non-Latvians was misunderstood. (...) Russian-speakers believe — if we do not have our own position and pride, then we are some sort of lower group of people. Since then, I only give interviews in Latvian."[80]

On October 3, TVNET published an article, "Is there really too little Russians in Latvia?" The article reads, "Gafin and majority of other Russian investors are not going to strengthen the foundation of Latvia as a nation state. (...) They are victims of the Russian cultural imperialism, Russian soft force, its pylon in Latvia. For Latvia, Russian investors are more risky, because they do not learn Latvian language; their children do not attend Latvian schools. (...) They risk joining the so-called fifth column, which in time could once again bring forward political demands that threaten Latvian language and Latvia as a nation state. (..) Latvia is already a small Russia in the EU. Does Latvia need a larger share of non-integrated Russians?"[81]

On October 4, chief editor of *DDD* newspaper L. Muzikante talked about the costs of celebrations of the 25th anniversary of the Popular Front of Latvia. "More than 550,000 lats has been allocated already. Is this too much or too little? Judge for yourself — if you count in terms

of tickets in comfortable Riga-Moscow train compartments, you would see that for that money you could have returned 6,110 occupants or colonists to their ethnic homeland; and if in the second-class car — even more. (...) Using cheap flights, you could have legally removed at least 8,500 overstaying "guests." (...) Usually, when buying tickets as a group, you can negotiate significant discounts, so it could have been at least 10,000 colonists. I think, this use of state budget could have been the perfect celebration of the 25th anniversary of the Popular Front, and the best present for the Latvian nation, which weakens due to non-implementation of decolonisation."[82]

On October 7, Minister of Defence Alfreds Pabriks (Unity) published an article in *Latvijas Avize*. "After the Second World War, Latvian society was enriched by many immigrants from the Soviet Union, to whom our Constitution, as well as the European political-philosophical foundation, is alien."[83]

On October 9, banker G. Rungainis appeared on PRO100TV and stated, "Everyone in Latvia will become Latvians. Are there Russians in Germany? In Sweden? Possibly, in the first generation someone considers themselves Russian. In the second or third generation, these are Germans or Swedes of Russian descent. (..) I'd prefer to have Swedes, Norwegians, Danes, Fins, Germans, French, British, Italian — whomever (..) They would not speak Russian, and therefore, not fall into the bilingual situation, which unfortunately still exists."[84] He made similar statements on radio Baltkom.[85]

On October 20, the number of signatures in favour of demolishing the monument to Liberators of Riga (motivated by the idea that that the Victory Square causes unnecessary controversy and promotes anti-state activities) exceeded 10,000 — a threshold required to launch parliamentary consideration.[86] This cause was supported by Minister of Justice Janis Bordans[87] and National Alliance MP Janis Dombrava, who proposed to change the official, "nonsensical" name of the monument (to the Liberators of Soviet Latvia and Riga from the German Nazi invaders).[88] Leader of Unity Party in Riga parliament S. Erlete called those who celebrate the May 9th Victory Day people susceptible to Kremlin's neo-Imperial policy.[89] *Latvijas Avize* published articles by A. Liepins, "Demands to demolish the Victory Monument must be supported on ideological level,"[90] F. Gordon "Sign in front of a monster"[91] (published on October 28, with calls to install a sign at the monument, saying that "liberators" brought the 1949 deportations and executions by the Soviet military tribunal) and A. Sprogis "Give monster a name" (published on October 31, urging to rename the memorial as Occupation Monument).[92]

In November, Minister of Defence Alfreds Pabriks proposed renaming the monument into "scoop" (padomeklis),[93] and the above-mentioned A. Liepins — into "Russian spigot."[94]

On October 22, head of the Presidential State Language Committee A. Veisbergs was interviewed by *Vesti Segodnya* (Russian-language newspaper, "News Today"). He said, "We have freedom — if you want — you are welcome to come. (...) What repressive measures? Are you talking about fines? I know how to do this — very gently." Answering the question, "How, in your opinion, would Latvian language be diminished if Russian people in Latgale would be able to write Russian-language letters to municipalities," Veisbergs answered:

"If you remove a brick from the foundation of a strong home, it would be a violation of the system, albeit a small one. In addition, majority of citizens at referendum voted against granting Russian a status of a second official language." He went on to praise the order of 1930s dictatorship, "Laws were balanced. For example, children from mixed families studied only in Latvian."[95]

On October 31, MP from the radical nationalist National Alliance Janis Dombrava was asked about the risk of unrest after the demolition of the monument. "Latvia is a country for Latvians. Same as Russia is for Russians, Germany is for Germans and Poland for Poles. Therefore, we must do what the titular nation wants. Russian-speaking people living in Latvia were in one or another army that kept control over Latvia, and the civilian population were the colonists." He also commented on the film "Hidden History of the Baltics" by M. Reva:

"I cannot image that this history is very true, because Reva is an antifascist. I have not seen these people — antifascists — filming the truth about what happened in Finland, Poland, Baltics." Dombrava distances himself from neo-Nazis, saying, "neo-Nazis are imperialistic, just like all movements that believe they are above all and can control other peoples. Nationalists think they can have their own country and set their own rules."[96]

On November 7, the daily *Latvijas Avize* calls the opponents of the draft preamble to the Constitution "haters of Latvian statehood."

"Enemies of the preamble (...) say that it is unnecessary to distinguish the Latvian people. In Latvia, they say, there are national minorities who need equal rights. They do not mention that all residents of Latvia have general human rights. National minorities of Latvia, except Livs and gypsies, have their own national states (...) For Belarusians living in Latvia, there is Belarus, for Russians — there is Russia, where they can be masters, and freely develop their language and culture. For Latvian Lithuanians, there is Lithuania, for Poles — Poland, and the same for all peoples. Latvians too have the right to create their own nation state (...) of course, we need to consider the national minorities — they must have ability to get involved in the Latvian state, so that all their children have the right and obligation to perfectly master Latvian language."[97]

On November 17, during the pre-match performance before the Continental Hockey League game, the dance group of the Latvian armed forces laid a form of swastika on the ice.[98] *Latvijas Avize* commented on the scandal that resulted in Riga's Dinamo club fined a million rubles[99] with a cartoon — Dinamo hockey players are waving hands in a way that resembles a swastika, and the head of the club is horrified, "Nightmare! Well, now we are out of CHL!"[100]

On November 21, legal academic, former leader of the Social Democratic party and cavalier of the Order of Three Stars J. Bojars talked about constitution and politics in *Latvijas Avize*:

"After previous elections, political scientists theorised, how so — we in Latvia will discriminate against Russians and will not allow them to power! They did not create this state, did not restore it, and they will not get it! (...) Now non-citizens freely provoke, lead radical political initiatives against Latvia and no one has the right to even verbally condemn. (...) Recent events require a legal conclusion in the preamble — that persons permanently residing in Latvia who do not have citizenship of Latvia, must be loyal to the Latvian state and not intervene in its politics (...). Some previously missing clarifications were also necessary — Latvian nation consists of Latvians of the whole world, who speak Latvian language, and support the Latvian state. (...) It is complete nonsense — statement of Harmony's deputy that Russians took part in the struggle for independence. They did, only on another side of the front." Bojars also praises and cites his own project of constitution, which includes the term "sovereign statehood of the Latvian nation" and declaring the aim of the constitution — "to eternalise the statehood of the Latvian people on the historical land of Latvians and Livs."[101]

On December 5, *Latvijas Avize* urged the government to "demonstrate its political will" and create a special department of censorship under the Ministry of Culture:

"The country has enough enemies, who need to be watched. (...) The new institution must be provided with at least a mushroom knife, to cut out the poisonous toadstools. We have a neglected disease — certain newspapers teem with fighters of the opposite ideological front. (...) Let the enemies of state know that the written abominations will attract attention, and a cure will be found, they will be healed by effective medicine.[102]

On December 9, MP I. Grigule (Union of Greens and Farmers) intimidated readers with refugees:

"The European Commission is working on a whole range of new policies and regulations that stipulate that EU member states will be ordered to take in and house refugees from the Middle East and North Africa. Furthermore, each country will be allocated a minimal quota.

For example, Latvia might have to take in ten thousand people every year. So far, this issue is being quietly discussed, because of the upcoming European elections and Brussels bureaucrats understand that this information may affect MEP candidates loyal to this idea — interfere with MEPs who do not fight for national interests of their countries.[103]

On December 10, Office of Human Rights Ombudsman proposed a regulation that all students studying in Latvia over a certain period of time would receive middle-school education in Latvian language. In other words, education in a non-state language would be available to only those who have just arrived in Latvia. There was also a call to tighten the control over the use of state language in minority schools.[104] It was noted that during the inspections that served as the basis for these recommendations, the human rights office identified teachers whose Latvian language proficiency is "unsatisfactory" for the State Language Centre. As was reported later in January, six teachers were fined as a result.[105]

It is worth pointing out that Ombudsman Jansons' attacks were rejected by the Ministry of Education and Science[106] and the teachers union.[107]

At the same time, Jansons was supported by the National Alliance. Its leader, Raivis Dzintars claims that "the imperial circles profit from maintaining Russian schools the way they are." Head of the party's faction in Riga parliament, B. Broka, says, "If studies show that in so-called Russian schools the loyalty to the state is significantly lower than in, say, Lithuanian or Ukrainian national schools, then we need to think how to correct the situation."[108]

On December 23, member of the National Alliance Janis Iesalnieks posted a photo of a Christmas biscuit in the form of a swastika on his Twitter page.[109] On December 24, he posted a photo of swastika on the Christmas tree, writing "Merry Christmas."[110] On December 28, Delfi website published an article criticising Iesalnieks (for insensitivity towards Jews and desire for notoriety), but praising his party. "I respect Raivis Dzintars and his team a lot, for supporting patriotism, for promoting Latvian and traditional values on political level."[111]

On December 28, it was reported that the Riga Latvian Society rented out one of their rooms for a "Venice Carnival" over the New Year, where New Year's greeting of Russian President was to be broadcasted. Elita Veidemane of *Neatkariga* newspaper expressed outrage. "Colossal! Event in Russian, partially translated in Latvian. Is the Latvian Society building turning into the Baltic Military District?"

Prominent journalist R. E. Naseniece echoed in turn, "Public organisation is the host, not a brothel that performs to the whims of its client on the price list, isn't it?"[112]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 114 of the Constitution of Latvia (*Satversme*) provides that national minorities have the right to maintain and develop their language and cultural identity. At the same time, traditionally only citizens of the country can be considered as national minorities. Non-citizens are left beyond the official statistics. In 2005, Latvia ratified the Framework Convention on the Protection of National Minorities, which it signed in 1995, though with reservations that practically gutted all its contents (see Section 14).

Latvian Criminal Code dedicates Article 78 and 79 to combating xenophobia and extremism ("Violation of national and racial equality, restriction of human rights" and "Destruction of cultural and national heritage").

Currently, Article 78 punishes actions deliberately aimed at inciting national, ethnic or racial hatred or enmity with imprisonment of up to 3 years, compulsory labour or a fine of up to 60 minimum wages (12,000 LVL or 24,000 USD).

For similar actions aggravated with violence, extortion or threats, or committed by a group of people, official or organisation, or with the use of automated data collection systems, the punishment is up to 10 years of imprisonment. This law is also applied to publishing illegal information online aimed at inciting national, ethnic or racial hatred or enmity.

Article 10 of the Law on Rallies, Processions and Pickets includes a ban on inciting national and racial hatred, as well as propaganda of Nazism, fascism or communism. Article 11, in turn, prohibits the display of flags, emblems, anthems and symbols of the USSR, Latvian SSR and Nazi Germany, as well as their stylised images.

Article 99 of the Constitution and the Law on Religious Organisations enshrines the separation of church and state, and provides for the right to profess any religion and establish religious organisations. No religion is considered unofficial in Latvia.

Despite the entry into force of the EU Directive 2000/43/EC — implementing the principle of equal treatment between persons irrespective of racial or ethnic origin — Latvia, unlike Lithuania and Estonia, did not adopt a separate law on equal opportunity or equal treatment.

Latvia preferred to introduce provisions prohibiting discrimination in a number of old legislative acts — separately in each field (Law on Labour, Law on Consumer Rights, etc.)

In May 2013, the package of amendments to the Law on Citizenship simplified the process of obtaining citizenship for the children of "non-citizens," if they were born in Latvia (many international organisations urged to make this process automatic, but the legislative did not concede).

Claims against the State Language Centre were sometimes satisfied by courts, cancelling imposed fines in most questionable cases, including in the case of a journalist who was fined for "disrespecting the state language"[113] or in the case of an entrepreneur who was fined for insufficient language proficiency, despite the fact that her employees were able to serve customers in Latvian.[114]

After the 2012 court verdict, the Office of Citizenship and Migration agreed to indicate the original form of full name on the 3rd page of passports, including patronymic.[115] However, this concerns only those who can prove their patronymic with an official document. Therefore, young people who were born in independent Latvia and who received documents in Latvian language will not be affected by this decision.

- Presence and development of anti-discrimination legislation.

Latvia is a European Union member state and its anti-discrimination acts comply with European standards.

On the other hand, this legislation, being significantly developed, comes into obvious conflict with other, clearly discriminatory, laws. In some cases, when Latvian legislative has to make a choice between the EU requirements and their own national minority policies (as it happened in 2005, for example, when Latvia ratified the Framework Convention on the Protection of National Minority Rights), the legislative will always put their own political interests first. Therefore, while Latvia has well-developed anti-discrimination legislation, its application is significantly restricted.

It is also worth noting that despite the EU Directive 2000/43/EC on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, Latvia, unlike Lithuania and Esto-

nia, did not adopt a separate law on equal opportunity or equal treatment.

Article 91 of the Constitution contains a general provision on equality, stipulating that all persons in Latvia are equal before the law and human rights must be observed without any form of discrimination. This principle is mentioned in a number of laws. Law on Free Development and Rights to Cultural Autonomy of Latvian National and Ethnic Groups guarantees various rights to all residents of Latvia, regardless of their ethnic origin.

Article 4, Paragraph 2 of the Law on Judiciary provides that all decisions of the court must be made regardless of subject's origin, ethnic, religious or other affiliations.

Article 7 of the Law on Labour provides that every person has equal right to employment and fair remuneration. The Article prohibits direct or indirect discrimination on the grounds of race, ethnic origin, religious affiliation, political beliefs, sex, age, disability, etc. The same principle is contained in the Law on State Civil Service. Besides prohibiting direct and indirect discrimination, Latvian Law on Labour also prohibits *instruction* to discriminate and insults to human dignity.

Law on Social Security contains provisions that prohibit discrimination on the grounds of racial and ethnic origin.

Article 3 of the Law on Education guarantees all residents of the country the right to receive education, including non-citizens.

Anti-discrimination provisions are also contained in the Law "On Advertisement" and "On Protection of Consumer Rights." Latvian legislation does not have a clear prohibition on language discrimination; however, as was noted by the Constitutional Court in 2005, language is one of the "other grounds" on which discrimination is prohibited. [116]

At the same time, Latvian legislation does not provide criminal liability for insulting remarks aimed at specific groups.

On November 29, 2012, a new law prohibiting discrimination against individuals conducting entrepreneurial activities was introduced to satisfy EU requirements. The law prohibited discrimination on the grounds of religion, age, disability and sexual orientation. [117]

Nevertheless, the main shortcoming of Latvian legislation, despite various declarations, is the essential absence of prohibitions on discrimination on the grounds of nationality.

As was mentioned above, in 2013 Article 149^1 of the Criminal Law was drastically changed. The first half of the article — repeated violation of the prohibition of discrimination in the course of the year without aggravating circumstances — was cancelled (the violation became an administrative offence, rather than criminal). The second half (violation of the prohibition of discrimination with aggravating circumstances) has been expanded by removing the 'repeated' tag. On the

other hand, the maximum punishment was reduced from two to one year of imprisonment.

European Social Charter was also ratified (with reservations),[118] reinforcing the prohibition on discrimination in a series of social situations.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

Given the contradictory nature of Latvian anti-discrimination legislation, its enforcement remained no less contradictory in 2013.

On December 19, Latvian Saeima (parliament) rejected Harmony Centre's proposal to declare Orthodox Christmas — January 7 — a national holiday.

43 deputies voted in favour of transferring the corresponding bill for consideration, 42 were opposed and 3 abstained.[119]

Harmony Centre — an oppositional parliamentary faction — reminded that a year ago parliament was proposed to provide all Latvian residents with the right to take a paid day off once a year at their discretion. This would allow Orthodox Christians to exercise this right on January 7 to celebrate Christmas. The bill remained without consideration and discussion for a year. Orthodox Christians are a third largest religious group in Latvia. Furthermore, Latvia has a large community of Old Believers.

Nevertheless, two largest cities in Latgale (Rezekne and Daugavpils) — predominantly Orthodox region — signed a decree on introducing a holiday on January 7 for public sector workers.[120]

In June 2013, the Law on Public Safety in Entertainment and Festival Events[121] was supplemented with a prohibition of Nazi symbols. However, it is worth noting that Nazi symbols in this case were equated to Soviet symbols. The latter has many important meanings in the society, including antifascist. Experts argue that the effect of this law is more negative than positive, since it trivialises Nazism by equating it to the communist regime, which diminishes the importance of the Holocaust and facilitates attacks against antifascists, who honour Soviet soldiers.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

By October 2013, Latvian Security Police launched 18 criminal cases on charges of incitement of national, ethnic and racial hatred. All cases, except one, were related to online environment. In 12 hate crime cases victims were Latvian nationals, in 4 — Jewish and in 1 — Russian.[122]

The most noteworthy case was the Bauska Regional Court verdict against the extreme right extremist I. Siskins, leader of the Gustav Celmins Community, for possessing weapons and explosives. The defendant did not deny the possession charges, but assured that he required weapons for self-defence and collection, and explosives — against the beaver dam. In December, he was sentenced to 100 hours of compulsory labour and 18 months of suspended sentence. [123]

At the same time, police was reluctant to open a case against one of National Alliance leaders, Raivis Dzintars, for his statement about "enemies of Latvia" who celebrate May 9th and are "prepared to betray the country." [124] Police also did not see any violations in public threats made by L. Grantins towards MP V. Agensins (Harmony Centre), who urged the police to open a case against Dzintars [125] (Agesin's photo in L. Grantins' open letter [126] was accompanied by the subtitle — "occupant").

Administrative proceedings against radical nationalists who attacked the antifascist rally on March 16th were discontinued. [127]

A young man who attacked the chairman of the Association Against Nazism, Janis Kuzins, on that day was only issued a small fine. Criminal case on publishing personal details of "disloyal" drivers who dared to display Russian and Soviet symbols on their cars was also suspended. [128]

Therefore, we can conclude that the struggle against hate crime in Latvia in 2013 was carried out partially and selectively.

- Unlawful use of anti-extremist legislation.

In summer 2013, a criminal case was opened against MEP Alfreds Rubiks (Harmony Centre). The subject was his statement that "repressions of 1949 can never be objectively assessed. Many were justifiably punished for cooperating with fascists." Experts note that even without taking the freedom of speech into account, in the current environment of government tolerance towards glorifying Nazi collaborationism, Rubiks' criminal prosecution looks quite strange. [129] Although, in January 2014 it was reported that the case was closed. [130]

On October 4, it was reported that Latvian Security Police (subordinate to the Ministry of Internal Affairs) deemed the use of Soviet symbols during the September events in Riga illegal. [131]

On November 20, leader of non-parliamentary opposition Jevgenis Osipovs was brought up on charges of insulting the Latvian flag (Article 93 of the Criminal Code). [132] Criminal case was opened after his Facebook post, where he said that he prohibited his daughter from wearing Latvian-flag coloured flowers that she was given is school.

There have been several other attempts to initiate criminal cases on charges of extremism against media outlets that expressed opinions opposite to the officially accepted.

On October 9, member of the National Council on Electronic Media A. Dulevska said that the documentary report broadcasted in Lithuania by the *First Baltic Channel* (PBK, registered in Latvia) about the Vilnius events of 1991 is "inciting hatred." The film challenges the official version of Lithuanian government and argues that the Popular Front of Lithuania was responsible for the tragic events, rather than USSR. She urged the Security Police to investigate the film. [133]

On October 11, head of Latvian parliamentary commission on human rights and public affairs I. Murniece (National Alliance) also demanded an "adequate punishment" for the channel [134]

In November, National Council on Electronic Media charged PBK a maximum fine of 1,500 lats (2,100 EUR). [135]

Even though the Security Police did not find any crime in PBK's actions, [136] the commission led by Murniece once again called on the law enforcement to initiate a criminal case. [137]

In 2013, law enforcement was particularly active towards organisations criticising the government for manifestations of nationalism, although not all cases were related to misuse of anti-extremist legislation.

Thus, the registration process of "Honour and Order" party [138] was delayed, preventing it from participating in the July municipal elections. Taking into account that leader of the party, J. Zaicevs, passed into the parliament of the second-largest city (Daugavpils) through another party's list, [139] "Honour and Order" is quite popular with the electorate.

Criminal proceedings regarding calls to western autonomy have been ongoing since 2012. The political party "For Native Language," where these calls originated, has been subjected to similar prosecution before — its member, V. Linderman has been arrested on similar charges, which were later considered unfounded.

In 2013, a criminal case was opened against one of FNL's activists, I. Girs, for possessing a key ring with a hidden camera, [140] which the police considered "a strategic tool that can be used by special services only." The party itself was previously brought up on charges of alleged illegal registration. [141]

Latvian Register of Enterprise refused to register the amendments to FNL's programme and Articles of Association, referring to the fact that party proposes to change the "essentially unchallengeable" Articles 3 and 4 of the Constitution (Unitarianism and Single Official Language). [142]

On April 30, Departmnet on Administrative cases of the Supreme Court Senate upheld the refusal to register the "Movement for Communism in Latvia," considering such restriction of freedom appropriate in light of a "threat to democracy" and in the historical/political context of Latvia. [143]

It is also worth mentioning the failed attempt to exapnd the illegal pressure on inteligentsia. In February, parliament adopted amendments to the Law on Scientific Activities, which allowed academic institutions to be removed from the state register if special services obtain "information on activities that pose a threat to national security." However, President Andris Berzins did not sign under these amendments, returing them for reconsideration. [144]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	2.5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	2.5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	12.5	12.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

There was a number of statements of government officials aimed against xenophobia and discrimination.

On January 3, ex-president G. Ulmanis in an interview with the Russian-language newspaper *Vesti Segodnya* said, "An Orthodox Christmas has to get an appropriate status. In this issue we show hypocrisy: President congratulates the head of the Orthodox Church of Latvia, the Old Believers and Orthodox Christians with Christmas, but formally this holiday just does not exist, it's just silly." [145] On April 11, he said, "There is a large category of people, who deserve Latvian citizenship with their behaviour for the past 20 years." [146] On October 29, Ulmanis admitted, "we have made emotional and tactical mistakes towards the Russian minority" in an interview with *Diena*. [147]

On April 28, head of the Bureau for Protection of Constitution Janis Kažocinš said, "If we, as Latvians, think that we can sustainably accept only the Latvian-supported parties to the government, whilst excluding the parties supported by Russian-speaking voters, then we are wrong."[148]

On May 9 — Victory Day — President Andris Berzins spoke against the demolition of the monument to Liberators of Riga.[149] He was supported by Mayor of Riga Nils Usakovs (Harmony Centre)[150] and Foreign Affairs Minister Edgars Rinkevics[151] (Party of Reforms). President also objected the more radical attempts to curtail the provision of residence permits to investors.

In June 2013, Minister of Education and Science Vjačeslavs Dombrovskis spoke against the idea to convert minority schools to the Latvian language.[152] His predecessor, R. Kilis tried, albeit unsuccessfully, to mitigate the language restrictions in state universities.[153]

G. Belevics (Riga Mayoral candidate from the Party of Greens) privately advocated for Russian indications on medicine.[154]

In May, Party of Reforms criticised National Alliance for celebrating the 1934 coup[155] and in September 2013 it rejected Alliance's proposal for consolidating parties on national basis.[156]

On August 12, member of the new party of E. Repse "For Development of Latvia," E. Jaunups, wrote in *Diena*:

"To declare that we will never cooperate with political opposition, which represents majority of Russian-speakers, is in my opinion the stupidest thing we could do."[157]

On October 9, Jaunups commented on 25th anniversary of the Popular Front of Latvia, saying that majority of Russian-speaking residents were actively supporting the Popular Front in the early 90s, and without this solidarity independence would have been unlikely.[158]

On October 9, TV show "Rush Hour" on *LTV1* showed two ex-Prime Ministers who criticised the policy of dividing Latvians into citizens and non-citizens. Valdis Birkavs — Prime Minister in 1993–1994 — said, "The quota system that we sought to introduce, in my opinion, was absolutely wrong. And I feel responsible for this, even though they were cancelled in the end." Aigars Kalvitis — Prime Minister in 2004–2007 — said, "Perhaps at the time [during the independence process] we could have been more liberal, and give these people citizenship."[159]

On December 13, former State Comptroller and leader of political organisation "Latvia — My Home" I. Sudraba talked about ethnic tensions and urged to leave discussions of "Soviet occupation" in the past.[160]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

There were several such activities in 2013.

On March 15, Latvian parliament rejected National Alliance's (VL-TB/LNNK) proposal to restore the Day of SS Legionnaires as an official commemorative date. 18 MPs voted in favour of this initiative, 63 — opposed.

The bill was introduced for parliament's consideration in early March. Its authors argued that it is designed to "restore historical justice and provide for respectful attitude towards Latvian national warriors." In the first version of the document, National Alliance also proposed to make May 9th Victory Day a day of mourning. However, they later abandoned this idea.

Between 1998 and 2000, Latvia officially celebrated the Day of Latvian Soldiers on March 16th, although this date was essentially perceived as a "legionnaire holiday"

After some heated debates, Saeima (parliament) in 2000 removed this date from the list of commemorative events. Currently, the event is celebrated unofficially with annual "March of Legionnaires" held in Riga on March 16th. [161]

Latvian SS Legion was established in 1943; it took part in armed actions against the Soviet Troops and in punitive actions against partisans. Legionnaires are also accused of mass civilian executions.

On April 11, 2013, Latvian State Television dedicated one of its news reports to the problem of xenophobia in the society. [162]

On June 19, a conference "Latvian demographics — problems and solutions" was held in Riga, participants of which — Riga Duma members, representatives of education and religious institutions — called to liberalise the immigration policy. [163]

On July 3, Riga hosted a conference dedicated to the Holocaust. [164]

On July 4, Latvia held events dedicated to victims of the Holocaust, attended by the head of state. [165] President Andris Berzins also took part in the opening of a monument to the Righteous of the J. Lipke. [166]

On October 18, *Sucker Punch* programme presented on LTV presented the results of its experiment. Woman in a burqa was refused a job in many places; her photographs posted on Delfi.lv caused a wave of hostile comments. [167]

A book by philologist M. Ruks "Arajs Team Lettonia," published in Latvian language, talked about the history of Holocaust butchers in Latvia — primarily about the chauvinist and anti-Semitic student corporations. The book also pointed at President A. Kviesis' support for crimes against humanity. [168]

In December, private television company *TV5* launched a campaign "One Country — Two Christmases," advocating for official recognition of Orthodox Christmas. [169]

On December 18, a series of illustrated brochures for immigrants have been presented with the aim to provide them a crash course of the nature, habits and characteristics of the Latvian people. [170]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

The foundation of migration legislation in Latvia is enshrined in the Law on Immigration. According to this law, non-citizens are not considered foreign nationals and they are not required to possess any permits (such as visa, residence permit, etc.) to stay in the country indefinitely.

Like in all EU states, foreign nationals (of countries outside of the visa-free regime) must obtain a visa and residence permit for temporary or permanent stay.

Spouses and pension-aged parents of Latvian residents (citizens and non-citizens) have the right to a residence permit.

In 2010, Latvia adopted amendments that allowed temporary residence permit to be granted to investors who purchased real estate for

a certain sum or who are investing into the Latvian bank or own a business in Latvia and pay a certain amount of taxes.

In 2012, National Alliance representatives in the parliament and the government have repeatedly criticised the "investment amendment," demanding its abolition. However, this initiative was not supported even by their coalition partners.

In 1997, Latvia adopted a Law "On Asylum Seekers and Refugees in the Republic of Latvia," which defined the procedure for granting refugee status and their rights.

Latvia migration legislation is poorly designed in terms of social assistance for foreign nationals if they do not have a permanent residence permit.

On December 5, 2013, the Law on Immigration was amended [171] with some easing [172] and some tightening [173] of residence permit requirements. It is worth mentioning that most significant tightening changes were adopted in October, but returned for reconsideration by President Berzins. [174]

In October, Law on Asylum has been amended to implement EU Directives 2011/95/ES and 2011/51/ES. [175]

- Government's compliance with such legislation (law enforcement practice)

Due to the low level of social welfare for immigrants, as well as low standards of living in Latvia, the problem of labour immigration is not a significant problem. Therefore, migration legislation is applied clearly.

However, by the end of 2013, 9,670 people from 38 countries received a temporary residence permit in exchange for investment, [176] which constitutes for 0.5% of the general population. 2/3 of them (6,883 people) were Russian. They brought investments of more than 800 million EUR, [177] which amounts to 3.5% of Latvia's GDP for 2013. [178]

Motivated by xenophobia, national radicals from the National Alliance (part of the ruling coalition) demanded to abandon the programme of "residence in exchange for investment." [179] Otherwise, they threatened to block the approval of state budget. As a result, this demand was introduced to the 2014 coalition agreement of the ruling majority.

- Discriminatory practices against immigrants.

  Such cases were not recorded in 2013.

- Use of ethnic crime as justification for discrimination against immigrants.

Attempts to use ethnic crime to incite ethnic hatred were not recorded in 2013 and the subject itself has not been relevant to Latvia during the monitored period.

- Social assistance for immigrants.

Foreign nationals who arrive in Latvia from non-EU or EEA countries with a temporary residence permit have only partial access to Latvia's social welfare system. Legally, working foreigners have partial access to benefits depending on their national insurance contributions. Foreign nationals do not have access to benefits that do not depend on national insurance, or social services and social or legal assistance. Most of all, this is relevant for healthcare, unemployment benefits, child benefits, state social security and others.

According to the Law on Social Services and Social Assistance, temporarily residing foreign nationals do not have access to state social services and social assistance (such as social support and rehabilitation, ability to stay at the shelter or a crisis centre, benefits to low-income families, etc.)

According to the Law on Legal Assistance Provided by the State, foreigners with temporary residence permit do not have access to free legal assistance of the state.

Temporary resident of the country receives the right to employment; however, there are problems here as well. Law on State Language requires all employees, even those not directly engaged with the population, to be proficient in Latvian language at a certain level. Therefore, chances of migrant workers exercising the right to employment are slim — they would first have to learn the official language. Although, so far the problem of labour immigration is not relevant in Latvia and therefore, there is no issue with employment of immigrants.

In general, we can conclude that social assistance for immigrants temporary residing in Latvia is virtually absent.

In 2009–2011, the European Committee on Social Rights assessed this situation as a violation of the European Social Charter — Articles 13, 14 and 16.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to a sociological survey conducted by TNS and broadcasting company LNT, published on April 10, 72% of economically active Latvian residents are concerned with an inflow of immigration.[180] Majority of respondents were concerned with the low birth rate in the country and that Latvia would need foreign labour force. Women were more concerned with immigration than men.

In turn, 26% of respondents were not concerned with the possible increase in immigration. Only 2% of respondents did not have any opinion on the issue.

According to the survey published on May 29, 2013, 53% of Latvian residents are in favour of converting all nurseries to exclusively Latvian language, 43% are against. [181]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
–	Discriminatory practices against immigrants	0	0
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
–	Social assistance for immigrants	0	0
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	5	5

7. Incitement of ethnic and religious enmity

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In January, swastika was present among the publicly presented works of the Academy of Arts. [182]

On January 11, *Latvijas Avize* published an article by A. Slucis — a Russophobic immigrant residing in the US. Slucis wrote that a large number of Russians "cannot speak Latvian, and with hate refuse to do it," and declared, "None of Latvians need to know Russian language. Don't discriminate against Latvians and make us learn a worthless language. Knowledge of the Russian language — is a remainder from the Soviet occupation." [183]

On February 27, the leader of the National Alliance R. Dzintars, in an interview with a daily *Neatkarīgā*, said, "Every May 9th reminds us, that there still is a threat of Russification, and that a huge amount of enemies of Latvia still live in the country. They, at the first convenient moment, will forget everything that they promised from the platform and will betray the Latvian state." [184]

On February 28, MP Janis Dombrava (National Alliance) spoke about the principle of blood kinship, "If today this principle will be changed, I don't want to think what an average Latvian will look like in ten years. Then, maybe we will (...) many of those who use this loophole in the law to declare themselves Latvian and will create many problems. [185]

On April 4, an activist from the National Alliance K. Pupurs said, "We diligently complied with directives of western countries — the EU and the USA. We've been good boys. Then, why won't they help us solve this problem and relieve the tension? Why don't immigrant countries — USA and Canada — take part of non-citizens for themselves? Automatically assign a green card to all those willing..." [186]

In April and November, *The Baltic Times* placed a promotion article by A. Slucis, with the following arguments:

"Latvia's western border must be NATO's western border, but it isn't so. This border lies somewhere in the middle of Latvia, because the country has almost a million Russians who haven't left back to Russia in 1991, when the Soviet Union collapse. Almost all of them are military, KGB or their relatives. (...) From Latvians' point of view, it is very hurtful and unjust that their country is still partially occupied by so many Russians, illegally residing here and full of hatred towards Latvians. (...) USA's foreign policy takes place in Asia, but they haven't finished their business in Western Europe since the Second World War, when the West gave Eastern Europe to Russia and Stalin. Russians in Latvia is a direct consequence of this. It would be morally right for Western Europe and the USA to remove this almost-million of Russians from Latvia." [187]

A statement of the "Helsinki-86" (and two Cavaliers of the Order of Three Stars [188]) to the EU was published on April 17. The organisation demanded to "make Russia and Israel to pay compensation for the Holocaust against the Latvian people, which was committed by representatives of Russian and Jewish nations" (they used an outdated and insulting term "žīdi" to describe Jews). [189]

Security Police did not react to this statement.

On May 24, a known American activist of Latvian emigration A. Slucis wrote in the same "Latvijas Avize," urging to create a Ministry of Derussification." The new 'super ministry' should be the main institution; its main task should be the assessment of all decisions made by the Saemia, so that no Russian would appear in Latvia anymore. This ministry should have the veto right of any decision. Its budget should be at least 2% of GDP." Among the ministry's tasks: repatriation of almost all Russian-speaking to Russia; check the citizenship of everyone who got it after 1940; cancel the law on permanent residence permit in Latvia; ban the Russian song concert "New Wave"; limit tourism for

Russians. Ministry "should continue its work until the amount of Russians in Latvia is below 10%."[190]

Security services also did not react to this publication.

On June 2, *Diena* published responses to municipal elections. The most attention was paid to Riga, where the international list of Harmony Centre and "Honour to Serve Riga" party remained in power. Renowned writer G. Repse writes, "I did not think that Riga would be given to the occupants. I am depressed. I thought that people's self-preservation instinct would work, but it didn't."[191]

On September 24, *Neatkariga* published an interview with a art historian and former Latvian Ambassador V. Krastins, who stated:

"Things need to be called by their own names. Occupation is occupation; colonists are colonists, regardless of how many generations they've lived here. (...) This was the second biggest mistake since the declaration of independence — rename colonists into a national minority." He gives an example of possible measures, citing the reprisal against prisoners of war during the Finnish civil war, "After Bolsheviks were defeated, General Rudiger von der Goltz eliminated almost 8,000 Finnish communists. In a single blow. A bloody lesson, but it will last."[192]

On October 14, businessman V. Vitols wrote in *Latvijas Avize*, "In Putin's "soft" war against Latvia, the decisive role will be given to demographics — birth rate, to be precise. If our nation will have more children than cittautieši [foreigners], then in long term, the proportion of Latvians in Latvia will increase and the share of foreigners will no longer threaten our state. This is the only non-violent measure that we can use to get our country back. Of course, if the import of aliens by giving residence for pennies stops."[193]

On December 5, Vitols stated that preamble to the Constitution must contain a clear definition of the "state nation" — Latvians. "We never invited a single immigrant," he writes. "I was particularly shocked by recommendations of the Supreme CoE Commissioner for Human Rights Nils Muiznieks to appeal to the Venice Commission for help. So that again, alien masters taught us and told us how to live, what our Constitution should be. Commissioner Muiznieks is known for his pro-Russian views. I was not surprised by his statement that Latvian people to him is an unclear definition. He forgets that he occupies a senior position just because there is such a Latvian state and Latvian nation that achieved this state through countless sacrifices. (...) Underlying all this is only one movement — desire of Russian chauvinists to destroy Latvian Latvia (I am not talking about all Russians, some of whom are loyal Latvian citizens — those, are ours)."[194] It is appropriate to clarify that Muiznieks did not speak of the unclear definition of Latvian people, but unclear definition of the "state nation" in terms of 21st century.

On November 7, monument to the First President of Latvia, J. Cakste was covered in swastikas and signature — M. Ruks. According to Ruks himself, graffiti could have been painted by those who find his Holocaust research unsatisfactory. [195]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

On March 16 — the day of annual Waffen SS processions in Riga city centre — public's attention was once again drawn to the calendar with Nazi propaganda posters and playing cards of similar content, openly sold in Riga bookstores. [196] Such calendars have been published and openly sold for several years. They depict posters issued in Latvia during the Nazi occupation (1941–1944) of soldiers in Wehrmacht uniforms and cartoons of anti-Hitler coalition leaders.

Latvian Newspaper, or *Latvijas Avize* — a popular conservative nationalist publication — regularly printed Russophobic articles (see above) alongside radical nationalist *DDD* (*Deokupācija. Dekolonizācija. deboļševizācija*) that promotes the idea of deporting Russian-speaking residents to Russia.

On March 16, 2013, the unofficially celebrated day of Waffen SS veterans, Riga held a concert of nationalist rock bands.

State-owned Latvian National Theatre premiered a play dedicated to March 16th called *Day of Memory*. From theatre's website, "Latvians commemorate the fallen, who fought for Latvia; Russians stand on the sidewalk and name-call Latvians as fascist pigs; Latvians every year feel the humiliation and respond with an equally tough concept of occupiers." [197]

In October, *Latvietis* (Latvian) community opened a web-store — "Be Latvian." Among various goods offered for sale, there is Adolf Hitler's *Mein Kampf*, as well as socks and mittens with swastikas, videos of March 16th processions and a book by Latvian Holocaust-participant G. Cukurs. [198]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

The main nationalist organisation in Latvia is the National Alliance bloc, created in 2010 and based on the party "For Fatherland and Freedom/LNNK" (Latvian: *Tēvzemei un Brīvībai/LNNK*, abbreviated to *TB/LNNK*). The party has 14 seats in the parliament and is part of the ruling coalition with some of its members in the Cabinet.

In addition, there is the Gustav Celmins Centre — organisation of Latvian radical nationalists, whose aim is to "promote Celmins' ideals." Celmins was the leader of Latvian radical nationalists in the interwar period.

Latvian National Front is headed by the chief editor of the aforementioned *DDD* newspaper Aivars Gards. However, besides publishing of this newspaper, the organisation was not particularly active during the monitored period.

In addition, Latvia has the following radical nationalist organisations: *Aizsargi, Perkonkrusts*, *Club of Latvian Nationalists*, *Tevija Sargi*, and several others.

Aizsargi (http://www.aizsargi.lv/) is a militarised radical nationalist organisation. They openly advocate the "Latvian Latvia," and deportation of "occupants" and their descendants. In 2012, this organisation initiated a petition for the demolition of the monument to Liberators — soldiers of the Red Army in Victory Park.[199]

Perkonkrusts is an illegal wing of the Gustav Celmins Centre — a neo-Nazi organisation advocating for liberating Latvia from foreigners. The organisation adheres to terrorist methods in the struggle for ethnically clean society, including three attempts to blow up a monument to Liberators in Victory Park.[200]

Latvietis Society (http://www.latvietis.lv/index.cgi) — promotes the idea of Latvians' ethnic superiority over other peoples, conducting active propaganda campaigns in this field.[201]

Club of Latvian Nationalists (http://www.nacionalisti.lv/) — organisation promoting radical nationalist ideology and organising numerous events to support this idea. Coordinates other radical nationalist groups.

Tevija Sargi (http://tevijassargs.com/) — engaged in military training of people adhering to the idea of "Latvian Latvia." The organisation only accepts ethnic Latvians. Tevija Sargi has an extensive network of departments across the republic, as well as training camps. Cooperates with the Ministry of Defence.[202]

In 2013, no new and significant radical nationalist groups have been formed in Latvia. The two parties *All For Latvia* and *For Fatherland and Freedom/LNNK* formed a National Alliance bloc in the parliament several years ago, and agreed to join into a single political party.[203]

It is also worth noting that in February *All For Latvia* started cooperating[204] with the Russian National Democratic Alliance — admirers of the Russian collaborationists Vlasov, whom they regard as the leader of the "Anti-Stalinist Resistance."[205]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

National Alliance's main political slogan is "For a Latvian Latvia!" This essentially implies assimilation of non-Latvians and "voluntary" resettlement beyond the country of those who do not want to assimilate.

One of Alliance's main initiative in 2012 was the conversion of public Russian nurseries and schools into Latvian language only. In 2013, this initiative was brought to a parliamentary vote and subsequently rejected, but only by 43 "opposed" votes versus 41 "in favour" and 2 abstained.[206]

Another demand in nationalist bloc's programme for 2013 — the gradual abolition of the law on residence permit in exchange for investment — has been written into the coalition agreement.

Nationalists also demanded the demolition of the monument to Liberators of Riga and adoption of the preamble to the Constitution with the term "state nation" — which is defined as just *Latvians* and the extinct *Liv* peoples.

In December, radical nationalists re-opposed the inclusion of some Orthodox holidays in the official calendar.

Leaders of the party always take part in March 16th Waffen SS processions in Riga city centre.

Gustav Celmins Centre in 2013 also took an active part in Waffen SS processions. Leader of the organisation, Igors Siskins, was arrested by the Security Police on charges of extremism (illegal possession of weapons and ammunition) in 2012 (see above), but was released under supervision in January 2013.[207]

In fact, National Alliance's views are not that different from the largest party in the ruling coalition (Unity) and the Union of Greens and Farmers. Often, politicians would cross from the National Alliance parties to national-conservative parties that are now included in Unity and UGF, or vice versa. Union of Greens and Farmers was also involved in the ruling coalition with the National Alliance predecessors. All rad-

ical nationalist parties in Latvia are Eurosceptic in some way, opposing the introduction of Euro. However, if National Alliance had to follow coalition discipline and vote in favour of Euro in December 2012,[208] this was not true for other parties and organisations of the same persuasion.

All nationalist parties advocate against propaganda of homosexuality and gay-pride events in Latvia.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

In post-Soviet Latvia, nationalist ideas and slogans have always had prevalent influence. Until 2013, any vote in the elections was given on ethnic basis — Latvians voted for the so-called "Latvian" parties and Russians — for the parties that demanded national equality.

In 2011, National Alliance managed to identify with the main Latvian nationalist electorate and achieve a result of 14 mandates out of 100 in the Saeima elections. Nationalist Latvian voters saw the new Alliance as young and decisive activists, who will not just talk, but achieve the implementation of their demands.

National Alliance is least popular in Latgale region, where more than 50% of the population is Russian-speakers. There, National Alliance receives a little over 6% of votes. In Riga, where Harmony Centre is currently in the lead, radicals received 13%. The Alliance is most popular in Kurzeme, Zemgale (almost 16%) and Vidzeme (18%) regions.

Therefore, nationalists are most popular in western regions of Latvia. However, their energy and initiative in the parliament it seems is attracting support of the "old" moderate nationalist parties that are popular among the average Latvian voter — Unity party and the Union of Greens and Farmers.

Latvijas Fakti agency conducted a public opinion survey on December 6, 2012, which indicated that National Alliance is now the third-popular party — clearly improving their position since the 2011 parliamentary elections, where it was fourth.

Nevertheless, on June 1, 2013, Latvians for the first time voted on a non-ethnic basis at the Riga municipal elections. International list of Harmony Centre and Honour To Serve Riga received 58.54% of votes and 39 seats in city parliament (Duma). National Alliance nationalists were left at the second place with 17.86% votes (12 seats). Unity party, which is relatively close to the Alliance in its programme, received 14.13% (9 seats).

Internationalists spoke from purely economic positions at the elections, which provided them with voters' support. Riga inhabitants were most active in these elections — the voter turnout has been more than

55%. It is worth reminding that unlike other EU citizens (if they were resident in Latvia for 6 moths), Latvian non-citizens do not even have passive suffrage.

Nevertheless, in general nationalists have the advantage and support of the majority.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

National Alliance got a strong representation in the Riga parliament after June 2013 municipal elections, although it did not come to power (12 seats out of 60). In the previous Riga parliament, parties that now form the National Alliance were not represented at all — not able to pass the 5% barrier. In July, National Alliance formed an agreement with Unity to achieve common goals within the Riga parliament, where both parties form the opposition (main goal — "strengthen and develop the Latvian language and national identity of the Latvian state in Riga, as well as in the system of education and state administration").[209]

Throughout the country, radical nationalists from the National Alliance received 154 mandates, which is almost three times more than previously.[210] Some of important cities where the Alliance received seats include Valmiera (1 out of 13 seats), Jurmala (1 out of 15), Jelgava (2 out of 15), Jekabpils (1 out of 13 and previously not represented at all), Rezekne (2 out of 13 as a coalition). On the other hand, National Alliance lost representation in Liepaja council.

In regions with a population of more than 20,000 people (according to 2011 census), the number of National Alliance mandates is the following: Bauska Region — 4 of 17; Gulbenes — 1 out of 17; Daugavpils and Olaine — none; Dobele — 3 of 17; Jelgava — 3 of 17; Kekava — 1 of 17; Kuldiga — 2 of 17; Madone — 2 of 17; Ogre — a coalition that included NA got 5 seats out of 17 (NA got 4); Rezekne — coalition received 6 seats out of 17 (NA got 0); Saldus — 1 out of 17; Salaspils — 2 of 17; Talsi — 2 of 17; Tukums — 0 of 17.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

After receiving more than 13% votes in 2011 parliamentary elections, National Alliance joined the ruling coalition and received two ministerial portfolios — Minister of Culture and Minister of Justice.

Inclusion of radical nationalist minister in the government was a result of the agreement between two political parties — Unity and Party of Reforms — who did not want to share power with the leading "Russian" party, Harmony Centre. As a result, nationalist influence in Latvian government had significantly increased.

In 2013, National Alliance maintained two seats in the Cabinet — Minister of Justice and Minister of Culture. National Alliance's partners in coalition, Unity and Party of Reforms, supported their initiative to stop granting residence permits in exchange for investment, albeit in a more moderate form. Changes to the Law on Immigration were thus accepted by the parliament; however, President Berzins later refused to sign the bill.

Other Alliance's initiatives — converting public education to Latvian language only and demolishing the monument to Liberators of Riga — have not been realised thus far, but are supported to various extents by Unity activists: MEP K. Sadurskis supported the former[211] and Minister of Defence A. Pabriks supported both.[212, 213] It is worth mentioning that Unity supported the idea of converting children nurseries to Latvian language before the elections.

National Alliance had to make concessions to its partners and to support the transition to the euro, despite its unpopularity among the radical nationalists.

Unity party and National Alliance are jointly promoting the initiative to adopt an ethnically-focused preamble to the Constitution.[214]

National Alliance's maneuvers are very diverse — it managed to agree with another, usually more liberal, coalition partner (Party of Reforms), on 4 positions regarding the 2014 budget, including on stopping the practice of residence permits in exchange for real estate investment.[215]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	–5
×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–5
	Total for the section 8	–22.5	–25

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  Monitoring did not record such instances in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

On March 16, around 2,000 people took part in the procession of Waffen SS veterans and their supporters in Riga.

On July 1, Around 30 people took part in the rally dedicated to the 72nd anniversary of Riga's "liberation" by Wehrmacht. [216]

There were also large-scale events, such as the Independence Day procession of 11,000 people in Riga, organised by the National Alliance on November 18. [217] The same party also held a May 15th rally dedicated to 1934 coup. [218]

It is also worth mentioning an "international" action — a rally organised by National Force organisation in support of the Greek Golden Dawn party. [219]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Radical nationalists organised a large-scale action on March 16th — the annual procession of Waffen SS veterans and their sympathisers in Riga. The event was attended by members of the government, including MPs from National Alliance, which is part of the ruling coalition.

On May 9, member of the Riga parliament Olafs Pulks (Unity) and members of the marginal National Front also attended a rally in Riga, advocating "de-occupation." [220]

- Presence of "football xenophobia" and racism amongst sports fans.

During a football match between Latvia and Lithuania (2:0) on October 11, Latvian fans displayed a flag with a popular among neo-Nazis number. Latvian flag displayed letters "BU" (possibly indicating affiliation to Barons Ultras movement) in the centre and numbers 14 and 88 on the sides. 14/88 is a secret greeting among neo-Nazis and other right-wing radicals. Number 14 is associated with the phrase of United States white nationalist leader David Lane, consisting of the 14 words:

"*We must secure the existence of our people and a future for White children*." 88 is decoded as "Heil Hitler." This is also cited in David Lane's essay 14/88. [221]

On November 17, a swastika was displayed during a dance performance celebrating Latvia's 95th anniversary at a Continental Hockey League match between Dinamo Riga and Yugra (Russian Federation).

The dance was performed by the National Armed Forces dance groups *Bramani* and *Dižbramaņi* and was choreographed by Taiga Ludborza. It was based on Juris Kulakov's work *The Four Elements*. Swastika is an ancient symbol of many peoples, including Latvians, but after Nazi crimes in World War Two, the civilized world refrains from displaying it. Even more provocative was displaying the swastika before the Russian team. [222]

President of International Human Rights Movement *World Without Nazism*, Boris Spiegel, sent a letter to the President of the Continental Hockey League Aleksandr Medvedev, demanding "adequate measures... to not only punish the responsible, but also prevent such incidents in the future." [223]

In a response letter, President of CHL assured antifascists that the League "unconditionally supports the inadmissibility of any manifestations of Nazism, including in sports." He also reported that after the investigation, Dinamo Riga was issued a "stern warning about a possible exclusion from CHL if the incident happens again." The club was fined 1 million rubles (approx. 30,000 USD). [224]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
×	Presence of "football xenophobia" and racism amongst sports fans	0	–5
	Total for the section 9	–10	–15

10. Racial attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

Over the monitored period there was one case of vandalism of religious buildings. On February 21, a man intentionally shattered the window of the Jewish Community building in Riga. [225]

Furthermore, on June 3 or 4, a commemorative plaque was removed from the house of the Righteous of the World J. Lipke, who saved Latvian Jews during the Nazi occupation. [226]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

In December 2013, an interethnic clash — first for Latvia in many years — occurred between Latvian and Russian school students in Riga. [227]

Snowball fight turned into an open clash between junior school students with strong ethnic overtones. According to parents, about 10 Russian-speaking children attacked two Latvian children playing in the snow, shouting, "Beat the Latvians!"

The fight resulted in moderate injuries; one child was taken to hospital with fractures after being hit in the face with a piece of ice. A criminal case was not initiated due to young age of attackers. However, we cannot say that this phenomenon is typical for Latvia, where there is more tolerance at the household level than in politics.

- Cases of violence, including murder on racial, ethnic and religious grounds.

On March 16th — unofficial day of Waffen SS legionnaires, celebrated in Riga city centre — one of the leaders of the Association Against Nazism (part of HMR "World Without Nazism") Janis Kuzins was attacked near the procession and the nearby antifascist protest. [228] The assailant escaped with an administrative fine. The victim did not seek medical help. This is the first example of such conflict in the entire post-Soviet period,

- Nationalist or religious terrorist attacks.

Monitoring did not record such instances in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	–2.5
–/×	Cases of violence, including murder on racial, ethnic and religious grounds	0	–2.5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–5	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

Latvia has a number of anti-Nazi non-governmental organisations. Most notable are the Latvian Antifascist Committee (founded in 2005, leaders Joseph Koren and Eduard Goncharov) and the Association Against Nazism (founded in 2010, leader Janis Kuzins), both of which are part of the international human rights movement "World Without Nazism" (active in Latvia through its subsidiary — Latvia Without Nazism).

Congress of Non-Citizens of Latvia was also active in 2013, representing the interests of this part of the population and fighting for their rights and against manifestations of radical nationalism in the country.

Society "For Fairness and Justice" also advocates for non-citizens' rights along with "For Equal Rights" movement, which was the initiator of the referendum on "zero-option" citizenship in 2012.

Among other antifascist organisations, it is worth mentioning the Baltic Centre of Historical and Socio-Political Studies, the Latvian Association of Anti-Hitler Coalition Warriors and the Latvian Human Rights Committee.

When it comes to political parties, antifascist positions are held by the "For Human Rights in United Latvia" (ZaPChEL), which supported and participated in almost all Latvian antifascist events. Harmony Centre occupies moderate antifascist positions and has currently the largest oppositional faction in the parliament. In 2013, Harmony Centre be-

came concerned with attracting Latvian voters and tried to distance itself from antifascist initiatives, which in their opinion could be considered anti-Latvian.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Antifascist activities were noticeable, albeit not large, as is normal for Latvia. Most significant events was the antifascist protest against the procession of Waffen SS legionnaires, HRM World Without Nazism conference on March 16th in Riga and the international antifascist summer camp in Aluksne,[229] attended by members of human rights organisations from the Baltic States.

Antifascist action on March 16th should be mentioned separately. During the procession of Waffen SS veterans and their sympathisers towards the Freedom Monument, protesters played antifascist song through a loudspeaker, accompanied by a voice listing the crimes committed by collaborationists during the war. Thus, SS veterans had to march towards monument under recitative reminding them of their crimes. All this caused nationalists' outright anger, including National Alliance leader Raivis Dzintars, who tried to tear down antifascist banners of the protest.

It is also worth mentioning the commemorative event on October 12 in Riga, dedicated to the liberation of Riga from Nazi troops[230] and organised by the Latvian Antifascist Committee, and the procession against Nazism and anti-Semitism in Bauska on November 9,[231] organised by the Association Against Nazism. Demonstrators, of whom there were several dozen people, marched from the Bauska city parliament to the synagogue. Bauska was specifically chosen for the event, as the city installed a Waffen SS monument last year.

Congress of Non-Citizens was also active in 2013. The organisation was able to hand over a letter describing the situation of mass statelessness in Latvia to the UN Secretary-General Ban Ki-moon, who expressed his concerns[232] and raised this issue during his meeting with President of Latvia. Congress of Non-Citizens also held a rally near the European Parliament building.[233]

- Presence of anti-racist and anti-fascist civic initiatives.

The day before Waffen SS march, World Without Nazism held a press conference in Riga, where it protested the statements of the Office for the Protection of Constitution — main Latvian intelligence. Office's head Janis Kazocins stated that annual Waffen SS processions on March 16th do not evidence glorification of Nazism in the country. He claimed that World Without Nazism is a hostile to Latvia, Moldova and Ukraine organisation, allegedly financed by the Russian government.

Head of counterintelligence insisted that the goal of World Without Nazism is "through absurd, biased performances prove that Baltics, Moldova and Ukraine have growing fascism."[234]

At the press conference, members of the international antifascist movement distributed a statement where they pointed out that these claims are nothing more than blatant pressure of special services on the civil society both in the country and abroad. "Situation where special services consider it acceptable to impose their opinion on NGOs a recurrence of the Soviet past, the era of tyranny and totalitarianism, incompatible with the democratic principles and separation of power."

Antifascists also protested the attempts to discredit the international antifascist movement that consists of 140 organisations from 30 different countries, including renowned politicians, MPs and public activists. According to World Without Nazism, Latvia's ruling elite, which shares radical nationalist views, seeks to "draw public attention towards the division along ethnic lines, which is partly based on glorification of Nazism in Latvia." In their statement, leaders of the movement categorically denied receiving funds from the Russian budget.[235]

On March 16, participants of World Without Nazism roundtable in Riga, including MEP Tatjana Zdanoka, former OSCE Commissioner Gert Weisskirchen, co-chair of the European Jewish Parliament Joel Rubinfeld and other world political figures, laid wreaths to the Freedom Monument in memory of victims of Nazism.

Roundtable[236] also adopted an appeal to UN High Commissioner for Human Rights Navy Pillay,[237] which drew attention to glorification of Nazism in Latvia. Members of the roundtable also addressed a letter to President Andris Berzins, where they expressed protest to the bill "On the status of persons mobilised in the Second World War" that equated SS veterans to the veterans of the Soviet Army.

"We understand that the process of national reconciliation is necessary, but it should not start with an ambiguous law on reconciliation of the Soviet and Nazi army veterans, but with a provision of equal rights for all residents of the Republic of Latvia, including electoral and other rights guaranteed by the Constitution, which today, more than 300,000 permanent residents, most of whom were born in Latvia, are deprived of."

Antifascists also addressed a letter to all Latvian MPs, where they thanked them for rejecting the amendment to the Law on Public Holidays, Commemorative and Celebrated Dates, which would have included the Day of Waffen SS Legionnaires in the official calendar.

On June 1, Congress of Non-Citizens organised informal elections, where non-citizens could take part. 13 thousand people cast their votes

and formed the so-called "Parliament of the Unrepresented."[238] According to the "Provision on the elections to the Parliament of the Unrepresented," it is the highest elected body of Congress of Non-Citizens. This body formulates the interests of non-citizens, represents non-citizens in communications with the state, municipal and international institutions and develops measures aimed at eliminating non-citizenship and forming a single united political nation in Latvia.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

There is a deliberate policy of glorification of pro-Nazi collaborators in Latvia. They are presented as soldiers forcibly recruited by the Nazis who took part in the fighting, but not in punitive actions (contrary to the available facts).

This point of view is promoted by nationalist media outlets of the country. For example, on April 5, a letter from the head of Society of Politically Repressed G. Reskais to the senior officials was published in Latvijas Avize. He wrote, "It has been long proven, that legionnaires fought against the Soviet occupants, hoping to protect the Latvian nation from the new horrors of the Soviet occupation." Reskais urged "not to allow using the Freedom Monument for anti-Latvian events" and demanded a "ban of the demonstration of Soviet symbols on May 9th events, as well as ban the slogans that offend Latvians' feelings" and "consistently resist any insult to the Latvian state and Latvian nation."[239]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

Almost all events aimed at glorifying Nazism in Latvia are held with a tacit agreement, and sometimes — open participation — of the authorities. This includes the procession of Waffen SS veterans and erection of monuments to the SS.

The procession of SS veterans on March 16 is the most significant nationalist action. It is held on the unofficial day of Latvian Waffen SS Legionnaires, which is actually the day of the first battle between the Latvian Waffen SS and the Red Army troops in Riga and Limbazi, timed to the Day of Warriors. In 2013, the event was attended by National Alliance MPs, led by Raivis Dzintars.

By supporting glorification of Nazism, directly or indirectly, Latvian authorities are pursuing several goals:

First — confrontation with Russia, exploited by nationalist politicians who fear rapprochement with the Russian Federation.

Second — facilitating the division of Latvian society along ethnic lines (Russian-speaking residents, whose ancestors fought in the Red Army, would never agree to glorification of Nazism), which is advantageous to the nationalist parties.

Third — rehabilitation of emigrants, who fled Latvia along with Nazis in 1944, since majority of them are not just part of the Latvian elite, but also occupy prominent positions in the government.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

Majority of SS veterans are considered politically repressed in accordance with the 1995 Law on the Status of Politically Repressed Person for the Victims of Communist and Nazi Regimes," because majority of them were sentenced by the Soviet court for collaboration with the Nazi invaders and have served their sentences. They are provided with preferential pensions, free healthcare, subsidised public transport and taxes.

In 2013, National Alliance repeatedly proposed making March 16th an official Latvian holiday. However, parliament had rejected these suggestions.[240]

After antifascists' protest action on March 16th, with the use of antifascist songs and photographs of victims of Nazism, Minister of Internal Affairs R. Kozlovskis apologised to those "who were affected by the noise."[241]

On August 30, Russian nationalist held a lecture in the government-supported Museum of Occupation. S. Verevkin's lecture was dedicated to the "Armed resistance of people of the former Russian Empire against the Soviet power and communism: Lokotskaya Republic." Verevkin thus considers collaborationism as a commendable struggle against communism. [242]

On September 5, Minister of Defence Alfreds Pabriks (Unity) tweeted his regret for lack of German troops in NATO training exercises, "We are welcoming German boots on the ground here in Latvia ever since 1940." Minister later explained that he meant that in 1940, Latvia would not have been occupied if its allies helped it, and that every performance needs a bit of irony. [243]

- Historical revisionism, Holocaust denial.

Historical Revisionism is one of the main objectives of Latvian nationalist parties and its government. The official interpretation of 20th century history is based primarily on the thesis of "Soviet occupation" and the consequent conclusion about glorification of Waffen SS soldiers and auxiliary police units that fought on the side of Nazi Germany and participated in the Holocaust.

Riga only recognised a part of collaborationists, particularly the so-called "Arais' team," which formed the voluntary division of the auxiliary police.

Latvian authorities prefer not to talk about Latvians' participation in Riga ghetto, participation of Latvian Waffen SS legionnaires in civilian executions, despite the evidence.

Riga Museum of Occupation has expositions that are aimed at persuading its visitors that 1940 and 1949 deportations to Siberia are correctly equated to the Holocaust.

On February 28, Museum of Occupation researcher U. Neiburgs analysed K. Zellis' book on Nazi propaganda. Writing in *Latvijas Avize*, he called the opinion that "fearing repressions, legionnaires found a worthy cause in the Nazi propaganda" simple-minded. He also expressed doubts about Zellis' view that Nazis presented corpses of Jews that they killed as victims of Stalinist regime. [244]

In 2013, there was an attempt to include the Day of Latvian Legionnaires in the official calendar. As mentioned above, this proposal was rejected by the parliament with 18 votes in favour (13 National Alliance deputies, 4 — Union of Greens and Farmers, 1 — Unity), 63 votes against and 3 abstained (1 from Unity and 2 from UGF). [245]

On July 4 in Limbazi, National Alliance and NGO *Daugavas Vanagi* marked the day of Wehrmacht battle against the Soviet Army in 1941. The Simon Wiesenthal Centre described the event as an insult to the victims of the Holocaust. [246]

On October 10, focus.lv published an anti-Semitic article by R. Klimovic. Author challenges the generally accepted estimates of the Holocaust in Latvia, stating that majority of Latvian Jews retreated with the Soviet Army.[247]

Website of the parliamentary subcommittee on patriating upbringing published recommendations to teachers. Talking about films acceptable to show students in order to bring them up as patriots, deputies recommended The Soviet Story (a film based on historical falsifications and equating the Soviet Union to Nazi Germany) and Latviesu Legions (laudatory film about the Latvian Waffen SS Legion).[248]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–20

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

On March 18, Museum of Occupation researcher U. Neiburgs published an unambiguous call to reprisals against antifascists in *Diena* newspaper. Speaking about March 16th events in Riga, he said, "Honest people (SS legionnaires) were called (by antifascists) murderers. A wave of hatred towards the legionnaires is growing, they are accused

of crimes that they did not commit. I think, security services should investigate whether there is incitement of hatred here."[249]

On March 25, Minister of Defence A. Pabriks ("Unity") stated, that people who protested against the commemoration of legionnaires are trying to turn Latvians into Nazis and fascists. "For these organisations that seek to turn Latvians into fascists and these countries that support this topic this would be some kind of victory of strategic communication." Minister believes that the government should have the right to block decisions of the Riga council to hold March 16th events that facilitate provocations. "If security services say that there will be conflict, this event (antifascist rally) should not take place."[250]

On April 11, Secretary General from the party "For Fatherland and Freedom/LNNK" (*Tēvzemei un Brīvībai/LNNK*) A. Lusis gave an interview to the daily *Neatkariga*. He stated that people who demand "zero citizenship" (i.e. granting citizenship to all residents of Latvia at the time of declaration of Independence) "essentially undermine the foundations of the state, and they cannot be addressed with the full severity of the law."[251]

On May 9, Deputy Chief Editor of *Neatkarīgā* Elita Veidemane, tweeted, "I really hope that Riga Duma will have the administration that would forbid the celebrations of this occupant nonsense in Pardaugava on May 9." Member of National Alliance Janis Iesalnieks commented on her post, saying that Second World War will not end for Latvia until there are hundreds of hostile people living on its territory.[252]

On May 25, National Alliance "All for Latvia" urged the law enforcement to investigate the activity of the "Congress of non-citizens," which is preparing an informal election to the "parliament of unrepresented," available for both citizens and non-citizens. National Alliance urged to ban the Congress and bring its leaders to justice, as they suspect that the "parliament of unrepresented" is conceived as a rival authority and aimed to overthrow the government.[253]

On June 18, deputy chief editor of *Neatkariga*, attacked World Without Nazism, as well as MEP T. Zdanoka, Saemia deputies I. Cvetkova and N. Kabanov, asking the question — "Why our favourite Saemia and brave government is so tolerant towards the activities of these 'antifascists'?" She also stated that the "citizenship of the Republic of Latvia is awarded to thousands of 'suspicious people', who are disloyal to our state, language and culture, and who can be safely considered as the fifth column."[254]

Monument to the first president of Latvia and antifascist author J. Cakste was desecrated with Nazi graffiti and singed with "M. Ruks." Maris Ruks is a popular Holocaust and local collaborationism re-

searcher. According to him, graffiti could have been painted by those who find his Holocaust research unsatisfactory.[255]

On December 5, E. Licitis urged the government to "demonstrate political will" and create a special department on media. "The country has enough enemies, who need to be watched. (...) The new institution must be provided with at least a mushroom knife, to cut out the poisonous toadstools. We have a neglected disease — certain newspapers teem with fighters of the opposite ideological front. (...) Let the enemies of state know that the written abominations will attract attention, and a cure will be found, they will be healed by effective medicine."[256]

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

In April, Riga Regional Court sought MEP Alexander Mirsky 1,400 euros in favour of National Alliance leaders. MEP called the latter Nazis for their actions against equality in education.[257]

In the same month, Latvian police initiated an administrative case against the Association Against Nazism for the use of audio equipment at a rally protesting the Waffen SS procession on March 16.[258] It should be noted that the administrative proceedings against the radical nationalists who attacked the anti-fascist rally on March 16 has been discontinued.[259, 260]

In May, Jurmala city parliament prohibited the antifascist events scheduled for May 8 and 9.[261] It also prohibited the installation of tents for informal elections to the Parliament of the Unrepresented. Later the court recognised these bans illegal.[262]

On the Victory Day (May 9th) Security Police turned up at the house in Rezekne, where a Soviet flag was displayed, "convincing" the homeowner to remove it. The legal basis for this is unclear, which is why the State Police confirmed that the homeowner will not be charged.[263]

State Service has audited a school in Daugavpils, whose students attended May 9th events. Since parents had applied for the release of students from lessons, the principal was not punished.[264]

On July 4, Parliamentary Ethics Commission issued a warning (most serious sanction possible) to MP I. Cvetkova, due to her statements at the conference "Revival of Nazism in the Modern World," where she said that "Latvia has manifestations of neo-Nazism." The conference was held in US Congress, Washington, on June 4, with the support of House of Representatives member Democrat Eliot Engel. The conference was organised by World Without Nazism subsidiary — America Without Nazism, and attended by politicians and public activists from 10 different countries.[265]

Annual reports of Latvian special services contain regular attacks against human rights activists. Latvian Security Police links the Con-

gress of Non-Citizens with Russian foreign policy.[266] Office for the Protection of Constitution attacked one of the leaders of this organisation, Aleksandr Gaponenko, for his book *Latgale: In Search of a Different Life*, where he discusses the possible autonomy of this territory.

Latvian counterintelligence links this book with the machinations of the Russian intelligence, accusing its author and with a number of Latvian NGOs of spreading "incomplete and biased information about violations of rights of the Russian-speaking residents and Latvian non-citizens."[267]

Counterintelligence also attacked the human rights movement World Without Nazism. "If World Without Nazism through tendentious statements tries to prove that Latvia has revival of Nazism, this is a not true."[268]

Latvian special services opinion on human rights organisations in Latvia were supported by Ombudsman Juris Jansons. In 2013, he wrote a letter to OSCE, accusing Latvian NGOs of promoting an incorrect perception of human rights in Latvia.[269]

In December 2013, NGOs lost their right to provide legal help to plaintiffs in civil cases related to human rights violations, after the changes to the Law on Civil Process. Since 2014, only a sworn attorney can represent individuals in courts of appeal.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

In 2013, there were no criminal cases against antifascists. Although, on May 17th it was reported that Latvian Security Police initiated criminal investigations against TV reporter A. Hramcovs, due to a survey he conducted regarding the possible ban on Soviet symbols. Latvian Journalist Association noted that the reporter had the right to collect information by any lawful means.[270]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	–5
×	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	–5	–5
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5	0
	Total for the section 13	–10	–10

14. International aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Latvia acceded to all major international conventions against racism and discrimination, and the European Charter for Regional or Minority Languages.

Latvia is also a party to the International Convention on the Elimination of Racial Discrimination, even though it does not allow submitting individual complaints of violations of the Convention to the appropriate committee of the UN.

On May 26, 2005, Latvia ratified the Framework Convention for the Protection of National Minorities, albeit with reservations, repealing certain provisions of the Convention.

Latvia has refused to comply with two articles of this Convention:

Art.10, P.2 "In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

Art.11, P.3 "In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications."

The Committee of Ministers of the Council of Europe criticised Latvia for these reservations, but it did not affect the position of the Latvian government.

Furthermore, the additional declaration adopted by Latvian parliament during the ratification clarified that non-citizens are not subject to the aforementioned Convention. Therefore, 300,000 people were excluded from Latvia's obligations on national minority issues.

On February 9, 2012, Latvian Saeima (parliament) rejected a bill on the ratification of the European Convention on Nationality (singed by Latvia in 2001), which prohibits rejecting naturalisation for political reasons.

Therefore, we can conclude that Latvia joined the most important international documents aimed against ethnic discrimination; however,

reservations to the Framework Convention, reluctance to join the European Charter on Regional and Minority Languages and ratify the European Charter on Nationality, in many ways nullifies its efforts to combat racism and discrimination. Therefore, we can say that Latvia joined these agreements only partially.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

In early 2013, Latvia ratified the Revised European Social Charter, which prohibits discrimination in the social sphere.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013, Latvian politicians made no international statements aimed against discrimination, xenophobia or neo-Nazism.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	2.5	2.5
×	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	5
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	2.5	7.5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Latvia has considerably worsened its position in the radical nationalism rating in 2013, sharing first and second place with Greece. The rapid deterioration was caused by two factors — the strength-

ened positions of radical nationalists from *Visu Latvijaj* ("All for Latvia") party in the central government and municipalities, after June 2013 municipal elections and the general rise of xenophobia within Latvian society.

2013 was marked with Latvia's first interethnic clash in years and anti-Orthodox xenophobia, which is no less alarming than the growing support for radical nationalists in elections. This, and the attack of Latvian antifascist leader J. Kuzins on March 16, indicates that Latvian society became more xenophobic in 2013.

It is worth noting the low level of tolerance of Latvian ruling circles and even official human rights officials. Latvian Human Rights Ombudsman Juris Jansons spoke in against the minority right to education in their native tongue, which will surely go down in history as an example of a human rights mandate used for discriminatory purposes.

In this regard, the activity of Latvian intelligence services raises a lot of questions. For many years, these institutions have positioned antifascists and their organisations as hostile to the state. This is largely due to increased influence of nationalists over the central government — in 2013, Latvia was the only EU member state with radical nationalists in the government.

Differentiation of society along ethnic lines continued in 2013. The division in society had only increased with the desire to isolation and reluctance to achieve mutual understanding.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Article 91 of the Latvian Constitution contains the provision of equal treatment. Article 78 of the Criminal Code (Violation of national and racial equality, restriction of human rights) along with multiple other provisions of anti-discrimination legislation are essentially in conflict with the law on State Language, Law "On the status of former Soviet citizens who are not citizens of Latvia or another state," Law on Citizenship, Law on Electronic Media, Law on Status of Municipal Deputies and 2012 amendments to the Law on Labour. Latvia's rejection to ratify the Framework Convention on the Protection of National Minorities without reservations effectively removes this country from obligations to combat discrimination.

The application of anti-discrimination legislation in Latvia is thus fairly limited. Latvian writing of names in identity documents is not considered discrimination; nor is the prohibition to use minority languages in communication with the authorities, large-scale statelessness and 80 differences[271] between the rights of citizens and "non-

citizens," high requirements for state language proficiency in employment.

Definition of national minorities made[272] during the ratification of the Framework Convention for the Protection of National Minorities excludes around 290 thousand non-citizens and more than 50 thousand foreign nationals with just a *permanent* residence permit.

Thus, ethnic minorities in Latvia are not provided with their rights and freedoms, guaranteed by the basic international agreements.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Adherence to these norms is very selective in Latvia. The Republic does not comply with the basic provisions of the Framework Convention for the Protection of National Minorities, which together with the contradictions in the Latvian anti-discrimination legislation, creates the conditions for discrimination. Latvia's reluctance to join the European Charter for Regional or Minority Languages facilitates the process of assimilation, supported by the government.

One of the most striking negative examples concerning the rights of minorities is the continued violation of the Ruling of the Grand Chamber of the European Court of Human Rights in the case of "Andrejeva v. Latvia." In 2013, CoE Committee of Ministers published a report on the implementation of the court ruling.[273] Latvia maintains that the ruling (condemning discrimination of Latvian non-citizenship in receiving pensions for the work performed in the USSR) has been fully satisfied. However, Latvia does not mention that non-citizen pensioners will not be compensated for the years of discrimination before 2011.

Another example is the failure to perform the measures prescribed by the UN Committee on Human Rights (adopted in 2010) on violations of the right to private life, due to forced Latvian stylisation of names in identity documents (*Raihman v. Latvia*).

In 2013, a shining example of ignoring the recommendations of European Commission on Racism and Intolerance (ECRI) was the authorisation of the March 16th procession of Nazi collaborators. It is worth noting that in summer 2013, the Advisory Committee on the Framework Convention for the Protection of National Minorities criticised the introduction of a term "state nation" in Latvian official documents.[274] As if in response to this criticism, the term appeared in the draft preamble to the Constitution.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

The main difference in rights concerns ethnic minorities' right to native language, which are provided by the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages — the two international agreements which Latvia did not accede to which it ratified with reservations.

This is hidden behind the provisions on the use of the official language in certain fields or in the legal status of non-citizens (majority of Belarusians, Ukrainians and significant number of Russians, Poles, Jews and other national minorities remain so-called "non-citizens").

In 2013, Latvian legislation first included the term "state nation" when referring to Latvians, who are entitled to new privileges in dual citizenship (Law on Citizenship). This term is also present in in the draft preamble to the Constitution of Latvia.

- *Legislation enshrining inequality of minorities.*

Inequality of minorities is primarily embodied in the following Latvian laws:

— Law on Citizenship, which establishes the "non-citizen" category and prioritises the process of naturalisation. When adopted in 1994, the law limited the circle of citizens in a way that provided citizenship to most of ethnic Latvian residents, and just a few non-Latvians. It provides for a naturalisation system, which demonstrated its ineffectiveness in eliminating statelessness (less than 2000 naturalised persons in 2013) [275]; and since 2013, it includes direct privileges for Latvian nationals in obtaining dual citizenship.

— Law "On the status of former Soviet citizens who are not citizens of Latvia or another state," which defines the status of a Latvian "non-citizen" and identifies the main discriminatory differences in the rights of citizens and non-citizens.

— Law on State Language, which provides for the official spelling of names in the Latvian form. Except in emergencies, the law prohibits Latvian residents from appealing to public authorities in a non-official language. It also grants government the authority to establish requirements for the state language proficiency in various fields of work in both private and public sector.

— Law on Education, which practically eliminates the use of languages that are not official in the EU (primarily Russian) as languages of education in state universities. The law also limits education in non-Latvian language to 40% of hours in public schools (grades 10 to 12).

— Law on Electronic Media, which provides special restrictions on broadcasting in a non-official language on both public and private channels.

— Law "On the status of city duma deputy and the regional council," where Article 4 deprives a deputy of his/her mandate due to lack of Latvian language proficiency.

— Law "On elections to city duma and regional council," which restricts the circle of candidates and voters to EU citizens only. Thus, Latvian non-citizens were deprived of even passive suffrage.

— Law on Labour (2012 Revision), which prohibits the employer from requiring employees to be proficient in a specific "foreign language" (Law on State Language identifies "foreign language" as any language except Latvian and Livonian), if its use is not required to fulfil employment duties. It is also prohibited to post such requirement in job advertisements, if it is not "reasonably necessary."

— Law "On State Pensions" and "On Unemployment Insurance," which limit pensions and benefits to accrued by "non-citizens" outside Latvia.

- *Rulemaking in protection of minorities.*

In early 2013, Latvia ratified the revised European Social Charter, which provided social guarantees for employed individuals, including immigrants. It also provides for equal opportunities regardless of sex, age, disability, etc. Furthermore, Art. *E* paragraph *v*) prohibits employment discrimination "on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, health, association with a national minority, birth or other status."[276]

- *Freedom of speech violations.*

Practically all criminal cases on charges of hate crime were related to statements made on the internet. Compatibility of freedom of speech, as guaranteed by the Constitution, and Art. 78 of the Criminal Law, which punishes incitement of ethnic enmity, remains an open issue — like in many countries with similar dualism in legislation.

In the meantime, it seems that freedom of speech is applied selectively in Latvia. The ruling coalition, intelligence services and courts are actively defending the rights of neo-Nazis and Waffen SS veterans to March 16th processions, and oppose organisations and political activists who make unflattering remarks against glorification of Nazism and violation of non-citizens' rights. Latvian authorities criminally prosecute persons such as journalist A. Hramcovs, who conducted a survey about the possible ban of Soviet symbols.

A controversial incident occurred on August 6, 2013, when Parliamentary Ethics Commission issued a written warning to MP N. Kabanov (Harmony Centre) for his sharp remarks about the Latvian Song

and Dance Festival and the involvement of "national warriors" (part of the anti-Soviet resistance, previously serving in the Latvian SS legion).[277] National Alliance leaders unsuccessfully called for Kabanov's criminal prosecution.[278]

- *Legislation and law enforcement practices concerning migrants.*

The topic of immigrants, despite the high level of migrantophobia in society, is not relevant to Latvia. Due to high unemployment levels and virtual absence of any social assistance for immigrants, Latvia is not an attractive country for migrant workers. On the contrary, the country became a donor of labour migration to other countries.

Nevertheless, lack of social assistance for foreign temporary residents creates problems for business-migration, student exchange, and most of all — refugees, though Latvia is not eager to accept them.

Nationalist supported by the government attempted to cancel the amendments to the Law on Immigration, which provide residence permits in exchange for investment. This creates a negative investment climate in the country and prevents the inflow of capital. In addition, these proposals have a negative impact on the construction sector of Latvian economy, which is just beginning to emerge from recession due to the amendments adopted in 2010.

2. State of society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Latvia has legislation that enshrines discriminatory practices towards ethnic minorities in terms of their right to native language. Furthermore, existence of so-called "non-citizens" takes this large (290,000 people) category outside the scope of the Latvian anti-discrimination legislation.

Furthermore, Latvian legislation contains 80 differences between the rights of citizens and non-citizens, in the field of electoral rights, property rights and employment. Reluctance to consider non-citizens (who include members of various national minorities) as Latvian national minorities brings this category of people (16%) beyond the scope of official statistics, which Latvia is required to provide to international organisations, and beyond international control.

These facts along with the underdeveloped migration legislation, strict language policy and legislation discriminating minorities, reduces the opportunities for self-realisation of Latvian residents, further splits the society, excludes the minorities from public processes and, eventually, weakens the state.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

In the early 1990s, Latvian society split into the titular nation — Latvians — and the Russian-speakers, when the Popular Front of Latvia (PFL) deceived the Russian-speaking citizens of Latvian SSR who were promised a "zero-option" citizenship. In 2012, one of the former leaders of this oppositional organisation in 1980–1990s Janis Dinevics said, "If PFL occupied radical positions on the full independence of Latvia, as well as on denationalisation, privatisation and preservation of the previous circle of citizens, it would not have been able to attract 250,000 people to its ranks." According to him, the change of the original plan allowed the Popular Front to create a massive organisation, elect its representatives to the Supreme Soviet that subsequently adopted the Declaration of Independence on May 4, 1990 and voted for full restoration of independence in 1991.[279]

Today, this division is enshrined in Latvia's discriminatory legislation; it creates all conditions for the high level of xenophobia, which is promoted by the nationalist propaganda of radicals from the National Alliance as well as the fairly respectable national-conservatives from the Unity party and the Union of Greens and Farmers.

This schism is further aggravated with the rooted historical grievance of the Russian community for the "non-citizen" class, specifically created for them in 1991, as well as reluctance of Latvian parties to make concessions and guarantee the basic cultural and education rights to the Russian minority.

On April 12, the results of a study commissioned by the Office for Citizenship and Immigration were published. It turned out that the main reasons for not going through naturalisation is the resentment held for segregating residents into citizens and non-citizens, resentment against the public policy and the fact that naturalisation is not free.[280]

As a result, Russian-speaking residents of the country either protest, which encounters hostile reaction of the government and intelligence services, or go into so-called "internal immigrations," which was so typical during the Soviet regime. For example, a survey conducted in January 2013 (500 respondents) indicates that Russian youth is less socially involved that Latvian. 37% of Russians and 50% of Latvians responded that they participate in administration institutions in schools, universities or cities. Also 37% and 50% believed that they would be able to affect the decision in these administration institutions.[281]

At the same time, Russians are more categorical in assessing historical events than Latvians. 96% of Russian-speakers are categorically

opposed to the demolition of the Soviet monument to Liberators of Riga. 77.1% Russian-speaking respondents support the official status of May 9th, and 69% are against such status for March 16th.[282] However, only 54% of Latvians oppose the demolition of the monument to Liberators of Riga and 55.8% Latvian citizens support the inclusion of March 16th in the official calendar. 53.2% disagree with providing May 9th with a similar status.

According to the EU LGBT survey, on average 20% of LGBT community felt discriminated at work or recruitment, then for Latvia this figure is 27%. 77% of Latvian LGBT always and often hid their sexual orientation or identity in school (EU average is 67%). Hostile attitude towards the people perceived as LGBT in schools was noted by 83% of respondents in Latvia (91% in EU)[283]

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The standard of living in Latvia is one of the lowest in Europe. One of the reasons for this is the elimination of large industrial objects from post-Soviet and pre-Soviet period, as a result of privatisation. The largest of them were — RAF vehicle manufacturing plant and VEF electronics factory, which were focused on the whole Soviet market. These factories employed more than 25,000 people in total, primarily Russian-speakers who arrived from various regions of the Soviet Union. This was the category of "foreigners" that irritated Latvian nationalists the most — they did not know Latvian language and culture, did not understand the history of the Latvian people. They became a powerful wave that diluted the Latvian demographic concentration in Riga, introducing a completely alien culture and mentality.

In the 90s, the society was introduced to popular liberal ideas about the inefficiency of the "clumsy Soviet industry," the need to reject it and develop small-scale production. The expectation was that Russian-speaking residents who arrived in 1970s and 1980s would go back to their homelands — Russia, Ukraine, etc.

In 1996, RAF in its last push attempted to make a partnership agreement with GAZ (Russia) and create a joint car assembly plant, but the decision was blocked by Latvian government. In 1998, the company went bankrupt and its property was sold for retail shops.

VEF was divided into six small companies, half of which no longer exist. Other three "*VEF KTR*," "*VEF Telekom*" and "*VEF Radiotehnika-RRR*" employ 100 to 200 people each. In 1999, the factory was priva-

tised and restructured. Thus, the country lost its two main production enterprise and two largest taxpayers. Ilya Gerchikov, president of the currently successful cosmetics company *Dzintars*, commented on this situation, "New authorities to remove the working class, and thus avoid outrage; but most importantly — to make Russians leave."[284]

According to Latvian government of the 90s, Latvia's main source of income should have been transit of goods between Europe and Russia. However, this industry in many ways was lost because of the anti-Russian policy employed by the government. Polotsk-Ventspils oil pipeline stopped the transit of oil from Russia in the early 2000s. Because of Latvia's hostile attitude towards Russia and Russian-speaking citizens, the Russian Federation redirected the flows of goods to its own Baltic Sea ports.

- *Economic impacts and instability.*

Economic problems, as well as well as economic instability is characteristic for Latvia. Many of these problems, as mentioned above, are caused by country's hostile attitude towards Russia and Russian-speaking residents.

- *Decline in production growth, emigration of the labour force.*

The collapse of manufacturing industry in Latvia, which started in mid-90s, caused in a rapid decline in production. This process was accelerated with the entry into the EU, which, of course, is not associated with any policy of discrimination, and has exclusively economic reasons. European economic integration eliminated a number of processing facilities that had previously always existed in Latvia and carried a large tax burden. For example, Latvian sugar industry was completely destroyed and fishing industry had significantly shrunk.

The 2008 Global Recession, affect almost every single Latvian family. Overall decline in production has provoked outflow of the labour force, part of which (Russian-speakers) were leaving for political reasons. Experts estimate that Latvia lost 100,000 people from the working-age population.[285]

Parliamentary majority seeks to fold the programme of granting residence in exchange for investment, which impacts the capital inflows[286] and limits the prospects of the construction industry, which is currently the "engine" of Latvian economy.[287]

Policy of restricting foreign languages in universities has a negative impact on the education industry.[288]

In general, unfriendly policies towards the Russian-speaking minority prevents the establishment of good trade-relations with Russia, which would help the poor employment rate, especially in the regions bordering with Russia and Belarus.[289]

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Latvia has a rather low level of political stability due to a split of the population along ethnic lines and the exclusion of the Russian-speaking population from the important decision-making process in country's economic and political development. This also happens at a municipal level, since Latvian "non-citizens" are not allowed to participate even in local elections, despite having no tax reliefs compared to Latvian citizens.

Russian-speakers constitute for more than a third of Latvian population. For over 20 years, they are practically excluded from political participation. This was the result of the introduction of non-citizenship and implementation of discriminatory norms in Latvian legislation (see above section — *Legislation enshrining inequality of minorities*). In addition, the ruling majority was successful in preventing Russian-speakers from entering the ruling coalition.

In short-term, this provides for a stable succession of national-conservative governments, but in medium-term, this causes tensions in society and undermines social stability.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Discriminatory policies towards ethnic Russians, glorification of Nazism and other such manifestations deteriorates Latvia's relations with Russia — one of its main economic partners. Russia is dissatisfied with the position of Russian-speakers, existence and discrimination of non-citizens — majority of whom are Russian-speakers, constant threats of the National Alliance to eliminate public education in Russian language, as well as glorification of Nazism and attempts to equate Nazi Germany to the Soviet Union.

Violation of human rights in Latvia is brought up by Russia during its talks with the EU, which irritates Brussels. Attempts to ignore discrimination in Latvia are increasingly often met with criticism of the Russian Federation and Latvian population itself, which resorts to the mechanisms provided by the UN Council of Human Rights, OSCE and ECHR.

Course of the Latvian government towards discriminating linguistic minority, preservation of non-citizenship and reluctance to condemn Nazi collaborationism sets a bad example for Lithuania, whose relations with Poland are deteriorating on the grounds of linguistic rights of the Polish minority.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Latvia should withdraw its reservations to the Framework Convention for the Protection of National Minorities, as they are largely negate the meaning and spirit of this document.

It should also accede to the European Charter for Regional or Minority Languages, as well as to the European Convention on Nationality, Convention on the Participation of Foreigners in Public Life at the Local Level and Protocol 12 of the European Convention on Human Rights.

Latvia should ratify International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and allow submitting individual complaints of violations of the International Convention on the Elimination of All Forms of Racial Discrimination.

With respect to the fundamental treaties of the European Union Latvia should recognise that "non-citizens" are subjects of the Latvian state in terms of obligations corresponds to the term "citizen of the member state."

2. *General recommendations for adjustments to the legal framework*

Latvia should dismantle the system of discriminatory laws against minorities. The following steps need to be taken:

— Adopt a general anti-discrimination law. Latvia is the only EU member state that lacks a separate anti-discrimination act. Separate anti-discrimination norms are present in a number of laws and regulations of the country; however, this arrangement facilitates the potential for misuse.

— Adopt a law on support for veterans of the anti-Hitler alliance.

— Revise the Law on Citizenship — remove discrimination in obtaining dual citizenship, grant citizenship to all willing "non-citizens" (i.e. stateless persons permanently residing in Latvia at the moment of restoration of its independence, and their descendants) without exams.

— Revise the Law on elections to city council and regional councils, allowing all permanent residents to vote.

— Revise the Law on State Language — provide the right to choose the way a person's name is written in identification documents and allow communication with municipal institutions in minority languages in regions of their compact settlement. Reduce the legal requirements of Latvian language proficiency in private sector.

— Revise the Code of Administrative Offences, removing such violations as translating text that should be distributed *only* in Latvian language.

— Revise the Law on Electronic Media, providing the minimum amount of minority language broadcasts on public channels and repealing language regulations for private channels.

— Revise the Law on Social Services and Social Assistance, Law on Healthcare and the Law on Legal Assistance Provided by the State, to provide assistance for temporary residence.

— Revise the Law on Public Holidays, Commemorative and Celebrated Days, including popular holidays of Orthodox Christians (who are comparable in numbers to Catholics and Protestants in the country) in the official calendar. Provide employees with the right to take a paid day off once every year to celebrate other religious holidays. Declare May 15th — day of 1934 coup — a mournful date. Clarify the official the official commemorative dates of Stalinist repressions, and change the term "genocide" to "repressions" and "communist" to "Stalinist."

— Revise the Law on the State Flag of Latvia, providing special care or respect for the flags of all neighbouring countries, or for none of them.

— Revise the Law on State Pensions, eliminating discrimination against non-citizens.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Until Latvia abolishes the institution of non-citizens, it should provide this group with the right to participate in municipal elections. The situation where any EU national, after having lived in Latvia for six months, has the right to vote and be elected in local elections while non-citizens who were born and raised in the country cannot, is completely unacceptable. All barriers to employment imposed on non-citizens should be removed.

The struggle against hate speech in Latvia should go beyond online comments and marginal organisations.

In terms of protecting Latvian language, it should be recognised that the concurrent use of other languages does not pose a threat to Latvia, but improves the service of the population. Focus on education rather than punitive measures.

Ministry of Justice and law enforcement agencies of Latvia should investigate the activities of radical nationalist parties (see. Section 8 — *Radical nationalist groups and parties*) for compliance of their actions, including public statements of their leaders to their own statutes and Latvian legislation.

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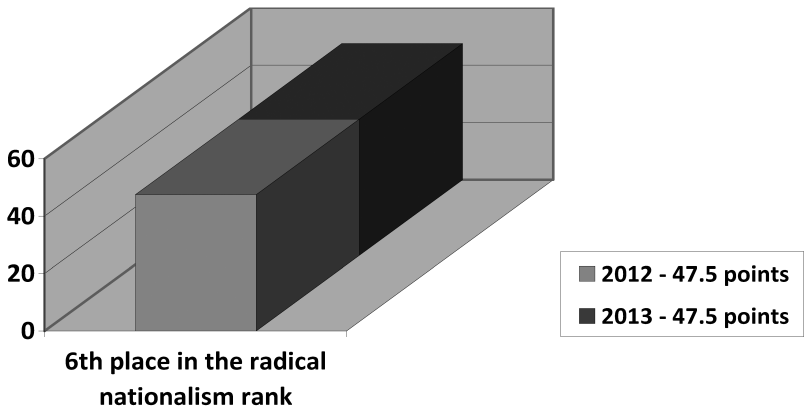
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–20	–20
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	12.5	12.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	5	5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–22.5	–25
9	Extremist and radical nationalist public actions	–10	–15
10	Racist attacks, violence and terror	–5	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–20
13	Persecution of veterans and partisans of the anti-Hitler coalition	–10	–10
14	International aspects	2.5	7.5
	Total	–57.5	–65

LITHUANIA


60
40
20
0
6th place in the radical nationalism rank
2012 - 47.5 points
2013 - 47.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Lithuania is the only Baltic country which adopted the so-called "zero option" citizenship in 1990, thus granting it to all the inhabitants of then Lithuanian SSR. For a long time this country was a model for countries in the region in building its policy towards ethnic minorities on a non-discriminatory basis. According to the census of 2011, the country is home to more than 18% of the population belonging to national minorities. The most numerous is the Polish community of about 6.6% and the Russian community of 5.6% of the population.

Nevertheless, in 2011 the country adopted the Education Law, which introduces a mandatory single examination in the Lithuanian language and literature for all students. In fact, it discriminates against students from schools for national minorities, in which the Lithuanian language is taught at a lesser degree than in "normal" schools, and leads the parents to a forced "Lithuanisation" of the education of their children.

The new edition of the law does not have a fixed notion of a "national school" or a school for "national minorities." The law has fundamentally worsened the Russian and Polish schools in Lithuania. If the previous version of the law contained a provision on the right to secondary education (1st to 12th grade) in their native language (Article 30), the new edition states that all topics relating to the his-

tory and geography of Lithuania, political science concerning the other countries and civics should be taught in the Lithuanian language.

In 2013, the Lithuanian government being formed of the left-wing political forces after the 2012 parliamentary elections, listened to the protests of parents and made some concessions, deciding that a lightweight version of the exam in the Lithuanian language and literature should be provided for the schools of national minorities. As a result, the Minister of Education and Science Dainius Pavalkis signed the order facilitating several conditions of this exam for students of non-Lithuanian schools in 2013. But at the level of the supreme power, as well as at the level of different nationalist organisations, these amendments were seen as a threat to national security. Right-wing members of the parliament (Seimas) appealed the Minister's order in the court. A wave of public discontent rolled through the Lithuanian media, and the conservatives organised the collection of signatures against the reform. On June 18, the expanded panel of judges of the Supreme Administrative Court of Lithuania (SACL) stated, that Minister of Education Dainius Pavalkis' order on establishing an easier Lithuanian language exam for graduates of ethnic minority schools contradicts the constitutional principle of equality, and cancelled it. SACL's decision is final, and without appeal. The headman of the parliamentary fraction of the Polish Electoral Action in Lithuania Rita Tamašunienė stated in this regard, that if after court's decision the Lithuanian language exam will be the same for everyone, it will be discriminating against students of minority schools. "If you do not give children equal opportunity to prepare, then how can you decide on a single exam, regardless of the subject? This is not the question about just Lithuanian language. (...) And we think, that it (single exam) really was discriminatory against ethnic minorities, and those minor exceptions, exemptions, allowed all graduates to take the exam," Tamašunienė commented.[1]

As of January 1, 2011, the Law on National Minorities, adopted in 1989, became repealed. The new law was requested to be prepared by a working group composed of representatives from various agencies, including representatives of the Council of National Communities. However, in 2012 this law was not adopted. Thus, during the period under review the national minorities of the country were in a state of legislative vacuum that was used by the nationalist forces to push discriminatory requirements for ethnic minorities into the Education Law.

Article 17 of the Law on State Language is also considered discriminatory, which prohibits bilingual inscriptions in areas densely populated by national minorities.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

The Lithuanian legislation contains no such restrictions, no intention to limit anyone's voting rights were not recorded in 2013.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

Lithuania is the only country in Europe where the streets are named after accomplices of Hitler's Abwehr: Kazis Skirpa and Juozas Ambraziavicius. Both supervised the collaborationist "Lithuanian Activitst Front" in the summer of 1941, and Ambraziavicius functioned as the Prime Minister of the Interim Government of occupied Lithuania from June 23, 1941 to August 5, 1941 The so-called "Interim Government" besmirched itself by close collaboration with the Nazis early in the war and participation in crimes against humanity.

As of June 22,[2] 2008 the anniversary of the so-called "June uprising" of 1941 is semi-officially celebrated in Lithuania. The uprising consisted of units of "Lithuanian Activist Front" operating in the base of the Soviet troops. The Front is known for attacks on units of the Red Army, murder of Soviet activists and organising Jewish pogroms. Thus, there is a substitution of the day of mourning and remembrance in Lithuania, which is celebrated throughout the former Soviet space celebrating the "liberation of Lithuania from the Soviet occupation," which is actually equal to the celebration of the Nazi occupation of the Lithuanian SSR.

On May 20, 2012 the solemn reburial of Juozas Ambraziavicius took place in Kaunas involving the Government of Lithuania, which had provided financial support.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

The question of the restitution of Polish property in the territory of Lithuanian has not resolved yet.

The legality of restrictions on the right of nominations for the presidential elections only if the candidate is a citizen by birthright remains to be an imperative issue.

Discrimination persists against World War II veterans who fought on the side of the USSR. They carry the humiliating status of "victims of the Soviet regime," and their pension are in 5–8 times smaller than that of the survivors of the "Forest Brothers" (the anti-Soviet rebels, who often happened to be Nazi collaborators).[3] At the same time the

authorities demagogically claim that no alleged infringement of rights of the veterans who fought on the side of the Soviet Union exists.[4]

Ethnic minorities also demand discriminatory procedure for writing the names to be changed, to go from the Lithuanian transcription to the transcription adopted by the native language of these minorities. In addition, Lithuania prohibits writing the names of streets in places of compact settlement of national minorities in the two languages. The Lithuanian State Language Inspectorate regularly penalises the local administration of the Vilnius district, home to many ethnic Poles, for signs with street names in both Lithuanian and Polish.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
×	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–5	–5
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–15	–15

2. Xenophobia and inflammatory statements by members of the authorities and media

On March 11, an unauthorised march organised by nationalists and dedicated to the Day of Restoration of Independence of Lithuania took place in Vilnius. The nationalist procession gathered around 3,000 people (1% of the whole population of Lithuania) — considerably more than in the previous years. Despite the violation of the decisions of the City Hall and the Court, not one of the organisers of the illegal march had not been brought to justice. Furthermore, Arturas Zuokas himself stated on March 12, that because the nationalist procession did not have major violations, next year on March 11th, as well as February

16 (Independence Proclamation Day) such processions would be allowed on Gediminas Avenue.[5] Additionally, on April 5, the head of the Vilnius regional police department Kestutis Lancinskas stated that he admired the unsanctioned nationalist procession through downtown Vilnius. According to Lancinskas, nobody will be punished for this. "People ask me — why did we not break it up? Break up whom? The elderly people who marched with banners and then left? There has not been any Nazi symbols of flags. Yes, this procession was unsanctioned. However, this is a result of lack of respect towards one another in preparation for the march," Lancinskas noted. "I admired this procession (...) they sung beautiful Lithuanian songs."[6]

Organisers of March 11 procession, the Lithuanian National Youth Union, were honoured by the Conservative Party in the nomination "The most national organisation," for the fact that they "are bravely proud, while everyone else is ashamed." The award ceremony was held in Parliament on the initiative of a Conservative deputy Agne Bilotaite. "We have gathered today to thank you," — she told the audience.[7]

Furthermore, on June 21, it was reported that historian Arunas-Bubnis was included into the "International committee for investigating the crimes of Nazi and Soviet occupational regimes in Lithuania," created several years ago by Lithuanian government. Historian stated that there are no facts evidencing Lithuanian nationalists' involvement in the murder of Jews before the arrival of Nazis.[8]

On June 26, Vilnius City Hall refused to allow the march of sexual minorities in late July, which was to be held at Gediminas Avenue, explaining their refusal with security concerns.[9]

On August 3, during the traditional gathering at Aregala the formerly exiled and Soviet political prisoners adopted a resolution on patriotic education, preparation for the defence of the country and strengthening the defensive capacity. The resolution noted that it is necessary to strengthen the fostering of patriotism among the young people in schools, which should be the basis for the teaching of the history of the struggle for freedom (referring to the "Forest Brothers" units after the war, most of which collaborated with the Nazis during the World War II). The event was attended by prominent politicians and bureaucrats.

In August, the ardent nationalist R. Cekutis was appointed editor-in-chief of the leading Lithuanian newspaper "Republic." After that, the newspaper changed its slogan to "Newspaper of True Lithuanians."[10]

On September 4, it became known that during the presentation of the state awards at the office of the President of Lithuania which happened in July of this year, one of the guests of the President, the wife of the editor of the online portal alkas.lt Daiva Trinkuniene appeared

wearing the Lithuanian national dress, which flaunted a lot of swastikas. Representatives of the President commented that there is nothing wrong, as "the swastika is the national symbol of the Balts, ancestors of Lithuanians."[11]

On September 5, the Prime Minister Algirdas Butkevicius said that bilingual labels indicating place names and street names should not exist in Lithuania. "In my opinion, we ought to understand that all of us are citizens of Lithuania. Conditions for all citizens of the country should be the same. This means that there should be no bilingual labels, if we respect our country, the Constitution and the laws of the country," — he said in an interview with the head of government. He emphasised that the exception should not be here, thus rejecting the request of the coalition partners of the Electoral Action of the Polish in Lithuania.[12]

In October 2013, following a broadcast by the First Baltic Channel of the Russian TV programme "Man and Law," which aired a story about the events in the capital of Lithuania on January 13, 1991, containing a different version from the official one presented by the interpretation of what happened that night at the Vilnius TV Tower, the Radio and Television Commission of Lithuania (RTCL) decided, which was later confirmed by the Vilnius Regional administrative Court, to suspend the FBC transmission of those programmes that were "created in countries that were not members of the EU" for three months (as of October 15, 2013). The OSCE Representative on Freedom of the Media D. Mijatovic was forced to intervene, giving a negative assessment of the actions of the Lithuanian authorities and called for the RCTL to reconsider its decision, "undermining the pluralism of the media and infringing of the freedom of the press and speech."

In autumn the journalists and members of the association "Lithuania without Nazism" Giedrius Grabauskas and Aleksandras Bosas published an article titled "Once more about General J. Noreika-Vetra," which exposes the policy of the glorification of Nazi collaborators, and some of those who carried out the policy of the Holocaust in Lithuania. After publication of the article group xenophobic public figures appealed to the prosecutor's office to open a criminal investigation on "profanation of memory of the freedom fighters."[13]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 25 of the Constitution of Lithuania notes that freedom of expression and distribution of information are "incompatible with criminal actions, such as the instigation of national, racial, religious or social hatred, violence and discrimination, slander and misinformation."[14]

The Criminal Code of the Republic of Lithuania provides for criminal responsibility for crimes against personal equality and freedom of conscience: in Article 170 for Incitement against Any National, Racial, Ethnic, Religious or Other Group of Persons; in Article 170 (1) — for creation of and participation in activities (including financing) of groups and organisations for the purpose of discrimination and inciting hatred against a group of persons; in Article 312 (2) — for the desecration of the grave or other place of public worship... on racial, national or religious grounds. Furthermore, the relevant aggravating circumstances are listed in Article 129 ("Murder"), Article 135 "Severe Health Impairment"), Article 136 (*it's article 138 according to the English version of the CC*) ("Non-Severe Health Impairment").

In 2004, Lithuania joined the European Union, and brought its legislation in line with the European standards in particular the Directive 2000/43/EC of the European Council of June 29, 2000 implementing the principle of equal treatment regardless of race or ethnicity. As of January 1, 2005 the new Equal Opportunities Law of the Republic of Lithuania entered into force. The goal of it is to ensure the implementation of the equal rights of people stated in the Constitution, and to prohibit any direct or indirect discrimination on the grounds of age, sexual orientation, disability, racial or ethnic origin, religion or belief.

- Presence and development of anti-discriminatory legislation.

Article 29 of the Lithuanian Constitution states: "All persons shall be equal before the law, the court, and other State institutions and officials. The rights of the human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views."

Article 26 of the Law guarantees the freedom of worship noting: " No one may compel another person or be compelled to choose or profess any religion or belief." Article 37 states that the citizens belonging

to national communes have the right to develop their language, culture and customs. [15]

The Criminal Code of the Republic of Lithuania provides for criminal liability for discrimination based on membership of a particular nationality, race, gender, national origin, religion, or another group of people (Article 169). In 1994, Lithuania acceded to the Convention on the Elimination of All Forms of Discrimination against Women, in 1998 the country ratified the International Convention on the Elimination of All Forms of Racial Discrimination.

On January 1, 2003 the new Lithuanian Labour Code came into force, which establishes (Article 2, s. 1(4)), that the regulation of labour relationship concerning the implementation and protection provided by legislation of labour rights and obligations uses the principle of equality subjects of labour law, regardless of their gender, sexual orientation, race, nationality, language, origin, nationality, social status, religion, marital status and marital status, age, beliefs or opinions, membership of political parties and public organisations, circumstances unrelated the qualifications of employees.

The new Labour Code was brought into line with the Directive 2000/78/EC of November 27, 2000 regarding the common system of equal treatment in employment and occupation.

The Equal Opportunities Law also introduces the legal concepts of direct and indirect discrimination.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

This legislation is only partially observed in Lithuania. For example, on entering the European Union Lithuania has ratified the Framework Convention for the Protection of National Minorities, which prohibits worsening of the situation of the national minorities within the nation-state through the introduction of new or cancellation of the old acts. However, this requirement was violated in 2010 by abolition of the Law on National Minorities and the introduction of the new Education Act in 2011.

The ban on bilingual inscriptions in areas densely populated by national minorities enshrined in Article 17 of the Law on the State Language, also, is a violation of the Framework Convention is also.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)

According to the General Prosecutor's Office 49 pre-trial investigations on suspicion of inciting ethnic hatred on the Internet were initiated in 2013. In 2012, there were 58 of those. It is noteworthy that most

of them were initiated by the statements of the representatives of national minorities living in Lithuania. [16]

A part of such crimes is associated with finding criminals being intoxicated. On January 17, a Lithuanian from the village of Sveksna (West Lithuania) was sentenced to a fine for the fact that in September 2012, he nailed two pig ears to a former synagogue building. The defendant admitted his guilt, but could not explain the motives of his behaviour due to the strong alcoholic intoxication at the time of the crime. [17]

In a number of cases the police took independent action. On May 9, police announced the prevented nationalist provocation that was planned this day. [18]

Nevertheless, the fight against hate crimes in Lithuania has been limited. The real fight against xenophobia is conducted only when there is an act of violence, vandalism or of xenophobic character. Otherwise, cases are not completed by a court sentence, or are not brought before the court at all.

- Unlawful use of anti-extremist legislation.

In February-March of 2013 the Lithuanian court found the ban imposed on the Belarusian antinuclear activists Nikolay Ulasevic and Tatyana Novikova to enter Lithuania unlawful. As of February 25, 2013 the Administrative Court of Vilnius District ordered to cancel the decision of the Department of Migration to ban anti-nuclear activist, coordinator of the public campaign " The nuclear power of Astravyets is a crime!" Nikolay Ulasevic on entry to Lithuania. On March 18 a similar decision was made in relation to the coordinator of the Belarusian antinuclear campaign Tatiana Novikova. The court also ordered the Department for Migration to pay the court costs for both of the plaintiffs of LTL 3,246 each.

On September 26, 2012 Nikolay Ulasevic and Tatiana Novikova having valid Schengen visas were on their way to the Seimas on the official invitation to the conference "Lithuania — Belarus, the nuclear neighbourship" where they were to present their reports on the Astrovyets NPP. The Lithuanian border guards denied entry on the grounds that they threatened the national security of Lithuania, and Novikova was even accused of threatening the safety of other EU countries. However, the ban did not apply to other Schengen countries, and coincided with the time of preparation and holding of the referendum on the construction of a nuclear power plant in Lithuania. 62% voted against the construction of nuclear power plant on October 14, 2012. Novikova and Ulasevic are known as long-standing opponents of nuclear energy in general and the projects to build nuclear power plant in Lithuania and Belarus in particular. [19]

On November 26, 2013 due to the accusation of slander (Article 313 of the Criminal Law of Lithuania) Criminal proceedings were initiated against journalists and human rights activists of "Lithuania without Nazism" Giedrius Grabauskas and Aleksandras Bosas. As it later turned out the Lithuanian court interpreted the characteristics given by the journalists to the executioners of the World War II — J.Noreika ("General Vetra") who participated in mass executions of Jews in Plunge, Telsiai, Siauliai and other regions of Lithuania, as slander. The same applied to B. Vitauskas-Saidokas who participated in the extermination of Jews in Kaunas, J.Luksa-Daumantas who also participated in the executions of Jews in the same city, J. Krikstaponis who participated in the extermination of the Jews in Ukmerge, and later was a part of the punitive battalion participating in campaigns for the destruction of Jews and Soviet war prisoners in Belarus, etc.

The problem was aggravated by the fact that the journalists not only called the aforementioned people butchers in their articles, but also asked the authorities why the streets and squares of Lithuanian cities were still called after them, as well as secondary schools and even one higher education institution. They were also interested in why monuments dedicated to the Nazi criminals had been erected in many cities across the country.[20] The reply to their questions was the initiation of the slander case on the "heroes of the Lithuanian resistance" as they like to call those who participated in the Holocaust, and later after the liberation of Lithuania from the Nazis those who went into the woods and killed Soviet activists, as well as Lithuanian civilians, until mid 1950's. The case was initiated at the request of the head of the veteran organisation of those "liberators," the " Lithuanian Freedom Fighters Movement," J. Ceponis, as well as at the request of several Catholic priests. In accordance with the new criminal law of Lithuania Giedrius Grabauskas and Aleksandras Bosas are being tried in the criminal case as "special witnesses," which is a special status before the arraignment.

This criminal case against anti-fascists is not the first in modern Lithuania. Last year the leader of the association "Lithuania without Nazism" Algirdas Paleckis was convicted for doubting the official point of view regarding the shooting of civilians by Soviet troops in January 1991 in Vilnius. Furthermore, witnesses who confirmed point of view of anti-fascist at the trial were later prosecuted.

On December 23, Vilnius District Court ruled against the director of the government administration of the Salcininkai district, the compact residence of the Polish minority, Boleslaw Daszkiewicz. In accordance with this decision, he was to pay a total of LTL 43,400 (12,569 Euros) for the noncompliance with the court decision to remove bilingual signs (in Polish and Lithuanian) with street names.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	10	10

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

A few days before the march of neo-Nazis and nationalists in Kaunas (16 February), Prime Minister Algirdas Butkevicius (Algirdas Butkevičius) said he would not tolerate incitement of national hatred. "I can say plainly and clearly: those who are planning to or want to turn our holiday of Independence into a manifestation of separation, exaggeration of self-worth or incitement of ethnic hatred, on behalf of the government we appeal not to do so. Those who do not want to understand how much damage is being done to Lithuania with these attempts to manipulate patriotism, fuelling anti-Semitic or other national conflicts, will be given a decisive rebuff now and in the future. I can guarantee it and confirm," — he had said in an interview. According to the head of the government the slogan "Lithuania for Lithuanians" shows that "there is no respect for the Lithuanian citizens of other ethnicities."[21]

The ruling Social Democratic Party also spoke out against the unauthorised procession on March 11 and said it condemns the "manifestations of ultra-nationalism and violation of democratic processes." According to the party press release of March 11 the unauthorised march across the Gediminas Avenue "had finally torn the veil of imaginary democracy from the self-proclaimed "patriotic youth."

"When supporting democracy, citizens must take the decisions of democratic institutions into account. (...) Despite the fact that the march was called a free walk free citizens around the city on the holiday, it was, in fact, a well-organised march of many thousands of people with placards and chanting of slogans of pseudopatriotic nature. The photos can be seen even in the media with such inscriptions as "White power," i.e. slogans of the current racist group in the USA that promotes the murder of Negros," — the statement said. "March 11th — is a holiday for all Lithuanian citizens, regardless of their ethnicity or religious affiliation. Patriotism of a citizen is evidenced by his respect of state's Constitution, respect towards fellow citizens and participation in the creation of general welfare," Social Democrats noted. They urged citizens to be vigilant and "have a responsible attitude towards the actions of ultra-right forces, not give in to their hype, because the world has repeatedly experienced the nightmares provoked by them."

"Numerous police forces not only did nothing to stop the unauthorised march, but even went along with it, as if the procession was authorised. Lithuanian Social Democrats strongly condemn such ultranationalistic acts and violations of democratic processes and require responsible action on behalf of the law enforcement in the investigation of the events on March 1 and the actions of the police," — it said in a statement. [22]

On April 23, Minister of Foreign Affairs Linas Linkevicius condemned the anti-Semitic graffiti in Vilnius."It is particularly appalling, that anti-Semitic slogans appeared near the painful for Jews historical sites. We cannot tolerate incitement of ethnic hatred in a democratic state that respect members of all nationalities. As a member of the government, I will raise this issue. Those, who daubed the prohibited by Lithuanian law swastikas cannot remain unpunished. We must strive to ensure that such disgusting attacks do not happen again," Linkevicius said. [23]

Foreign Minister Linas Linkevicius condemned the anti-Semitic vandalism in Panevezys. "I strongly condemn any attacks, purpose of which is to sow discord in Lithuanian society on ethnic or other basis. I have no doubt that perpetrators will be discovered and punished in accordance with Lithuanian law, just like the vandals in Vilnius, on Subaciaus street, who are currently being investigated," Minister said. "Only through joint efforts and intolerance towards the attempts to artificially incite hatred will we establish traditions of tolerance and respect of human rights, and prevent the recurrence of such attacks," — as cited by the Ministry of the Interior. [24]

On July 6, Lithuanian Ambassador to Russia Renatas Norkus stated that the Republic of Lithuania does not have problems regarding ethnic

misunderstandings. “Now the amount of is 5.8% of the Lithuanian population. At the same time, our country has 31 Russian school, 21 Lithuanian-Russian school (Lithuanians and Russians are placed in separate classes of the same grades in these schools), 11 Russian-Polish schools, 5 Lithuanian-Russian-Polish schools. Russians have perfectly integrated into the life of Lithuania, including the political aspect,” — Norkus said. He recalled that in 1991 the Seimas of Lithuania adopted the zero option of citizenship, which granted full citizenship to all citizens of the country irrespective of their ethnicity. Norkus invited Russians to come to Lithuania and to make sure that the problem does not really exist.[25]

On July 31 during the visit of Israeli President Shimon Peres the Lithuanian President Dalia Grybauskaite said: “Good and close relationship with Israel is in the interests of Lithuania. We tried to assess the painful lessons of history and look into the future, creating mutual respect, bilateral relations based on mutual understanding and friendship.” Grybauskaite also stressed that Lithuania continued to investigate the Holocaust and assessed the crimes of the Nazis, thus more specifically the national educational programme on the history of the Holocaust had been confirmed. In addition, the Lithuanian schools and local communities established 90 centres of tolerance, which carry out educational activities, foster tolerance and combat racial, ethnic and other hate.[26]

On August 21, the newspaper “Overview” published an article by Danny Ben-Moshe, an associate at Deakin University, Australia, the co-director and co-author of the film “Rewriting History.” It criticised the policy of introducing the theory of “double genocide” in Lithuania and in Europe in general. In particular it was noted that the East European politicians, while rewriting the history of the Holocaust, create a threat to the activity of Yad Vashem which preserved the Holocaust remembrance by using “two genocides,” bringing the mythical “Soviet genocide” to the first place.[27]

September 23 marks the Day of Genocide of Lithuanian Jews. On this occasion the Minister of Foreign Affairs Lynas Linkevicius said that the tragic experience of the Holocaust should always be remembered. “We cannot turn back time, but we can try to make sure this never happens again. Our landmark is the Righteous Among the Nations, who rescued the Jews. Their deed and the choice to save rather than flee shows the power of humanity,” — L. Linkevicius said. The former Lithuanian President Valdas Adamkus said that the Holocaust was a tremendous tragedy for the nation, as the members of the Jewish Community of Lithuania were loyal citizens of the country.[28]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

On March 11 in Lithuania, a group that was tasked to make proposals in connection with minority issues finished its work. It was proposed to provide Lithuania's ethnic minorities with the ability to write their surnames in original language, with Latin alphabet, and in the places with high proportion of minorities, it was proposed to introduce double names for streets and settlements. [29]

On March 14, Ministry of Culture of Lithuania allocated 288 thousand litas to the projects aimed at developing the cultures of national minorities. These funds were spread over more than 90 projets, funds for each individual projects are not large — a few thousand litas each (mostly 1–2 thousand litas). The larges sum — 14 thousand lats — was allocated for the celebration of the International Roma Day. 11 thousand litas were direct to the project of Kaunas Centre of Different Cultures — festival of schools of national minorities. Alytus society of Russian Culture "Malachite" received 7,000 litas for the development of Russian culture in Lithuania; the Vilinius Russian folklore centre — 1,500 litas for conducting an international conference "Traditional culture of national minorities of Lithuania and foreign countries: present and prospects"; Coordinating Council of Russian social organisations in Lithuania — 3,500 litas for the project "Russian heritage in Lithuania." [30]

In connection with the 70th anniversary of the liquidation of the Jewish ghetto of Vilnius at the Parliament of Latvia hosted a conference on Jewish heritage in Lithuania on September 23, as well as a discussion of the implications of the Holocaust. Deputy speaker Petras Austrevicius (Petras Auštrevičius) addressed the audience, as did the former President Valdas Adamkus and the Minister of Foreign Affairs Linas Linkevicius. [31]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

The migration is controled by the Law "On the Legal Status of Aliens" adopted in 2004, and as amended in 2006, 2008 and 2009, the amendments were due to the adoption of Regulation of the European Parliament and the Council 562/2006 as of March 15, 2006 laying down the rules governing the movement of persons across borders, the Community Code (Schengen Borders Code).

Article 3 of the Law declares that workers shall enjoy the rights and freedoms provided by the Constitution of the Republic of Lithuania, international agreements, legislation of the Republic of Lithuania and legal acts of the European Union, and are equal before the law, without distinction of sex, race, nationality, language, religion, origin, social status, religion, convictions or opinions. According to the law, migrants can obtain a permanent residence permit in the event of opening a business in Lithuania.

The minimum wage that is sufficient to obtain citizenship is established by the Ministry of Labour. The exceptions are the victims of human trafficking, people granted refugee status, etc. A temporary residence permit is obtained by the migrant workers, persons entering into a marriage with the Lithuanians, Lithuanians who are citizens of other countries, persons entering the school, person coming for family reunification, seriously ill and in need of urgent medical assistance.

The same law regulates the procedure for granting refugee status and subsidiary protection.

In general, the migration legislation of the Republic of Lithuania fully complies with the European standards.

- Government's compliance with such legislation (law enforcement practice)

In 2013, apart from the scandal around the unmotivated refusal of entry into the country issued to the Belarusian antinuclear activists Tatiana Novikova and Nikolay Ulasevic, as well as the refusal to grant political asylum to Belarusian Army Sergeant Stepan Zaharcenko, who refused to sign the paper on the obligation to shoot civilians in case of mass unrest and deserted from the army, the government generally respected immigration legislation. This also contributed to the change in the European Court of Human Rights (ECHR) on November 14, 2013, of one of the fundamental rules of political asylum in the European Union in favour of the petitioner. Now illegal entry into one of the EU member states no longer means that the application of the migrant or refugee will be automatically rejected. [32]

In general, the migration situation in the country continues to be unbalanced: in 2013, 38.8 thousand people emigrated (in 2012 the number was 41.1 thousand), immigration, on the other hand, was at 22 thousand, those were mostly returning residents of Lithuania. Only 550 people who entered the country were foreigners. Those are mainly citizens of the other EU countries.

- Discriminatory practices against immigrants.

  No such instances were observed in 2013.

- Use of ethnic crime as justification for discrimination against immigrants.

The issue of ethnic crime is not relevant for the Lithuanian society and is on the periphery of the attention.

- Social assistance for immigrants.

In general, foreigners who have the temporary residence permit enjoy the same fundamental social rights and privileges as the citizens of the country.

Article 107 of the Law "On Legal Status of Foreigners" guarantees foreigners who have a residence permit conditions for integration into the political, social, economic and cultural life of the State in accordance with the procedure established by the legislation.

The types of support include language training, education, job search assistance, housing, medical care, as well as informing the public about ways to support workers. Furthermore, Article 108 lays migrants, receiving support from the State under the commitment to file an income tax return. [33]

In the mid 1990s the EU fearing an influx of refugees through Lithuania gave the country a significant financial assistance for the time needed to complete of the provision of the right to asylum. Finland took part, especially, in the implementation of repairing the centre to receive refugees and to train the officials.

The feared influx never came to be. Lithuania is a poor country and does not attract asylum seekers, although it remains attractive as a transit country onto more prosperous countries of the EU. This is also contributed to by the decision of the European Court of Human Rights (ECHR) in Luxembourg made on November 14, 2013, which ruled that the statements of potential refugees may be considered not only in the destination country of the EU. Under certain conditions, the application shall be considered by any other country of the EU, which will receive the documents for asylum. For example, if the destination country treats the applicant inappropriately, if substantial irregularities in the processing of the documents are revealed, or the necessary conditions are not provided for the final reception, another EU country may be obliged to consider the request. The precedent for the adoption of the decision by the European Court was established by an Iranian citizen, who in 2007 fled to Greece with forged documents and from there he continued onto Germany where the members of his family had lived. [34]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

In Lithuanian society the anti-Polish sentiment is most evident, because the Polish are the most significant national minority in Lithuania. The attitude is fueled by both the historical memory of the population (Lithuania being part of Poland for a long time, and the Polish troops occupied Vilnius during the period of time between 1920 and 1939) and the demands of the Polish minority to provide bilingual street names in the places of their residence, as well as to change the discriminatory law on education of 2011.The public perceived the last demand as the first step towards the establishment of autonomy.

Anti-Semitism is cultivated mainly in the environment of the radical nationalists, but is not used in their political propaganda. As for Russophobia, it is basically embraced by politicised intellectuals. However, against the background of the policy of equalisation of the USSR and the Third Reich the minds of young people are going to equate Russia to the Soviet Union. Thus, in 2012, the contest of children's drawings dedicated to the "occupation" by the Soviet Union, there were drawings, in which Soviet tanks were depicted under the Russian flag.

Generally speaking, quite a contradictory situation has developed in Lithuania over the course of 2013. On one hand, towards the end of the year contrary to the wishes of the country's leadership, the citizens had collected more than 300 thousand signatures required for a referendum regarding the right to purchase land by foreigners, [35] which indicates a high level of xenophobia in general. On the other hand, according to a survey conducted in 2013 by the office of the Ombudsman for Equal Opportunities, only 3% of the Lithuanian population have experienced

problems due to ethnic discrimination, 2% were in relation to discrimination on religious grounds, and 1% was due to sexual orientation.[36]

In other words, the country has the same pattern as do many other countries of the former Soviet Union, people are not so often faced with the problems associated with others being different as much as they hear or read about them in the media.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	2.5	5
–	Discriminatory practices against immigrants	0	0
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	7.5	10

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

Appeals to ethnic hatred are mainly recorded during the period of the traditional marches of the Lithuanian radical nationalists on February 16 (Lithuanian Independence Day of 1918) in Kaunas and on March 11 (Day of Restoration of Independence of 1990) in Vilnius.

If February 16 remains to be the day of marches of nationalists, held under the slogan "Lithuania — for Lithuanians," and a portrait of a leader of the pro-Nazi "temporary government" J. Ambrazevicius (during the Nazi occupation of 1941), with white bands and stylised swastikas; then March 11 is the day when alongside the aforementioned attributes the participants of the march would chant "Lithuania — for Lithuanians" meaning that the government's only responsibility are the ethnic Lithuanians. Aggressively minded skinheads were also seen throwing their hands forward in a Nazi salute. In 2013, the number of protestors significantly increased in Vilnius — up to 3,000 people (more than 1% of the population of Lithuania), which is

especially impressive when it's taken into account that the march was initially banned by the authorities.

Basically the media remain to be the source of ethnic tensions, that's why according to the Lithuanian Prosecutor General's Office the majority of criminal cases regarding hate crimes was instituted in connection with publications in online networks. [37]

An ordinary comment of a known in Lithuania presenter and journalist Indre Makaraitite in connection with the traditional neo-Nazi march in Kaunas would be an example. In response to criticism of the Director of the Jerusalem branch of the Simon Wiesenthal Centre E.Zuroff who participated in the protest activities of anti-fascists, "a foreigner arrives to Kaunas on the Independence Day and comments or criticises what he sees, as well as teaches us what to do and not do — then the number of bitter internet commentators only grows. The neo-Nazis, she maternally called "poor souls, led astray by someone." [38]

Several instances of Nazi graffiti were recorded in 2013 in Lithuania. On the night of March 14, a swastika was painted on a door of the Irish Embassy in Vilnius. [39]

On April 22, the post and roadside on Subacaus street in Vilnius was covered with swastikas and slogans "Heil Hitler" and "Juden Raus." The inscriptions were made not far from the location of a Nazi Labour Camp, near the territory of the Vilnius ghetto. [40]

On May 17 in Panevezys, a swastika was drawn on the youth school and the door of Panevezys Jewish Community. [41]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

There are musical groups promoting xenophobia in Lithuania. The most famous of them is the "Dictatorship," which is famous for their song about the murder of all nations living in Lithuania, except Lithuanians ("The Poles have all been hung, Russian are slaughtered and are lying by the fence, the Jews are already burning in the oven, only real Lithuanians are all alive" [42]), and "Autonomous resistance."

Several Neo-Nazi rock concerts took place in 2013, which have traditionally been confined to the national memorial dates. In the evening of 12 January, on the eve of the Remembrance Day for the victims of January 13, 1991 youth nationalist groups have organised an annual concert "Rock Against Communism in 2013," which was participated by the "Dictatorship" along with other questionable "rock bands." In addition to the Lithuanian "groups" the German neo-Nazi "Die Lunikoff" also made an appearance. The organisers of the event say that the group is not prohibited in Lithuania and do not understand why people complain about it. The leader of the German group, Michael Regener is a former leader of the pro-Nazi group Landser. This group was

recognised as violating German Law, and its leader was in prison for more than 3 years. German press reports that "Die Lunikoff" is a continuation of Landser. And although the group is not banned in Germany part of its work is prohibited.[43]

The nationalist rock concert was also held on March 11 in the centre of Vilnius after the unauthorised procession of radical nationalists in honour of the Day of Restoration of Independence.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)

There are several parties radical nationalist in Lithuania, such as "Young Lithuania" (leader — Stanislovas Buskiavicius), the Union of National Unity (leader — Algimantas Matulevicius), the "National Solidarity," the Lithuanian Centre Party (leader — Eugenijus Skrupskialis), Lithuanian Union of Social Democrats (leader — Arvydas Akstinavicius) and the Union of Nationalists (leader — Gintaras Songaila). There are also organisations such as the "Lithuanian National Youth Union " (leader — Julius Panka) and the "Lithuanian National Centre" (leader — R. Cekutis).

On March 19, 2012 the leaders of the Lithuanian centrist party, the Union of National Unity, the Lithuanian Union of Social Democrats and Nationalists Union signed a declaration on the establishment of associations "For Lithuania in Lithuania." The "Lithuanian National Centre" later joined the coalition. The programme of the coalition had direct hints that national minorities represent a threat to Lithuania, and propose measures to "control" them.[44]

Traditionally, these parties are involved in neo-Nazi marches to mark the Lithuanian memorable dates such as the Independence Day

on February 16 in Kaunas and the Day of Restoration of Independence on March 11 in Vilnius.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The programme of "Young Lithuania" focuses on the "Lithuanianes," blaming "cosmopolitanism and Europeanness" in the destruction of Lithuanian identity, as well as Christian education. Party demands creation of a "national school" and introduce the religious education. [45]

The programme of the Nationalist Union demands protection of the national culture, which is only the Lithuanian ethnic culture according to the party; it also states that "part of Belarusian lands are ethnically Lithuanian, as well as the Kaliningrad region of the Russian Federation ("Konigsberg" according to the programme)," stands for the return of the ethnic record in the Lithuanian identity records, and also contains a provision on the need for criminal prosecution for advocating "sexual perversion" and same-sex marriage. Additionally, the programme of the party contains a demand to prevent "alien ideas" from penetration of Lithuania Another point programme of the party is the recognition of the alleged genocide Lithuanians during the Soviet period. [46]

On December 17, the Nationalists Union made a statement in which it was pointing at the "threat to the fate of the Nation and the State" due to the ruling coalition having Polish members, and the party appealed to them to unite as "the colour of the Nation" at the upcoming meeting of the "representatives of the nation." [47]

The "Lithuanian National Centre" stands for "Lithuanian Lithuania," demands stopping of immigration (including the labour immigration), rejects the primacy of international law over the Lithuanian law. "Centre" also demands prohibition of granting of citizenship for any reason other than the origin. Party also states that the approach to the non-Lithuanian criminals is ambiguous, and therefore requires "objective consideration of crimes" committed by them. The party has also spoken out against the "propaganda of sexual perversions," referring to LGBT awareness campaigns. "Centre" has also called for the continuation of the "Lithuanisation" of the schools. [48]

On April 11, the Chairman of the neo-Nazi "Lithuanian National Centre," the organiser of the neo-Nazi march on March 11, deputy editor of "Republic," one of the biggest newspapers in the country, a member of "the Centre for the Study of Genocide and Resistance of the Lithuanian population" Ricardas Cekutis attacked some members of Parliament with direct threats of violence via the social network "Facebook ": "Such figures as Austrevicius, Andriukaitis and Karosas would be shot without hesitation in a nationalist state, and it would be right

as it would be for treason. However, you will see it soon enough... "(...) It would be enough for Lithuania to shoot a few hundred bootlickers of Brussels and Moscow, is this really aggression? It is inevitable in order to be cleared of debris. To do this, the Criminal Code should return an article about the death penalty. (...) Now I see that it would not be enough to put a few hundred (people) to the wall... But it does not matter, it would serve as a preventive measure to others."[49] The authorities did not issue any response following this outburst.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

While we can talk about only limited influence of radical nationalists on society. Nationalist parties receive a minimum of the vote (1–3%). Failure in the parliamentary elections in October 2012 was encountered by "For Lithuania in Lithuania" coalition not having scored even 1% of the vote. As experts say this is largely due to the lack of the most popular themes in their propaganda, as Lithuania is a country where 85% belong to the titular nation, the Lithuanians, the idea of the "threat of assimilation" by the Russians does not "look right."[50] It's just not plausible which is understood by most voters.

However, certain political forces have policies on the promotion of individual leaders of the nationalist movement for certain public offices, as well as the media.

For example, the infamous Marius Galinis, featured on a campaign poster in a tie with Nazi symbols, has been appointed to the position of deputy state Varėna Cultural Centre. In August, ardent nationalist R. Cekutis was appointed for the post of the chief editor of the leading Lithuanian newspaper "Republic," after being the deputy chief editor. After that, the newspaper changed its slogan to "Newspaper of True Lithuanians."[51]

The trend of "promotion" of nationalist organisations is also evident. Thus, on 24 April it became known that the National Youth Union became a full member of the board of the youth organisations in Lithuania, which is the main coordinating body of the youth policy. The council includes all major youth organisations in Lithuania, many of which are the youth divisions of different political parties.

During the voting for full membership of the young neo-Nazis 19 members were for granting the membership, 7 members abstained; and no member voted against. "This decision of the entire Board, there were no statements against the membership, on the contrary, there was a lot of support," — the Board President Loretta Senkute commented the decision. "We look for what unites us rather than what divides us," — she said, without specifying, however, what is it exactly that unites members of the board with the young neo-Nazis.[52]

The results of public opinion polls, too, are alarming, according to which 13% of Lithuania's population support the slogans the marchers,

and 41% cannot decide whether they are good or bad.[53] The latter answer most likely means that the respondents support ultra-nationalistic slogans, but they are ashamed to admit it. While such support has not yet been converted into support of the neo-Nazis in the elections, but, as shown by an example of the "Freedom" party in Ukraine the situation could quickly change. Therefore, the influence of radical nationalists within the civil society can be regarded as limited.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

The Nationalists could not achieve an impressive representation in the elections to the local authorities, which took place in Lithuania in 2011.

The elections were participated by such nationalist parties as "Young Lithuania," which managed to have their vice-mayor of Kaunas,[54] as well as the two parties, which later merged into a new party "For Lithuania in Lithuania" — the Lithuanian Centre Party (which won 6 seats in the municipal councils) and the nationalist Lithuanian Union of Social-Democrats with 19 (since the total number of the members is 1,500, the nationalists managed to get a little more than 1.5% of the seats).[55]

Nevertheless, the idea that the support of the unauthorised procession of radical nationalists in Vilnius on March 11 was also given by the well-known politicians and even the Mayor of Vilnius Arturas Zuokas, who stated that because the nationalist procession did not have major violations, next year on March 11, as well as February 16 (Independence Proclamation Day as of 1918) such processions would be allowed on the central Gediminas Avenue,[56] suggests that the influence of nationalists have on the local government is gradually increasing. The fact that the head of the police station of the Vilnius district Kestutis Lancinskas had said that he admired the unauthorised procession of the nationalists in the centre of Vilnius also shows evidence in favour of the increasing influence.

It is also shown by the fact that the organisers of March 11 procession, the Lithuanian National Youth Union, were honoured by the Conservative Party in the nomination "The most national organisation," for the fact that they "are bravely proud, while everyone else is ashamed."[57] Nationalist leaders do not hide that they want to run for the European Parliament in 2014, and strive to create friendly relations with the Lithuanian political establishment for this purpose.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

The radical nationalist influence over the central legislative and executive bodies remains limited.

In 2012, there were two members of the nationalist of the Nationalist Union in Lithuanian Seimas, but they were there representing the ruling party "Homeland Union,"[58] therefore they will not have these seats after the term will have finished.

The permissiveness and even direct support of the nationalists from the government can also be noted. Neo-Nazis, being identified in 2011 in the Lithuanian army, still have not been dismissed from the service, not to mention any other more serious actions, which is due to the existence of the patrons at the "top."[59]

In July 2012, the National Lithuanian Youth Union as the main organiser of the neo-Nazi march on March 11 held a summer camp in the east of Lithuania, after having received financial support of 3,000 Euros from the governmental Culture Support Fund.[60]

When in December 2012 the Vilnius municipality did not allow nationalists and neo-Nazis to organise a march on March 11 Day of Restoration of Independence of Lithuania on the main street of Vilnius the Gediminas Avenue for the first time in several years, the nationalists said they would organise a march even without a formal permission of the authorities of the city and threatened to sue the latter. At the same time they were able to collect the signatures of a number of MPs from all major parties. However, in 2013, only two members of the parliament took part in an unauthorised march on March 11.

Overall, it cannot be argued that nationalists have influence over the Lithuanian ruling party and the central government in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–2.5	–2.5
–/×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	–2.5
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–12.5	–15

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

The nationalist procession in Vilnius on March 11th gathered around 3,000 people (1% of the whole population of Lithuania) — considerably more than in the previous years. The procession passed the central Gediminas Avenue, becoming unsanctioned. Organisers illegally lead them through the main street of Lithuania's capital. The police did not interfere. The march was participated by former deputies Kazimeras Uoka and Vitautas Sustauskas, as well as the leader of a neo-Nazi party Mindaugas Murza with his supporters. Ahead of the column were walking the signatories of the Independence Act Romualdas Ozolas, Audrus Butkiavicus, leaders of the Lithuanian National Youth centre Julius Panka, Rishardas Cekutis, Marius Kundrotas. Members of the march chanted "Lithuania, Lithuania!"

Several times, the slogan "Lithuania — for Lithuanians" was heard from the crows, however, this time it was not dominating. Nevertheless, the crowd consisted of more than enough skinheads, aggressive sports fans, neo-Nazis, who, covering behind a dense crowd, were throwing hands in a Nazi salute. Posters with the name of the American racist group "White Power" were seen in the crowd of participants of the unauthorised procession. [61] After the event, the youth part gathered for a traditional concert of nationalist and neo-Nazi rock bands in the very centre of Vilnius. [62]

The most outrageous thing happened a few days later, when the Mayor of Vilnius Arturas Zuokas expressed support for the protesters and his intention to allow their march the next year, and the head of the police station of the Vilnius district Kestutis Lancinskas said he was delighted with the unauthorised procession of the nationalists in the centre of Vilnius.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

On January 12, Lithuanian National Youth, which annually, on March 11 — the day of the restoration of Lithuanian independence — organises a procession of radicals and neo-Nazis along the main avenue of Vilnius, organised a torchlight procession on one of the central districts of the capital, where a cemetery is located with buried victims of January 13th. Event brought together about 250 people, mostly youth. According to the organisers, the torches were symbolising the desire to

"burn the infection of cosmopolitanism from the hearts of Lithuanians."[63] On evening of the 12th of January, nationalist youth groups organised an annual concert "Rock against communism 2013," where a number of nationalist groups from Lithuania and Germany were performing.[64]

Following the example of the Greek neo-Nazis, who in 2012 organised a campaign to collect "pure Greek blood" in Athens, the Lithuanian National Youth Union held a "Pure blood of patriots" action on January 19. Only two dozen people showed up for the "patriotic Lithuanian blood appeal" of the nationalists.[65]

On February 16, Kaunas had a march of nationalists, organised by a Lithuanian Nationalist Youth Union, held under the slogan "Lithuania — for Lithuanians," and a portrait of a leader of the pro-Nazi "temporary government" J. Ambrazevicius, with white bands and stylised swastikas. The procession gathered around 500 people. Some participants of the march threw up their hands in a Nazi salute.[66]

On May 1, a small neo-Nazi party "Union of Lithuanian Nation" held a rally in Siauliai, during which the members of the "Anti-globalisation Association" that arrived from Latvia raised a flag with a swastika.[67]

On August 13 during a music summer gathering near Vilnius nationalists (mainly members of the "Lithuanian Nationalist Union" party) burned portraits of famous politicians and public figures. Shouting "let Lithuania be cleansed of evil" the gathered burned portraits of the leader of the Labour Party Viktor Uspaskic, the Polish Party Voldemars Tomaszewski, chairman of the "Lithuania without Nazism" Algirdas Paleckis, representatives of centre-left parties, the Jewish community, ethnic and sexual minorities, politicians who negotiated the accession of Lithuania to the EU.[68]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

One member of the parliament from the opposition party, "The Way of Courage" Algirdas Patackas participated in the procession of radical nationalists on February 16 in Kaunas.[69]

- Presence of "football xenophobia" and racism amongst sports fans.

Sports fans actively participated in the March 11 march in Vilnius. Yet there are no records of racist behaviour on the grandstands in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
–	Presence of "football xenophobia" and racism amongst sports fans	–5	0
	Total for the section 9	–15	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

On January 17, a Lithuanian from the village of Sveksna (West Lithuania) was sentenced to a fine for the fact that in September 2012, he nailed two pig ears to a former synagogue building.

The defendant admitted his guilt, but could not explain the motives of his behaviour due to the strong alcoholic intoxication at the time of the crime. [70]

On May 17 in Panevezys, a swastika was drawn on the youth school and the door of Panevezys Jewish Community. [71]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

  No such instances were observed in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

  No such instances were observed in 2013.

- Nationalist or religious terrorist attacks

  No such instances were observed in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
–	Cases of violence, including murder on racial, ethnic and religious grounds	0	0
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–5	–5

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

Anti-fascist community of Lithuania is quite shapeless, although in recent years it has been becoming more clearly outlined. A range of cultural, educational and socio-political organisations have joined the association "Lithuania without Nazism" — a subsidiary of the International Human Rights Movement "World without Nazism" (created in 2010 and led by Julius Deksnis).

Also these organisations include the movement "Antifa" (anarchists), the party of "Socialist People's Front," as well as a group of antifascists under the ideological leadership of an American living in Lithuania Dovid Katz, who unified the like-minded people on the Internet portal "Defendinghistory.com." It is also necessary to mention the Council of Veterans of the Great Patriotic War (Secretary — Vaigutis Stancikas). The number of activists of the anti-fascist movement is estimated to be between 1,000 and 3,500 people.

There are also a number of organisations that periodically come up with a position of protest against the policy of radical nationalists. These actions are popular especially among young people, such as "Tolerant Youth Association," the organisation "Sleeping Elephant" and others.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On January 19, near the Greek Embassy in Vilnius, a picket was held organised by Antifa Lietuva, in order to express solidarity to residents of Greece, who on this day also took to the streets to protest against right-wing extremism in Europe. According to the protesters, in Lithuania today, pro-Nazi activities are carried out openly under the guise of patriotic masks, public statements are written with threats of revolution, public homophobic, racist, propaganda campaigns are held. Protesters asked passers-by to support the demonstration in Athens.[72]

On February 16 a group of anti-fascists led by Dovid Katz protested against neo-Nazi march in Kaunas. Director of the Jerusalem branch of the Simon Wiesenthal Centre, Efraim Zuroff joined the protesters.

On March 11 the representatives of the association "Lithuania without Nazism," the party "Socialist People's Front" and anarchists went to protest the march of the nationalists.[73]

On June 23, a group of antifascist youth held a rally in Kaunas, protesting the attempts to whitewash Nazi collaborators and remove their responsibility for murdering Lithuanian Jews during Holocaust. They unfurled a black-red flag of Antifa, which is internationally recognised as a flag of this movement, and a banner, where on the black background they wrote with white paint — "Real heroes saved people, not murdered them. In memory of victims of the Holocaust."[74]

- Presence of anti-racist and anti-fascist civic initiatives.

In addition to anti-fascists, a number of other organisations spoke out against discrimination of national minorities, as well as against glorification of collaborators in Lithuania.

On January 12 the writer and director of the State Jewish Museum of Vilna Gaon Markas Zingeris said that the Holocaust is an issue of not just purely academic discussion. "Ultimately Lithuania is a huge Jewish cemetery. More than 94% of Lithuanian Jews were murdered. I salute those Lithuanian historians, especially the younger generation, who openly admit the fact that a significant portion of Lithuanians helped the Nazis during the Holocaust, serving in the police and punitive battalions," — the writer M. Zingeris says.[75]

On January 28, in Lithuania, events dedicated to the International Day of Holocaust Remembrance took place. Lithuanian Jewish community presented a new publication — "Paneriai diary" — based on the diary of a Polish journalist Kazimierz Sakovich, who lived near the site of mass executions of Jews near Vilnius — Paneriai, and a documentary film "Hostages. July 1941."[76]

On February 23 in the Lithuanian city of Klaipeda a rally in support of Russian values and schools was held. The initiator of the meet-

ing was the party "Russian Union of Lithuania." The event was supported by the Russian-speaking teachers, and other caring people of the city, in which the number of Russian-speaking population is more than 30%. Participants of the rally condemned the attempt of the city authorities to close the Russian-speaking high school of Andrey Rublev. The rally was attended by more than 100 people. It was attended by the Lithuanians, who were dissatisfied with the decision of the authorities to reorganise the high school "Viduno." Protesters demanded to:

1) Legitimise the status of the Russian language as the second language of communication with local public authorities in Klaipeda;

2) Maintain and develop infrastructure Russian city of Klaipeda;

3) Not influence the Russian school, including the school named after Andrey Rublev, as it is not a business area, but an integral part of the educational infrastructure of the city;

4) Keep the Russian kindergartens and secondary Russian schools in every district of Klaipeda;

5) Not resist, and to support the preservation of traditional Russian values.[77]

On March 7, the Centre of Tolerance of the Vilnius Gaon Jewish State Museum held a discussion dedicated to the radical nationalist sentiments in Lithuania. Before the debates, a film by Jonas Ohman "Meet the nationalists" was presented.[78]

On September 2 a conference dedicated to the 68th anniversary of the end of the World War II took place in Vilnius. It was organised by the Republican committee of veteran members residing in Lithuania, who fought on the side of the anti-Hitler coalition, the Lithuanian Association of Military History the "Forgotten Soldiers," the Association "Centre of Legal Protection and Research of Fundamental Rights." The conference adopted a resolution which says, in part: "(...) In recent years the memory of the World War II is a subject to distortion in speculative political purposes. Today in Lithuania only few people know that the final winning point of the World War II was on 2 September 1945, when they signed the act of surrender of Japan. (...) The fourth and fifth generations of people who had not seen war were born already in Lithuania. They learn about it from the oral stories of relatives. Their lack of understanding of the processes of the war is becoming deeper. Lithuania is among those countries where the general silence of politicians and cultural elite, the unpublicised support of the right-wing forces the manifestations of aggressive nationalism strengthen, including neo-Nazism. We cannot be indifferent to the attempts to memory of the victims of Nazi crimes being casted into oblivion and of glorification of their executioners. Our major concern is the widening gap between the

real terrible events of the war years and the mundane surface representations of the citizens of the World War II, the Holocaust and the brutal crimes of the Nazis and their accomplices. Preventing such developments is becoming one of the most important tasks today."[79]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

On April 17, 13 obelisks with the names of soldiers were overturned in the military cemetery in Panevezys, two memorial plaques were smashed, 23 cells were displaced from the top part of the fence. This military cemetery, where the Soviet soldiers that were killed in 1941–1945 are buried, suffers from vandals not for the first time. In November 2011, the tombstones were pulled out. Back then, the Panevezys police found that this was done by two teenagers 13 and 14 years of age.[80]

On September 21, it became known that the virtual exhibition dedicated to the Vilnius ghetto and that was prepared by the Special archive of Lithuania was "decorated" with a preamble, in which most of the blame for the murder of the Jews had fallen on... "Soviet occupation."[81]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to

soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

In 2013, the collection of donations for the restoration of the monument in the town Obeliai dedicated to "guerrillas killed in combat with the Bolsheviks" in 1941 has intensified. Money was donated by the authorities of both the area and the republic. As it follows from the archival documents, the authorities were going to perpetuate the memory of the Nazis, who slaughtered thousands of Jews during the war. [82]

In the city of Birziai the question of removal of the monument to Soviet soldiers located at the military cemetery located in the central part of the city was submitted for consideration. The main advocate of the dismantling of sculptures, which were renovated, by the way, using Russian money, is conservative Lithuanian MP Kiatstutis Masiulis. The state-monger calls for the immediate removal of the monument from the cemetery, without waiting for the official approval of the authorities. In October 2013, Masiulis even published an open letter to the mayor of Birziai Irute Varziene (*wrong spelling in the Russian version*), in which he had said that the Soviet Union had brought Lithuania only grief, and "invaders" are no "liberators."

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

In 2013, the authorities of the country together with the district authorities decided to finance the restoration of a collaborators monument in the town of Obeliai, which was established in 1941 during the German occupation. The concrete monument (three metres tall, eight metres in length) was installed in the local cemetery with Hitlerites during the fall of 1941. A bas-relief of Christ was in the centre of the memorial with the images of Lithuanian soldiers in helmets and Latin inscription "Requiescat in pace" ("Rest in peace") on both sides of it. Another inscription (in Lithuanian) reads: "Eternal Memory to guerrillas who died in the fight against the Bolsheviks in 1941 for freedom, a Lithuanian bows his head. 15.X.1941."

The monument was dismantled in 1960. There are 8 people buried underneath, the so-called "Lithuanian activists," who were the participants in the uprising in June 1941, also known by destroying the Lithuanian Jews due to their own initiative. [83]

- Historical revisionism, Holocaust denial.

The team of the "International Commission for the Investigation of the Crimes of the Nazi and Soviet Occupational Regimes in Lithuania," that was created several years ago by the decision of the Government of Lithuania, included the Lithuanian historian Arunas Bubnys (Arūnas

Bubnys) in 2013, who de facto denies the genocide of the Jews during the "uprising of 23 June 1941." In an interview with delfi.lt this historian, who also is a member of the "Centre for Research of Genocide and Resistance of the Lithuanian population," contrary to the established facts stated that there is no evidence that the rebels began mass distruction of the Jews on June 23 before the Germans arrived in Lithuania. The reporter asked a question on whether there was any reason to identify the uprising with the beginning of the Holocaust, to which A. Bubnis replied: "I would not support such an opinion. (...) From my own experience of working with archives, I cannot point to specific facts of mass murder the Jews taking place before the Germans arrived, in say, Kupiskis, Rokiskis, Zarasai (cities of Lithuania). This cannot be confirmed. It is another thing when Israeli historians point out the 40 areas in which the Lithuanian rebels killed Jews before the arrival of the German army. They often rely on the testimony of survivors of the Holocaust, I'm not saying that these statements are not worthy of attention, but they should be evaluated carefully, very carefully, and compared with other sources. The chronology of events can only be established this way and therefore capture the truth."[84]

On April 11, a news website ru.delfi.lt published a lecture text of an Assistant Professor from Vilnius University, a Senior Research Fellow of the History Institute of Lithuania Rasa Cepaitiene. In the lecture, she attempted to justify a historian who tried to deny Holocaust, claiming that he doubted only the number of victims, and not the actual fact of mass murder of Jews[85]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–20

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

In the autumn, journalists and members of the association "Lithuania without Nazism" Giedrius Grabauskas and Aleksandras Bosas published an article titled "Once more about General J. Noreika-Vetra," which exposes the policy of the glorification of Nazi collaborators, and some of those who carried out the policy of the Holocaust in Lithuania. After publication of the article a group of xenophobic public figures appealed to the prosecutor's office to initiate a criminal investigation on grounds of "desecration of memory of freedom fighters." [86]

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

Criminal investigation initiated against journalists and anti-fascists Grabauskas and Bosas is obviously intended to limit their activities.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

In 2013, prosecution of the witnesses was continued which regarded the scandalous case of the leader of the human rights organisation "Latvia without Nazism" Paleckis, who was found guilty of denying the Soviet occupation in 2012. A. Paleckis' misconduct was such that during an interview with the Lithuanian radio he said he doubted that it was the Soviet soldiers who fired into the crowd in the square in front of the centre of people on January 13, 1991, stating: "Now it turns out that it was friendly fire." Although the trial court acquitted him, the appeal court found him guilty and sentenced him to a fine of 3,000 Euros. [87]

In the meantime, the witnesses Danguole Raugaliene and Jaunutis Lekas who confirmed the testimony A. Paleckis being under the oath were also prosecuted for "perjury." D. Raugaliene was sentenced to a fine of 1,163 Euros, but later she and J. Lekas was found to be *voluntarily mistaken* by the Superior Court justified, and therefore they cannot be held under liable for perjury. [88] This decision was made after a series of anti-fascist protests around the world.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	–5	–5
×	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	–5
×	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5	–5
	Total for the section 13	–10	–15

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Upon joining the EU Lithuania ratified the Framework Convention for the Protection of National Minorities, which prohibits aggravation of the representatives of national minorities within the nation-state through the introduction of new or cancellation of the old acts. However, this requirement was violated by the abolition of the Law on National Minorities of 2010 and the introduction of the new Education Act in 2011, as well as the ban on bilingual inscriptions in areas densely populated by national minorities enshrined in Article 17 of the Law "On the state language." All this has led to the fact that the Framework Convention virtually was not applied in Lithuania in 2012.

In 1994, Lithuania acceded to the Convention on the Elimination of All Forms of Discrimination against Women, in 1998 she ratified the International Convention on the Elimination of All Forms of Racial Discrimination. While Lithuania has acceded to agreement pressing for human rights in this area such as the European Charter for Regional or Minority Languages, even though the country has issues with the Polish and Russian national minorities living in certain areas of the country.

Thus, Lithuania's participation in important international agreements on the fight against racism and discrimination can be considered limited in 2013.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

On June 7, 2013 Lithuania acceded to the Convention on the prevention of violence against women and within families. "Istanbul Convention provides for specific measures to address the particularly acute problem of violence against women and gender-based violence. We must help the international community use all the methods in order to reduce the number of tragic cases as much as possible where public authorities fail to protect victims from violence in the immediate environment. I am glad that the opportunity to sign the Convention coincides with the 20th anniversary of Lithuania's accession to the Council of Europe and the visit of the Secretary General of the Council of Europe to Lithuania," — the Minister of Foreign Affairs of Lithuania L. Linkevicius said during signing of the convention. [89]

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013, there was not a single international application or the initiative of the authorities or prominent politicians of Lithuania against discrimination, xenophobia and neo-Nazism.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	2.5	2.5
×	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	5
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	2.5	7.5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Lithuania has not changed its position in the ranking in 2013 (6th place). Nevertheless, there is a deterioration regarding such points

as the influence of radical nationalists in the society and local authorities, as well as the persecution of anti-fascists. Government uses radicals to promote nationalist ideas within society, and the anti-fascists who do not agree with the existing order of things, as well as with the ideology of the government politicians are made out to be "agents of the external influence." All comes amid further attack on freedom of speech, as well as on the legislation, since the implementation of the law banning the denial of "Soviet occupation" violates basic democratic standards adopted in the EU.

All this leads to the increase of radical nationalism and xenophobia in the society, which has not previously been indicative for Lithuania, but today it is an important condition for the implementation of discriminatory policies of Lithuania regarding the Polish and Russian-speaking minorities.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

The Constitution, the Penal Code and the Law "On Equal Opportunities" are the fundamentals of the anti-racism legislation in Lithuania. At the same time, the abolition of the Law "On National Minorities" in 2010, the adoption of discriminatory law "On Education," the presence of the law "On the State Language" featuring the discriminatory Article 17, which prohibits the placing street signs in two languages in places of compact residence of national minorities, it all boils down to a "no" to many of the rights guaranteed by the Lithuanian anti-racist laws and eliminates the meaning of the Framework Convention for the Protection of National Minorities, which was ratified by Lithuania in 2005.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Through the abolition of the old law "On National Minorities," adoption of the new Law "On education" and the refusal to cancel the above-mentioned Article 17 of the Law "On the State Language" Lithuania almost violated the Framework Convention for the Protection of National Minorities, the fact of which together with the non-accession to the European Convention on Regional Languages and Minority Languages help the process of assimilation gain strength, which is supported by the authorities of the country.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such discrimination is present and concerns, above all, the rights of national minorities to use their native language that are provided within the requirements of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, i.e. those international agreements to which Lithuania has not acceded or those that are violated.

- *Legislation enshrining inequality of minorities.*

Inequality of minorities that are primarily embodied in the following Lithuanian laws:

— the Law "On the State Language," Article 17 of which prohibits the use of signs with the names of the streets in two languages in places of compact residence of national minorities.

— the Law "On Education," which ignored the requirements of the Framework Convention for the Protection of National Minorities to not worsen the situation of the national minorities within the nation-state through the introduction of new or cancellation of the old acts, and violated the provisions of Article 37 of the Constitution. In fact, it discriminates against children from schools for national minorities, where the Lithuanian language is taught less than in "normal" schools, and encourages parents to "Lithuanise" the education of their children. Attempts of the new ruling coalition to change discriminatory provisions of the law encountered strong resistance from the conservative and nationalist circles in parliament and the society. The abolition of the order of the Minister of Education Dainius Pavalkis on use of simplified examination of the Lithuanian language in the minority schools by th panel of judges of the Chief Administrative Court of Lithuania (CACL) has led to the fact that an examination of the Lithuanian language was the same for all students of Lithuanian schools, which means discrimination against students minority schools, as they have different training in the Lithuanian language.

The new edition of the law the concepts of "national school" or a "national minorities" school is not appropriately set. If the previous version of the law contained a provision on the right to secondary education (1st to 12th grade) in the native language (Article 30), the new edition states that all topics relating to the history and geography of Lithuania, political science concerning other countries and civics should be taught in the Lithuanian language, which, as experience shows in similar schools in Latvia, will inevitably lead to a drop in the level of knowledge on these subjects in children.

In addition, the current lack of "Law on National Minorities" creates all the opportunities for discrimination against ethnic minorities.

- *Rulemaking in protection of minorities.*

The Law on National Minorities being in force since the Soviet era expired in 2010. There is an ongoing development of a new version of this law.

- *Freedom of speech violations.*

In 2010, the Article 170 of the Criminal Code of Lithuania has been amended to introduce responsibility for public approval of the "crimes of the USSR," their denial or gross belittling of their significance.The first conviction under this Article was a member of the Presidium of the International Human Rights Movement "World without Nazism" and Chairman of the "Socialist People's Front" Algirdas Paleckis, who allowed himself to doubt the official version of the events of January 13, 1991 in Vilnius. In 2012, he was sentenced to a fine of 3,000 euros. Following him Danguole Raugaliene was accused of perjury, for testifying at Paleckis's trial in his favor in 2013. After anti-fascist protests Raugaliene together with another witness Jaunutis Lekas were acquitted due to "honest mistake."

A few months earlier, the same Prosecutor General's Office of Lithuania initiated a criminal investigation on "slander" (Article 313 of the Criminal Code of Lithuania) against journalists and human rights activists of "Lithuania without Nazism" Giedrius Grabauskas and Aleksandras Bosas, again due to the "reports" of the representatives of the nationalist community. The journalists' articles exposed national heroes of modern Lithuania such as J.Noreika ("General Vetra"), V. Vitauskas-Saidokas, J.Lukse-Daumantas, J.Krikstaponis and others as not just collaborators with the Nazi regime during the World War II, but as direct participants in the extermination of Jews and other civilians, as well as Soviet prisoners of war in the territory of Lithuania and Belarus. At the same time they asked the authorities why they erected monuments to these people and why some names of the streets and squares of Lithuanian as well as secondary schools and even one higher education institution were dedicated to them.

This series of criminal trials is virtually an attempt to "muzzle" the inconvenient opponents who show doubt of the cornerstone historical myths of modern Lithuania, the myths that are the fundamental part of the modern post-Soviet ideology.

- *Legislation and law enforcement practices concerning migrants.*

Migration legislation is represented by the Law "On the Legal Status of Aliens," which describes the main cases of migration in sufficient detail. According to it, migrants can obtain a temporary or permanent residence permit. The latter case requires a constant confirmed income,

not lower than the minimum wage established by the Ministry of Labour. Since the country does not go through any significant flow of migrants, legal practice regarding it is at minimum.

Last year, the violations of immigration law were mainly associated with the politically motivated refusals to grant asylum or ban on entry for environmental activists. In 2013, due to the scandals that have erupted in Lithuania and in international organisations, the law enforcement practices against migrants have been brought into line with the European norms.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

There are discriminatory practices relating to ethnic minorities, which regard the issues of culture, education and language policy in Lithuania. Taking advantage of the cancellation of the National Minorities Act in 2010, the government slowed down the adoption of a new act, and filled in the vacuum by proclaiming the new law "On Education," which is contrary to the Framework Convention for the Protection of Minorities and, in fact, the country's Constitution.

Thus there was now a legal foundation for discrimination against minorities, which immediately felt by the representatives of the Polish and Russian diasporas. All this creates a risk of the instability of the society, but so far neither the Lithuanian political elite nor the Lithuanian society are aware of this danger. In general, they respond to all of these disorders with an extreme degree of indifference. Speeches of the prominent Lithuanian politicians and cultural figures on xenophobia and discrimination are extremely rare and occur mostly under strong pressure from the EU.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

As always happens in such cases, the attempts of discrimination against minorities with a view to their assimilation have the opposite effect which is to increase national consciousness, which is possible to see among the representatives of the Polish and Russian communities. Support from the governments of Poland and Russia, respectively, leads to an strengthening of the process. On the other hand the growth of self-identification and the struggle for the rights of minorities lead to the growth of xenophobia on the part of the majority.

Currently the representatives of the Polish minority already feel themselves in the position of the persecuted. With regard to Russians and Russian-speakers, they are less united than the Poles, and therefore they are less vocal about their violated rights, but it does not lessen the significance of their problems. Unlike the Poles, Russians are more dispersed in Lithuania, but in some cities, for example, in the Visaginas where a nuclear power plant used to be, the majority is Russian and thus many issues (such as bilingual signs) are quite relevant.

Due to the fact that the police does not really investigate anti-Semitic crimes, and the politicians are trying to justify pro-Nazi collaborators, the Lithuanian Jews do not feel very safe.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to the rank on the standard of living created by a popular institution Legatum Institute, Lithuania was ranked 44th, having appeared in the last five EU countries on this indicator (the situation was worse only in Bulgaria, Latvia and Macedonia).[90] This result is not just a consequence of the desire to distance away from Russia, but always being the source of conflict with this country. Policy issues of the Lithuanian government in relation to ethnic minorities is not a minor factor either.[91]

- *Economic impacts and instability.*

Economic problems, as well as economic instability are characteristic of Lithuania. Many of these problems, as mentioned above, were caused by the hostile policy of the leadership of the country in relation to Russia and Russian-speaking residents of Latvia.

- *Decline in production growth, emigration of the labour force.*

Lithuania has destroyed almost the entire industry inherited after the Soviet Union. Attempts of the Russian investors to gain control over some plants were rigidly suppressed for ideological reasons, but later the majority of large enterprises have turned to the Russian companies. For ideological reasons (and, again, similar to the Soviet legacy), the only NPP in Lithuania, the Ignalina one, was shut down in 2010, which led to a noticeable deficit of electricity in the country. The external debt of the country is growing, as of 2013 it amounted to 30,667 million dollars, which is 81% of the GDP[92]

All this led to the emigration of Lithuanian citizens. Officially more than 300,000 inhabitants have left the country since independ-

ence, although anecdotal evidence suggests that the amount is twice as high.[93] This decline in population led to an overall negative growth, which cannot but affect the productivity and the general state of the consumer market.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Oppression of minorities via the "Lithuanisation" of education and norms of the Law "On the State Language" is leading to growing discontent instead of creating loyalty in the society. It's not as extensive as in Latvia and Estonia, but given that the Polish population is concentrated in a single compact (border) region, it can be a serious source of instability in the country.

A yet another aspect should also be mentioned. The active campaign for the glorification of the collaborators, the central point of which was the reburial, the head of the pro-Nazi "interim government" J. Ambraziavicius in May 2012, leads to a representation of the Nazis within the community, as a possible positive alternative to the democratic regime. Similar sentiments have contributed significantly to the growth of the number of participants of Nazi marches in Lithuania, if a few years ago it was only a few dozen people, the number of marchers in March 2013 rose to 3,000 people (more than 1% of the population), which is serious enough for Lithuania.

Moral support of the unauthorised march on March 11 in Vilnius coming from the representatives of local authorities such as the mayor of the Lithuanian capital, and the head of police, is depressing. All this certainly affects the public perception of the radical nationalists, which is increasingly beginning to see them as respectable members of the political processes and thereby being more accepting of them.

An even more serious issue is that according to opinion polls 13% of Lithuania's population support the slogans the marchers, and 41% cannot decide on whether they are good or bad. Last answer most likely means that the respondents support the ultra-nationalistic slogans but are ashamed to admit it. Currently, this support has not yet been converted into support needed in the elections, but as shown by the example of radical nationalist parties in Ukraine the situation could quickly change.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Politics, clearly aimed at confrontation with Russia, consists of regular counts of "the damage caused by the occupation," involves viola-

tion of the rights of national minorities, the glorification of the collaborators and the connivance of the Nazi marches in Lithuanian cities, increases the level of instability in the region. In connection to this, it should also be taken into account that Lithuania is one of the few countries where the use and demonstration of Soviet symbols such as the red flag, the hammer and the sickle, and the red star, is prohibited.

At the same time, it should be noted that in contrast to 2012, during the period under review, the Lithuanian government practically did not participate in the glorification of Nazism.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

It is advisable for the Lithuanian legislation to be brought in line with the Framework Convention on the Rights of Minorities, as well as to sign the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families and the European Charter for Regional or Minority Languages.

2. *General recommendations for adjustments to the legal framework*

Lithuania should bring its legislation in line with ratified its Framework Convention for the Protection of National Minorities. For this it is necessary to repeal discriminatory provisions for national minorities enshrined in the Education Act and the Act on the State Language. It is also important to adopt a new law on the national minorities as soon as possible.

In addition, it is important to exclude the article on criminalising the denial of the "crimes of the USSR" from the Criminal Code, since the introduction of this article into the legislation requires an assessment of an authoritative international court, as was the case with the international recognition of the Holocaust and other crimes of the Nazi regime. Otherwise the introduction of this article in the Criminal Code of the Republic of Lithuania is a violation of the freedom of speech which is a fundamental principle of a democratic society.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Lithuanian authorities should abandon the glorification of Nazi collaborators and flirting with the radical nationalists. The application of the "sleeping" articles of the Criminal Code on inciting ethnic hatred should be initiated regarding the organisers of the ultra-nationalist

marches. So far, these articles are used against people who spread hatred on the Internet.

All of these processions should be prohibited on the basis of General Comments No 34 of the International Covenant on Civil and Political Rights, which states that " two narrow limitation of rights are allowed" regarding freedom of expression, "which may refer to respect of the rights or reputations of other persons, or for the protection of national security or of public order (ordre public), or public health or morals."

Ministry of Justice of Lithuania should check the activities of the radical nationalist parties (see. Section 8 of Chapter "Lithuania" — "Radical nationalist groups and parties") for the level of compliance of its activities, including public statements by leaders with the statutes and the Constitution.

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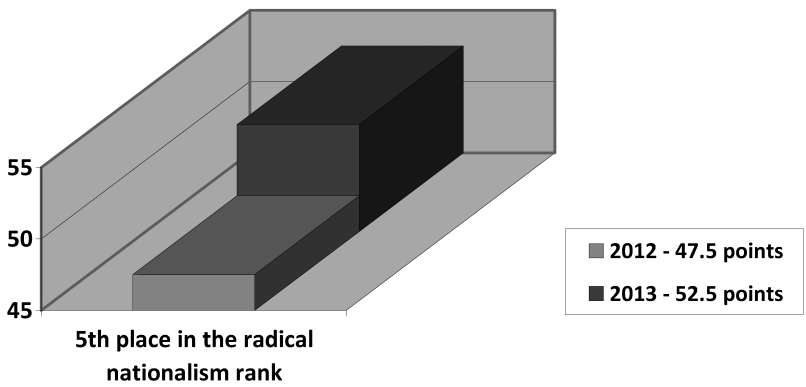
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–15	–15
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	10	10
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	7.5	10
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–12.5	–15
9	Extremist and radical nationalist public actions	–15	–15
10	Racist attacks, violence and terror	–5	–5
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–20
13	Persecution of veterans and partisans of the anti-Hitler coalition	–10	–15
14	International aspects	2.5	7.5
	Total	–47.5	–47.5

MOLDOVA


55
50
45
5th place in the radical nationalism rank
2012 - 47.5 points
2013 - 52.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

The Moldovan Constitution and the Penal Code of the country formally guarantee its citizens protection from all forms of racial discrimination. However, the gradual formation of the discriminatory laws of the country has been taking place in recent years. For example, in 2012 a law was passed prohibiting the use of Soviet symbols, and was directed against the largest opposition party — the Party of Communists of the Republic of Moldova, which in June 2013 was deemed unconstitutional by the Constitutional Court of the Republic of Moldova.

Again in 2012 a new article in the Code of Offences regarding "public activism, negatively affecting minors" came into effect prohibiting the dissemination of information and/or action aimed at "the promotion of prostitution, paedophilia, pornography, or any other relationships that are not related to marriage and the family in accordance with the Constitution and the Family Code." According to the article any positive information about LGBT people can be considered as an administrative violation. [1]

The creation of discriminatory legislation continued in 2013. On March 29, an MP from the Liberal party Ana Gutu introduced a legislative initiative on the language policy. It was proposed to recognise the Romanian as an official language through an organic law and abolish the status of Russian as a language of inter-ethnic communication. The

project also provides for the creation of a department on language policy, which will deal with reforming this field, as well as application of sanctions against those who will violate the legislation, based on the model of Baltic States. It was suggested that government bodies, in written and oral work, will use Romanian as a working language, all judicial and accounting documentations should be exclusively in Romanian. Furthermore, the language of government's communication with the populations should also be Romanian. Minorities would be denied the right to education in native language, guaranteed is only the "right to education in Romanian language on all levels." 80 percent of programmes is established in Romanian language in the field of radio broadcasting, including for foreign distributors, written media would also have to provide 80% of materials in Romanian language, and all websites in Moldovan domain zone will be required to duplicate content in Romanian under the threat of license revocation (which does not exist in real life). Moreover, the trilingual nature of the Gagauzia autonomy would be abolished, where henceforth all activities will only be possible either in Romanian or Gagauz language.[2] In 2013, the bill has not been submitted for consideration. Nevertheless, advertising in Russian has not been allowed for several years now.

There are elements of discriminatory legislation in the Gagauz autonomy. On March 26, the National Assembly of Gagauzia finally adopted a package of amendments to the Law on the Executive Committee of the Autonomous Territorial Unit of Gagauzia. According to one of them, the heads of the departments of the executive committee could be only be those who speak the Gagauz language. Until now, such linguistic restrictions concerned only the Bashkan (the Gagauzia Governor) and the chairman of the People's Assembly of Gagauzia. Other amendments were introduced to the officials' "residency requirement."[3]

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

  There were no such legislative norms in 2013.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

Although there is an evident intention of the ruling coalition to form such legislation in Moldova (the language initiative of A. Gutu), while there are no *current* standards, which would legalise paraphernalia and practices of radical nationalism in Moldova. Moreover, in June 2013 explicitly nationalist law banning communist symbols was declared unconstitutional.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

Basically discriminatory practices that were observed concerned those residents of Moldova who identified themselves as Moldovans (not as Romanians) and Gagauz, members of the Bulgarian and Ukrainian minorities, as well as Russian-speaking population. On March 29, the member of the parliament from the Liberal Party, Ana Gutu has sent a request to the Constitutional Court regarding whether the official language of the country was called Romanian and whether it can be equated to the Moldavian language, which is specified in Article 13 of the Constitution.[4] On December 5, the Court supported the request of A. Gutu, referring to the fact that the text of the Declaration of Independence of Moldova (where Romanian is set as the state language) prevails over the text of the Constitution, which states that "the state language of the Republic of Moldova is Moldovan, based on the Latin charts."[5]

On June 21, it was reported that Democrats, Liberals and Liberal Democrats supported the exclusion of Moldovan and Russian language from the list of official languages of the Parliamentary Committee for cooperation between Moldova and EU.[6]

On July 9, 5 deputies from the liberal-reformers group of Ion Hadarca sent a request to the Constitutional Court, demanding the abolition of the law on the concept of a national policy of Moldova. They argued that the document adopted by the vote of 62 Communist deputies ten years ago is contrary to the Constitution and promotes a policy of "primitive Moldovenism." Gutu states that the document promotes the phrase "Moldovan language" that, according to the group Hadarca, is contrary to the Declaration of Independence of Moldova, as well as scientific postulates.[7]

On March 12, it was reported that the Ministry of Education is attempting to exclude the subject "History, culture and traditions of the Russian nation" from the school curriculum.[8]

On February 6, Director General of the State Enterprise "Moldova Railway" Vitaly Strune, introduced new requirements for employees at railroads — possession of state language at a "high level," which contradicts the Code on railway transport, in which Russian is secured as a "working" language.[9]

On July 24, it became known that the Russian-speaking high school graduates of Moldova, including honours students who wished to go to universities with tuition in the state language could not even send the documents due to a circular, approved a few years ago the Ministry of Education, which legalised restrictions for graduates of high schools that teach in Russian."[10]

In September, the chairman of the Slavic organization "Veche" Nikolay Gutsul said that in the optimisation process (reduction of the number) of schools the main effect is on schools with instruction in Russian. [11] There was an attempt shut down a Russian-language school in the Choresku suburb of Chisinau. [12]

Moldovan formation of mobile police posts in the unilateral manner in November and December on the border with unacknowledged Transnistria, which were endowed with the functions of border and migration control, has led to restrictions on the movement of Transnistrian residents who had Russian or Ukrainian passports, although formally Transnistrian residents were not to have to face difficulties when travelling. [13]

Gagauz people, too, were subjected to pressure. In January it was reported that the Ministry of Education of the Republic of Moldova intended to exclude such subjects as "History, traditions and culture of the Gagauz people," "History, tradition and culture of the Bulgarian and Ukrainian people" from the curriculum, which were taught respectively in Gagauzia and towns with Bulgarian or Ukrainian population in the respective language. The exclusion was to be under the pretext of "unloading" of the school curriculum which is taught in schools in Gagauz autonomy. At the same time it became known that the financing for the study of the Bulgarian language was cut in half in schools in the Taraclia region predominantly inhabited by the Bulgarian population, and in 2012 it was not provided at all. [14] At the same time, the Prime Minister V. Filat, on January 16, announced a plan of Romanian language lessons in Moldova, the implementation of which will begin next year. [15]

On April 17, it was reported that the governmental structures and executive bodies are creating various barriers for education and employment of residents of the Gagauz autonomy. By doing this, they are "washing out" the Gagauz people from the republic, forcing them to leave abroad. [16]

On September 22, the Head of the Executive Committee of Gagauzia Vassily Ivanchuk said that residents of the Autonomous Territorial Unit of Gagauzia receive all official documents from Chisinau only in the Moldovan language, and thereby the rights of the Gagauz people to access information are violated. [17]

On October 15, it was reported that the head of the serious crimes section of the police inspectorate Ruslan Saakyan said that the authorities harassed him because of his Armenian origin. [18]

The cases of pressure on the Romanian-language schools in Transnistria could also be noted. In early December, prosecutors tried to close the Transnistrian Tiraspol Theoretical Lyceum "Lucian Blaga" for alleged violations of sanitary and epidemiological requirements for student catering, as well as violations of workers' rights. [19]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–5	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–15	–10

2. Xenophobia and inflammatory statements of the government and the media

Basically xenophobic statements by representatives of the authorities and journalists were mainly *Russophobic*.

President of the Academy of Sciences of Moldova, Gheorghe Duca, on January 16 at the government session, expressed his dissatisfaction with the Russian speech of the Gagauzian governor, Mihail Formuzal. "Let the governor speak Romanian," — Duka stated. [20]

On February 6, during the meeting of the Parliamentary Committee on Education an MP from the Liberal Party, Ana Gutu said that the educational Russian speaking institutions should not be financed from the state budget. According to the deputy, the school in which the tuition is conducted in the language of national minorities, should be established on the basis of private income, due to that being allegedly the European practice. [21]

On April 11, the chairman of the Liberal Party Mihai Ghimpu demanded that foreign investors stop having paperwork in Russian in Moldova. [22]

The second objective of the xenophobic statements is the *Moldovan* language. The governmental followers of unionism want to replace it with the Romanian, and as for the Moldovan state itself, they are willing to "dissolve" it in Romania. Here are some of them:

On January 24, it was announced that the first vice-chairman of the Liberal Party of Chisinau Mayor Dorin Chirtoaca said at the ceremony in Iasi dedicated to the anniversary of the unification of the Principalities of his belief that the Republic of Moldova is moving towards accession to Romania. [23]

On February 25, Ghimpu said during the Publika TV channel broadcast that he went by the provisions of the Romanian and not the Moldovan Constitution. [24]

On March 15, the President of the Republic of Moldova Nicolae Timofti said that the Romanian language will be the official language of the Republic of Moldova in an interview Adevarul. [25]

On March 28, during a meeting of Parliament Ana Gutu congratulated all her colleagues with the 95th anniversary of the signing of the decision of Sfatul Tarii on the accession of Bessarabia to Romania celebrated on March 27. Ms. Gutu said that after the unification in 1918, the economy began to grow rapidly, developing education and other areas. "Later it was exactly the progress of the development that allowed us to survive the Soviet occupation" — Gutu summed up. [26]

On September 11, during the ceremony in the Peles castle in Sinaia where D. Chirtoaca received dynastic award of the royal house of Romania, he said that his goal was "to correct injustice of 1939, of the Molotov-Ribbentrop Pact," which resulted in Moldova gaining its statehood as a Soviet republic. [27]

The representatives of the LGBT community have also been attacked. On May 23, an MP and the leader of the party "Renastere" (Rebirth) Vadim Mishin supported the demand of the Synod of the Orthodox Church of Moldova to repeal the provision of equality, which prohibits discrimination against LGBT. "Despite the fact that the law is in line with the European standards and legal norms in principle, there is no way it should be implemented in Moldova, because it is contrary to the spirit of our deeply religious Orthodox people," — Mishin said. According to him, an attempt to comply with the European emissaries' demands "dictating the rules in the country" with whatever means necessary, only confirms the disturbing trend to pass laws that " are contrary to common sense, the institution of the family, and, of course, that support the depopulation of the country and its spiritual death." [28]

The *cases of anti-Semitic remarks* on behalf of Moldovan politicians and public figures have been reported. On April 11, The only deputy who refused to stand up from his seat during the declared minute of silence of the Jewish pogrom in Chisinau of April 7, 1903 was a member of the Liberal faction Anatol Arhire. [29]

On September 10, it became known that the former Moldovan Prime Minister Ion Sturza accused the current government of having a dubious deal with the Jews during a television talk show. [30]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Legislation against incitement of ethnic hatred is contained in Article 346 of the Criminal Code "Deliberate action aimed at inciting national, racial or religious hatred or discord." The Criminal Code of the Republic of Moldova also provides liability for the genocide (Article 135), and crimes against humanity (Article 135-1).

The criminal law of the republic itself provides for hate crimes for four reasons: social, national, racial or religious hatred. In practice, these provisions are rarely used, or not used at all. Actions of hate are penalised for, if at all, with the use of the conventional legislation featuring very mild sanctions, although Part 1 of Article 77 of the Criminal Code of the Republic of Moldova qualifies hate crimes as an aggravating circumstance.

In 2003, a law was passed on countering of extremist activity. This law relates to extremist activities including "activities of a public or religious association, the media or other organisation, the individual planning, organisation, preparation or execution of actions aimed at inciting racial, national or religious hatred, as well as social discord, associated with violence or incitement to violence, and propaganda of exclusivity, superiority or inferiority of citizens on the basis of their religion or race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin." Also extremism is considered to be "propaganda and public demonstration of Nazi paraphernalia or symbols, paraphernalia or symbols similar to Nazi attributes and symbols of confusing level"

However, this law does is applied in practice as some of the existing legislation is not brought in line with it. In particular, appropriate changes were not included into the Criminal Code and the degree of punishment for extremism is not determined.

There is no law on the inadmissibility of actions on the rehabilitation of Nazi, glorification of Nazi criminals and their accomplices.

In 2003, the Moldovan Parliament adopted the Concept of national policies aimed at supporting the development of the state languages of ethnic minorities living on the territory of Moldova; ensuring the inevitability of responsibility for inciting ethnic hatred, propaganda of national superiority, provoking and committing acts of vandalism and violence and violation of human rights on ethnic and linguistic grounds; creation of equal conditions for their social approval, etc., for all citizens regardless of their ethnicity and language.

Unfortunately, presently the development of anti-extremist legislation is discontinued. Many of the previous laws are not valid now. All attempts to adopt other anti-Nazi and anti-extremist laws have been blocked by the ruling coalition.

- Presence and development of anti-discriminatory legislation.

Moldova has taken a number of steps aimed at compliance with the international and European standards on the prohibition of discrimination. The Labour Code of 2003 prohibits discrimination in employment on the basis of gender, race, nationality, language, social origin, property, religion, convictions, membership of public associations, as well as other criteria.

According to the Code of Offences of Moldova, the the Council for Prevention and Elimination of Discrimination and Promotion Equality can decide to impose a fine and submit it to the court, which makes the final decision in the case of discrimination and violation of labour rights. In the case of discrimination on the basis of nationality a fine of 4–7 thousand Leu can be imposed upon the officials.

In 2003, the National Plan of "Promoting gender equality in society" was developed, and in 2007, a law was created on the prevention of AIDS, which prohibits discrimination on the basis of HIV status.

In May 2012, the Parliament adopted the first "comprehensive" anti-discrimination legal act — the law "On ensuring equality of opportunity," which entered into force on 1 January 2013.

The law "On Ensuring Equal Opportunities" prohibits discrimination on 11 grounds, including sex, race, religion, and also disability, and discrimination based on sexual orientation in employment.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, the compliance level was partial in 2013.

On January 16, at a session of the government, the bill of the Liberal Party was rejected. The bill mandated the knowledge of state lan-

guage for employees of public sector enterprises or enterprises with a predominance of state capital, as well as a ban on the employment in such enterprise of people, who do not speak the state language. Minister of Labour, Social Protection and Family Valentina Buliga said: "I think we need to create conditions so that everyone knows the official language, but we cannot force people to do it through the Labour Code." Minister Buliga was supported by the Prime Minister Vladimir Filat. He pointed out that it is necessary to clearly separate the civil servants, which the law requires to know the state language, and other employees of enterprises regardless of their form of ownership.[31]

On the other hand, on February 28, The Ministry of Justice had issued a document on registering the representation of the international human rights movement "World Without Nazism" in the Republic of Moldova.[32]

On June 4, Constitutional Court issued a verdict on the Communist Party's claim. The ban on political use of the "hammer and sickle" symbols was recognised as unconstitutional. Changes to the administrative code, providing for punishments for the use of soviet symbols, on which the activists of Moldovan Communist Youth were already charged, were also cancelled. Decision has been made despite the "independent opinion" of the two Constitutional Court judges Igor Dolya and Alexandru Tenasa.[33] On June 24, Court of Chenkany dropped all charges against three people, who were earlier fined for the use of "hammer and sickle" symbol.[34]

On June 6, Chisinau Appeals Chamber ordered the Ministry of Justice to register the association "Eu sint moldovan — eu graiesc moldoveneste" ("I am Moldovan — I speak Moldovan"). Ministry of Justice had earlier refused to register this non-governmental organisation, under the pretext that NGO's name contradicts the law on the use of languages on Moldovan territory.[35] In October 2013, the Council for Prevention and Elimination of Discrimination and Promotion Equality commenced its work in Moldova.[36]

On October 11, the Moldovan Parliament, despite the protests of the Orthodox Church, lifted the ban on the dissemination of information and taking actions aimed at "propaganda... of relationships that are not related to marriage and the family in accordance with the Constitution and the Family Code."[37]

At the same time, act passed in 2003 the Law on Combating Extremist Activity, which defines it as including activities aimed at inciting hatred towards minorities, is not very much applied. When it comes to hate crimes the law enforcement officers continue to go only by the Criminal Code, and not by the law, which still has not clearly defined the liability, and not one person has been brought to justice in accordance with the law.

It is noteworthy that the Ministry of Dducation actively promotes the removal of the curriculum of subjects related to the history of national minorities, which contradicts the concept of national policy and promotes assimilation of minorities. However, in response to the decision of the Ministry of Education of the Republic of Moldova to exclude the subjects "History, tradition and culture of the Gagauz people," and "History, tradition and culture of the Bulgarian and Ukrainian peoples" from the curriculum of Gagauzia, the authorities reported that they would not comply with this decision, and these subjects will continue to be taught in the schools of Gagauzia, in accordance with the previously approved program. [38]

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)

It cannot be said that hate crimes were typical in Moldova in 2013. Nevertheless, those that have taken place have not been properly investigated by the authorities.

The people were mainly fined. On February 25, gay-activists of Moldova won another lawsuit against the Christian moralist Vitaly Marian. In 2011, he posted a "black list" on the Internet, where he included the names of people who expressed support for gays and lesbians, as well as the anti-discrimination legislation. The court ordered the defendant to remove the "black list" from the website and to refrain from further attempts to publish it in updated or amended form. The court also asked the defendant to pay the legal costs of gay activists and human rights defenders. [39]

On June 10, General Prosecutor's Office reported that the accused of desecration of Soviet military monuments in Balti was issued a fine, however not for this, but for opposing the march of Romanian unionists. [40]

On September 13, the Supreme Court of Justice dismissed a lawsuit of the Romanian unionists, who demanded that the leader of the Social Democratic Party Viktor Shelin pay the amount of 1.5 million Euros for alleged abuse inflicted on them. [41]

On October 2, the Supreme Court of Justice upon examining the case of a lesbian mother, whose ex-husband demanded to withdraw the child, decided (it was unprecedented for the Moldovan courts) that sexual orientation of a mother is not a reason to deprive her of custody of your own child. Prior to May 11, the Sectorul Botanica court sentenced the ex-husband of a woman for harassment and victimisation. [42]

In October 2013, the Council for Prevention and Elimination of Discrimination and Promotion Equality of Moldova, having considered the matter of discrimination of R.Saakyan police at work, noted that the leadership of the Ministry of the Interior did indeed pressured Saakyan, but the fact of ethnic discrimination and was not recognised. The Council also recommended that the Ministry of the Interior eliminate the pressure on staff and Ruslan Saakyan in particular. [43]

At the same time in 2012–2013, a number of acts of vandalism against religious institutions as well as monuments to Soviet liberator soldiers was recorded. Most of these perpetrators have not been found and brought to justice.

Facts that can only be described as the direct connivance of xenophobia were recorded, too. On March 15, Balti city court had dismissed the case against a Russophobic teacher Victor Kravchenko, "famous" for public insults and threats against the Russian-speaking students. Judge Elena Grumeza rejected the claim, because she did not find anything contrary to the law in Kravchenko's words and actions. [44] However, on April 23, it turned out that only one out of several cases against Kravchenko was dismissed. [45]

- Unlawful use of anti-extremist legislation.

A few cases of misuse of anti-extremist legislation regarding the activists of pro-Russian organisations were observed.

Chisinau police interrogated the head of the Russian Youth League in Moldova Igor Tulyantsev on May 28. Interrogation was sanctioned as part of the recently initiated criminal case regarding the use of a wartime slogan "Death to Romanian cannibals!" During an interrogation, Tulyantsev was presented with the results of philological examination, which recognised the slogan as extremist and inciting ethnic hatred. [46]

On July 30, the law enforcement bodies of the Republic Moldova imposed a fine for using banners with inscriptions in Russian for the first time during the protest action of the League of Russian youth of Moldova in Balti. [47]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	2.5	2.5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	7.5	7.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Generally the antixenophobic statements came from the representatives of opposition to the current government of Moldova, however, the statements from the parties of the ruling coalition took place as well.

On January 10, parliamentary faction of the Democratic Party stated that they would come forward with a legislative initiative to punish anti-state calls. This was stated in an official response of the Speaker of Parliament, leader of the Democratic Party, Marian Lupu to the statement of People's Assembly of Gaugazia on the attitude to the requirement of the "Council of Unification of the Republic of Moldova and Romania" to change the status of Gagauzia. "The status of the autonomous territorial unit, is not only regulated by the relevant organic law, but also secured and guaranteed by Art. 111 of the Constitution of Moldova. Note that neither the president nor the prime minister, let alone Speaker of the Parliament, do not intend to consider the possibility of changing the special legal status of Gagauzia, as well as the status of the Republic of Moldova," — stressed the speaker.[48] On January 28, Marian Lupu, speaking in the capital of Gagauzia, Comrat, said that he was surprised by the fact that the Moldovan students are still being taught not the history of their own, but a neighbouring state, when the course "History of of Romanians does not exist even in Romania itself. Course" History of Romanians does not exist even in Romania. Yes, about 10–11 percent of Moldova's population identify themselves as Romanians.'s Their right and their freedom. But, at the same time, the course of history, which find themselves only 10 percent of the population — a problem" — said Marian Lupu. He stressed that this problem is will be definitely "will be set up resolved." "There should be a history course of this state, the Republic of Moldova, the course of the nation that we are forming. We want every citizen of this country to find themselves in this history course," — Speaker concluded.[49]

On January 25, the Governor of Gagauzia Mihail Formuzal, speaking at the book presentation of P. Shornikov "Moldova during the Second World War" (see below), stated that today many young Moldovan citizens, including residents of Gagauzia, not through their fault, of course, but because of the national policy, are in an informational vacuum. They have no source of accurate historical information about the most important periods in the life of Moldova, which allows the enemies of its independent statehood to introduce harmful unionist myths in their minds that undermine their confidence in the prospects for independent development and establishment of their own country,

brainwashing them against the reliable historical friend of Moldavia — Russia.[50]

On March 27, leader of the movement "Moldova without Nazism," MP from the Communist Party of Moldova Ina Supac, directed an appeal to the administration of a public broadcaster "Teleradio-Moldova" and a public television "Moldova 1" with a request to sever the contract with a historian Vyacheslav Stavila, who hosted a weekly quiz "Prin Istorie — Spre Victorie." As was noted in the appeal, in the discussions about World War II, Romanian army is presented by the TV host as an army of "liberators" of Moldova, whereas the Red Army is named as "occupiers" without an opportunity for an alternative point of view. "Through his efforts, the quiz turned into an odious megaphone for the followers of revanchist ideas of "Great Romania," into a place with a single view on historical events, based on the concept of "history of Romanians"," — the appeal said. I. Supac reminded about the scandalous statement made by Stavila in 2012, about the fact that marshal Antonescu has "not one drop of Jewish blood," and other views are — "Soviet propaganda."[51]

On April 1, an interview of the head of the Commission for Human Rights and Ethnic Minorities of Moldovan Parliament Vadim Mishin was published. He noted, that does not know a more "cruel and cynical" bill (on the state language) towards ethnic minorities. He stated that "the degree of inhumanity of the liberals' language bill borders with fascism." According to the deputy "it is difficult to imagine a more cruel, cynical, mindless bill in relation to the national minorities living in the Republic of Moldova." This document "in fact, is the beginning of the "cold war," a challenge thrown out to a large part of the population of Moldova," "it will inevitably lead to the abyss, a split between all members of society, and perhaps even an armed conflict." "It's an open and frank violation of human rights. The next step, which is possible after the adoption of such a "document" is the physical destruction of all its citizens who do not belong to the titular nationality," — Vadim Mishin said.[52] On April 11, deputies of People's Assembly of Gagauzia have unanimously adopted a statement on the new language policy introduced by the Liberal Party. The document noted, that "such initiatives, actions and views intentionally provoke the events destabilising the situation in the country by attempts to constitute genocide into the state policy of Moldovan Republic."[53]

On April 11, during a plenary meeting of the Parliament Inna Supac proposed the present legislators to commemorate the victims of the anti-Jewish pogrom in Chisinau on April 7, 1903 with a moment of silence.[54] On April 11, deputy from PCRM Oleg Reidman, speaking at a memorial rally at the monument to victims of the pogrom event, noted, "Today we sincerely wish to see an eternal inter-ethnic peace in our Republic of Moldova. We also know and remember, that it is a massive

crime for the government to try and solve its problems, as it was 110 years ago, by diverting population's attention and creating an image of an enemy amongst a particular ethnic group. [55]

Taraclia regional council had unanimously adopted an appeal to the government of Moldova on April 12, about granting a status of national-cultural autonomy to the region, which is predominantly inhabited by Bulgarians. [56]

On April 30, the Communist Party of Republic of Moldova (PCRM) faction in the Municipal council of Chisinau stated that Chisinau's Municipality initiative to declare May 9 a "day of mourning" is a "provocative call, which are beyond good and evil." [57]

On August 23, the eve of the anniversary of the liberation of Chisinau from German-Romanian occupation, the Communist Party of Moldova made a declaration. PCRM noted that on the eve of the anniversary of the liberation of Chisinau from the German-Romanian occupation and the restoration of the Moldovan state, it must be remembered that "the victory of humanity over the forces of darkness" and "fascist threat in Europe" was overcome by a "single international antifascist front, under the banner of freedom and enlightenment." [58]

On July 11 Moldovan President Nicolae Timofti called out to the Moldovan Metropolitan to limit their homophobic activity. "Priests and politicians have to approach the topics of controversy, provoking controversy in the community with the utmost care and caution," — the head of state said at a meeting with Vladimir the Metropolitan of Chisinau and All Moldova. [59]

On December 20, Prime Minister Iurie Leanca expressed regret over the statements of Traian Basescu about the need for unification of Romania and Moldova. He said that such statements "can only lead to problems for Moldova." [60]

After the statements of the Romanian TV presenter Radu Banciu in December, calling Moldovans "gypsies with a hand stretched out," and Moldovan female students — as "prostitutes," the Vice-Chairman of Parliament Adrian Candu requested the channel to publicly apologise to Moldovans and Prime Minister Leanca, and invited Banciu to come to Moldova to see reality. [61]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

On January 27, V. Filat signed a decree, under which under the National Museum of Archaeology and History, a museum of the Holocaust will be set up. [62]

In addition, the government was actively working out the programme for the integration of Roma as was required by the framework of the EU. On March 26, the establishment of a new position in Moldova was reported, a "social worker on Roma affairs," who will assist Roma in obtaining passports, medical consultations, as well as placing children in nursery schools. [63] On June 26, Prime Minister Iurie Leanca created a new position of adviser for the Roma issues, appointing Ruslan Stanga. [64]On July 17, the Moldovan Government considered the integration of Roma during the parliamentary meeting. It was agreed that 15 community intermediaries will start their work in 14 localities of Roma compact settlements already within the current year. In this regard, the Cabinet approved the model regulation, which provides requirements for people who want to take this position, as well as establishes their rights, duties and responsibilities. Intermediaries will act as a link between the Roma and the proposed community-based public services. One such worker would be assigned for every group of minimum 150 people. [65]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Moldova is one of the main countries which donate labour migrants in the CIS and the EU. The transition to a market economy in the early 1990's, a sharp deterioration in the economic situation, the impoverishment of the population (up to 42% of the population were below the poverty line by 2001) resulted in massive labour emigration from Moldova. At the initial stage the process was of shuttle or border nature,

later as it developed, migration has become of a more permanent character and the destination countries were determined: CIS countries, mainly Russia, and then later the non-CIS countries, primarily Italy. According to the National Bureau of Statistics, 367,600 people have left the country in search of permanent work[66] while the population is about 3.6 million. Furthermore, more than 600 thousand are away for seasonal employment.[67] Migrant workers provide financial revenues of about 1.5 billion Dollars per year, which is about 35% of the GDP.[68]

At the same time, despite the difficult economic situation in Moldova, there is also labour immigration. As of 2006, the labour quota for immigrants are fully utilised. The main share of immigrants are from the CIS countries (50.5%), most of them are from Russia (45%)[69] and Ukraine (48%). The proportions of immigration from such countries as Armenia, Azerbaijan, Belarus are respectively 2.4%, 1.8% and 1.45%.[70] The second highest number of immigrants are from Asia and the countries of the third world amounting to 28%. The latter are from Syria — 25.8%, Jordan — 15.6%, Sudan — 18%. A large number of migrants come from countries such as Turkey and Israel (usually re-immigration).

Initially, a high proportion of immigration into Moldova from these countries was caused by facilitation of enrolment of foreign universities in Moldova, which subsequently increased the trend of labour and family reunification migration.

Immigrants from the European countries are in third place — 17.5%. Migrants from Romania constitute 31.2%, Bulgaria — 12.3%, Germany — 6.6%. The USA accounts for 5.3%. Immigration from the EU to a greater extent was due to the presence of kinship with the people of Moldova (Romania and Bulgaria), as well as economic activities (Germany and USA).

One of the qualitative characteristics of immigrants is their relatively high level of education. The proportion of immigrants with higher education is constantly growing. If in 1997 the immigrants with higher education accounted for 16.7%, then in 2008 they accounted for 32.9%. In recent years, this category also includes the part of the workers, who have been educated in the universities of Moldova.[71]

However, the number of immigration in Moldova is significantly lower than the emigration. In 2012, only about 17 thousand of the population are foreigners with a residence permit,[72] of which approximately 2,000 are students who are not eligible to work in accordance with the current law.[73] Just over 4,000 foreigners live in Transnistria.[74]

Migration levels are such that on December 17 the director of the Institute of Political Studies and Diplomatic and Security issues and former Deputy Minister of Foreign Affairs of Moldova Valery Ostalep said that migration threatens the national security of Moldova.[75] In addition, Moldova is a corridor for illegal migrants from the "third world,"

who are aiming at the EU. During 2013 at least 30 attempts to illegally cross the border with Romania, via river Prut were impeded.[76]

Moldovan immigration legislation is defined by two basic laws — the Law on Labour Migration (2009) and the Law on the Regime for Foreigners in the Republic of Moldova (2010), which set out the rules of stay for foreigners, including quotas for migrant workers, as well as determining the rights of Moldovan labour migrants going abroad and provide strict control over the activities of employment agencies.

- Government's compliance with such legislation (law enforcement practice)

No issues regarding migration legislation in the Republic of Moldova were revealed in 2013.

In early May, it was announced that 125 million Leu were allocated for programmes motivating the return of migrant workers. The aims were to improve the social, health and educational services, as well as increased awareness of job prospects at home for the returning migrant workers. It is planned to set up special offices, providing consultation on issues of migration and reintegration of citizens, and to recognise the professional qualifications and skills acquired before or during the period of being employed abroad. 35 counselling centres and 10 mobile groups in the field of migration and reintegration are scheduled to open. They will work within the framework of the territorial employment agencies and provide prompt response to requests of the migrants, defining the assistance that they need.[77]

- Discriminatory practices against immigrants.

No such instances were recorded during 2013.

- Use of ethnic crime as justification for discrimination against immigrants.

There is no such thing as "ethnic crime" per se in Moldova.

- Social assistance for immigrants.

The law of the Republic of Moldova on labour migration is contained in the Appendix 1, which provides the "Terms and conditions of the individual labour contract." Among other issues they contain the employer's obligations to pay annual leave, transportation costs of moving to Moldova and back, to provide housing, medical insurance, insurance against accidents at work and so forth.[78]

In addition, massive violations of Moldovan migrants abroad forced the authorities to look for a solution aiming at bilateral agreements with the countries of labour emigration of the citizens of Republic of Moldova.[79]

The first such agreement was signed with Italy in 2002, the most attractive country to the Moldovan labour migrants. In 2011, it was updated. The relationship with the other EU countries (Greece, Spain and Portugal are quite popular among the migrants) is guided by the Declaration on a Mobility Partnership between the EU and Moldova, which was signed by 15 countries. [80]

As of 2012 there are negotiations about signing immigration agreements with Russia, which is the most popular country in the CIS in this sense. In addition, Moldova has signed agreements that allow migrants to receive pensions earned abroad. Such contracts have been signed with Bulgaria, Portugal, Romania, Luxembourg, Austria, Estonia, the Czech Republic and Belgium [81] during the period of the monitoring. Negotiations with Italy are under way on this subject.

In accordance with the principles of international law, Moldova has also committed to provide social guarantees for migrant workers from these countries as is required by the mentioned agreements.

On June 12, 2013 the government approved a resolution of financial assistance to refugees and persons enjoying the patronage and protection of humanitarian Moldovan state. It accounted for 15% of the average wage in the national economic complex of the country projected for the relevant year, that is, 577.5 Leu (approximately 45 Dollars) for 2013. [82]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

In 2013, there were practically no monitoring surveys of this category in Moldova. The only poll, commissioned by the Public Policy Institute with the support of the Soros Foundation, was devoted to the question of amendments to the Constitution regarding the change of the state language from Moldovan to Romanian. Changes were supported by 22.7% of respondents. 65% of Moldovan citizens who participated in the survey were against the change. Approximately 7.6% of the respondents believed that the Constitution must specify Moldovan language as the state language, and Romanian should be placed in parenthesis. At the same time, 2% of respondents were in favour of the Constitution not specifying the state language at all. [83] In general, most of the population of Moldova does not support unification with Romania, although the Romanians are considered to related to them.

The only poll that gives some specific figures on the level of xenophobia in the Moldovan society was held in October-November 2011. While 85.2% of respondents reported a negative attitude towards homosexuals in Moldova, more than half would prefer that there were no Roma and Muslims in Moldova, about 40% have a negative attitude towards Jews. [84] According to the experts, this trend has remained in the Republic of Moldova to the present day.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
–	Discriminatory practices against immigrants	0	0
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	10	10

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In 2013, the most noticeable were hatred appeals were towards... the Moldovan state and Victory Day, coming from supporters of unification with Romania. On February 7, in an interview with "InfoPrut," one of the leaders of the youth wing of the ruling coalition of the Democratic Party, Ion Ion Hargel called Day of Victory in the Great Patriotic War an extremist holiday. [85]

Mayor of Chisinau Dorin Chirtoacă, at a press-conference on May 8, stated that Moldova remains occupied since 1945. The main argument supporting this thesis, according to Chirtoacă, is the fact that there are annual celebrations of the Victory Day on May 9th, instead of the Day of Europe. [86]

During the visit of the President of Romania Traian Basescu in Chisinau on July 17, he was met by a right-wing group, who chanted "Bessarabia — Romanian land," and "Unirea!" (unification) in the centre of the city. [87]

Russophobic statement also took place. On May 9, unionists chanted slogans — "Basarabia, pământ românesc" ("Bessarabia is a Romanian land"), "Rusia nu uita, Basarabia nu e a ta" ("Remember, Russia, Bessarabia is not yours") and "Rogozin, marş afară" ("Piss off, Rogozin") in the centre of Chisinau. [88]

On June 28, participants of the unionist march in Chisinau had burned the portraits of the Russian Deputy Prime Minister Dmitri Ro-

gozin. According to the members of this radical group, Dmitri Rogozin made statements that do not satisfy the Romanian people, and he has to be declared persona non grata in Moldova and Romania.[89]

Anti-Semitic hate speech should be noted, too. On December 4, 2013 a group of pro-Orthodox activists once again protested against the installation of a menorah on the street of Chisinau holding placards: "Hanukkah is a symbol of the occupation of the Yids!", "We do not want to have menorah, we are Orthodox." They demanded the demolition of the menorah.[90] On December 23, anti-Semitic graffiti were recorded in Chisinau.[91]

On January 28, Writers' Union of Moldova nominated a writer, anti-Semite and Holocaust denier, Paul Goma, for the Nobel Prize, the fact of which can be regarded as support of anti-Semitism from the culture elite.[92] Commenting on this to "JournalTV" on February 2, the chairman of the union Arkady Suceveanu stated that author's works — are "expression of freedom." "Goma engages in a real dissidence, openly talks about the cruelty of communist prisons in Romania and about the tragic history of Bessarabia. Goma's works — are denial of communism, expression of freedom," he said.[93]

On January 31, the news website Curaj.net published an anonymous article, entitled "Nazis and Soviet Union were like two criminal accomplices." The article demagogically stated that liberation of Europe from fascism is a myth and propaganda. In addition, it was stated that, the Third Reich and USSR had a common cause — ridding world of "Western Democracy." The author also stated that Russian community has still not cured itself of this idea.[94]

The harsh statements of the Moldovan Metropolitan Church of ROC against homosexuality, which bordered with interference of the church with the governmental affairs are worth noting.On June 24, Moldovan Metropolitan of the ROC excommunicated a number of politicians who were participating in the adoption of the "Law on non-discrimination," which involved the legalisation of homosexuality and same-sex marriage in Moldova. Among the excommunicated were the main initiators of the law — deputies Vlad Filat, Marian Lupu, Vlad Plakhotnyuk, Minister of Justice Oleg Efrim and President Nikolae Timofti. The Archdiocese stated that they are ready to "raise the people's masses" if the authorities don't come to their senses.[95]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Xenophobic literature of two types, the Romanian unionist and the black-hundredist, is actively produced and sold in Moldova.[96] No popular nationalist rock bands were observed.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)

The Romanian movement "Noua Dreaptă" (The New Right(wing)) is an organisation that promotes extremist and xenophobic ideas, emphasising the principles of the legionary movements. Members of the organisation glorify legionary movement leader Corneliu Zelea Codreanu and the fascist criminal Ion Antonescu. Therefore, the organisation is prohibited in both Romania and almost in Moldova, as the Ministry of Justice has not registered its charter.[97]

In November 2009, shortly after the accession of the new government the Ministry of Justice of Moldova officially registered the National Christian movement, part of the movement "Noua Dreaptă." The Minister of Justice at the time was a protégé of the Liberal Democratic Party, Alexandru Tanase, who is the chairman of the Constitutional Court now.

The National Liberal party of Vitalia Pavlichenko is of nationalistic ideology.

The Civic Platform "Acţiunea 2012" ("Action 2012"), established in 2011, has positioned itself as a coalition of non-governmental organisations and initiative groups supporting association of the Republic of Moldova with Romania and advocating for "the implementation of the main goals of past, present and future generations — the union of the Romanians on both banks of the Prut River into a single Romanian state."

Liberal (Liberal-reformist) party, represented in the parliament today, can be attributed to the nationalist forces. Despite the fact that the party has positioned itself as a right-wing liberal, it's their legislative initiatives aimed at discrimination against minority languages and the rejection of the Moldavian as the state language in favour of the Romanian, that qualifies them as a nationalist.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

On January 25, 2006, the Parliamentary Assembly of the Council of Europe adopted a resolution 1481 "Need for international condemnation of crimes of totalitarian communist regimes." And it is used by the right wing in the Moldovan political struggle against the most powerful force in the country — the Party of Communists (PCRM). They argue that Communism and Nazism are criminal ideologies that bear equal responsibility for the crimes of the XX century including the outbreak of the World War II. On this basis, the right wing calls for a ban on communist symbols, the name "communist," as well as most of the PCRM. The same reason is used to call for moving towards the unification with Romania. The latter is supported by some Romanian politicians with provocative slogans. In this context, the Party of Communists is perhaps the main political force in defending the independence of the Republic of Moldova.

However, there are certain nuances. For example, being illegal "Noua Dreaptă" acts according to the principles of the Romanian legionary movement, preaching the superiority of the Romanian nation, monarchism and anti-Semitism. They support their activities with actions of ritual and mystical character.

The National Christian Movement is a legal wing of the New Right, professing radical views, not unlike that of the unregistered party. Both have the political goal of unification with Romania.

The unionist views are shared by the National Liberal Party. Its statute reads as follows: "The Party attaches great importance to Euro-Atlantic integration — a process that can be carried out through the union with Romania. Thus, the party is clearly struggling for the unification with Romania, therefore immediate liquidation of the consequences of the Molotov-Ribbentrop Pact is required, as they impaired the Romanian people in restoration of the historical truth of the unity of the Romanian people."

Parliamentary Liberal (as of April 2013 — Liberal Reformist) party is in favour of the Baltic way in dealing with language policy, offering to leave only one national language, that being Romanian, and introduce discriminatory practices against minority languages, especially Russian and their speakers. It is also proposed to establish 80% of broadcasting in the Romanian language in the field of radio and television.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

Since the nationalists' accession in 2009 their impact on the Moldovan society has intensified. Mass action of the supporters of these parties became widespread (see. Below).

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

There are almost no representatives of the ultra-nationalist and neo-Nazi parties and organisations at the local level. Meanwhile, there are mayors of cities and local councillors who relate to their views. The mayor of Chisinau and the vice chairman of the Liberal Party Dorin Chirtoaca is among them, who regularly speaks in support of the Romanian unionists, as well as expressing Russophobic view. In particular, on May 13, 2013 the mayor of Chisinau supported the new unionists' march to mark the 200th anniversary of the so-called "Russian occupation of Bessarabia." A little later, on May 16, he announced that the day of signing of the Bucharest peace treaty between Russia and the Ottoman Empire is a day of mourning in the capital of Moldova. [98]

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

The nationalist side of the Moldovan Parliament includes the Liberal Party. Statements of its leaders and deputies are well represented in this report. Pro-Romanian sentiment of the party and other members of the ruling coalition have practically inspired the extra-parliamentary ultra-radicals to express provocative statements and actions. The structure of the government today involves 4 of 18 ministers, which suggests that the influence of the party is powerful in modern Moldova.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–5	–5
×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–5
	Total for the section 8	–25	–25

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

In 2013, two actions of this kind were noted in Moldova, both of which took place in Chisinau. On July 17 the nationalists held a demonstration timed to coincide with the visit of the Romanian President Basescu,[99] and on October 11 pro-Orthodox activists went to the parliament to protest against the abolition of the punishment for the "promotion of homosexuality."[100] In the first case, the authorities did not respond, and in the second members of the PCRM defended the protesters from the police.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

The Platform Acțiunea 2012, for the entire week (from March 24 to 31), hosted cultural events in several cities, dedicated to the Day of Unification of Romania and Bessarabia. Thematic concerts were held in Chisinau, Balti, and Cahul.

Meanwhile, Moldova's Liberal Party held a rally in Chisinau on March 27, dedicated to Romanian Unification. According to the information from Chisinau's City hall, the event was attended by 700 people.[101]

On April 1, the Civic Platform "Actiunea 2012," uniting the unionists, had announced the launch of a campaign "Tricolour for your school," which will take place on Moldovan territory in the period from 2 to 27 of April 2013. During the campaign, volunteers will hand out tricolour ribbons in educational institutions in Moldova. With this action, organisers intended to draw attention to the subject of unification of Romania and Moldova of not only the political sphere, but also the attention of students, who in their words form the new generation, who will have to resolve this issue.[102]

On May 8–9, Moldovan unionists protested near Chisinau City Hall, demanding to cancel the celebration of May 9. The protesters also chanted anti-Russian slogans.[103]

On June 28, participants of the unionist march in Chisinau had burned the portraits of the Russian Deputy Prime Minister Dmitri Rogozin. According to the members of this radical group, Dmitri Rogozin made statements that do not satisfy the Romanian people, and he has to be declared persona non grata in Moldova and Romania.[104]

On December 4, a black-hudredist group of a dozen people arrived carrying anti-Semitics posters at the ceremony of burning of the last menorah candle in Chisinau.[105]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

MPs from the ruling coalition participate in marches and rallies of pro-Romanian nationalists. [106]

- Presence of "football xenophobia" and racism amongst sports fans.

No such instances were recorded during the 2013 observation.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
–	Presence of "football xenophobia" and racism amongst sports fans	0	0
	Total for the section 9	–10	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

Several cases of vandalism were recorded, the vast majority of them were in Chisinau. On the night of May 9, unknowns have desecrated a monument to soldiers of the Great Patriotic War in Ohrei, by tearing off the memorial plaque to the fallen soldiers, whose names remained unknown. Memorial plaque, saying "Glory to Heroes!" was thrown by vandals onto a river coast. [107]

In Chisinau, vandals had desecrated a monument to Victims of the Holocaust, located at Jerusalem Street. Unknown criminals painted an anti-Semitic inscription on the monument. Presumably, this act of vandalism was committed between June 2 and 5. Criminals drew a Nazi swastika on a memorial slab. [108]

On July 7, a young couple of neo-Nazis posted photos of desecration of graves in the Jewish cemetery in Chisinau in the social network "Vkontakte."[109]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

  No such instances were recorded in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

One case of murder on ground of hate was recorded. On March 25, it was reported that a 59-year-old resident of Cociulia Nouă village, Leova district, was stabbed to death for demanding to talk to him in Romanian language. Two men met in a bar. One scolded another for a greeting in Russian. After the bar closed and everyone went home, the offended came to his neighbour and stabbed him with a knife, leading to instant death.[110]

On June 17, it was reported that a moped driver who was on his way to the hospital, carrying medicine for a disabled child, was stopped by the traffic police, beaten up and held in rehab for 5 hours, for the fact that he did not know Moldovan language well enough.[111]

There were two statements of threats. The authors of those were nationalists (on February 7 it concerned A. Gutu,[112] and on June 27 — V. Pavlichenko[113]), who clearly attempted to "gain points" as the victims. On February 7, Ana Gutu posted that following her statements that the education institutions with non-national instruction language should not be financed by the government, she was threatened and intimidated.

- Nationalist or religious terrorist attacks.

  No such instances were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	0	–5
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–10	–15

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

The main anti-fascist force of Moldova is the Party of Communists of the Republic of Moldova (PCRM). Veterans Council, the Moldovan branch of the International Movement "World without Nazism," the Communist Youth League of Moldova, Moldova Civil Congress, the League of Russian Youth Association of Historians and political scientists "Pro-Moldova," "Young Moldova," "Themis," "August" can also be attributed to the anti-Nazi movements.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On February 11, near the office building of the Liberal Party in Chisinau, Balti, Cahul, a protest action was held, organised by the League of Russian Youth, in connection with Ana Gutu's statements, saying that Russian-language educational institutions should be transferred from state funding to private. Participants of the event lined up in a row, holding up banners reading: "Fascism will not pass!", "Down with fascism!" "Stop Fascism!" and "No to Fascism!" and chanted: "We will protect Russian schools," "Gutu, let's go goodbye!" and "No to discrimination!". [114]

On April 4, Chisinau hosted a protest action, organised by the Civic Congress and oppositional parties. Members of the action chanted a slogan "Fascism will not pass!" and stated that the policy aimed at integration of Moldova into the EU is a failure. Protesters also demanded that European diplomats condemn the Liberal Party's bill banning the education in Russian language. [115]

On April 19, the Russian Youth League organised an action in front of the office of the Liberal Party, dedicated to protecting the rights of the Russian-speaking population. About 300 protesters besieged the Liberal office with slogans "Beware, Fascism!", "Moldova," "Protect the Russian language!" and "Russian language is official!". There, they unfolded a 10-meter banner "Protect Russian schools" and demanded that Liberals abandon the provocative initiative. [116]

On July 17 the activists of the "Eusintmoldovan, eugraiescmoldoveneste" organisation, who chanted slogans "Josunirea!" (Down with the unification with Romania), "Moldova!" and others, [117] gathered close to the State House during the visit of the Romanian President Traian Basescu in Chisinau, who was personally received by the Moldovan President Nicolae Timofti together with the military orches-

tra. On the same day another protest (organised by the Russian Youth League of Moldova) was held in Balti.[118]

The organisation "Moldova without Nazism" held a few action of their own. On March 21, on International Day for the Elimination of Racial Discrimination, "Moldova without Nazism" with the support of the European network against nationalism, racism, xenophobia, fascism and supporting immigrants and refugees UNITED for Intercultural Action, held an open discussion on "Racism: different perceptions, one problem" as part of the European week against racism.[119]

From May 3 to May 9, representation of the International Human Rights Movement "World Without Nazism" in Moldova held an action "St. George Ribbon," dedicated to the 68th anniversary of the Great Patriotic War. "For the majority of citizens, St. George Ribbon has already become not just a commemorative action, but also a symbol of resistance to the falsification of history in Moldova," stated an MP Inna Supac at a press conference on May 3.[120]

A number of actions dedicated to the memory of Nazi victims who were mostly Jews that perished in the Holocaust took place. On January 27–28, the event to commemorate the victims of the Holocaust took place in Chisinau, Tiraspol, Rybnita.[121]

On January 28, the Jewish Cultural Centre "Kedem" in Chisinau hosted an event "Holocaust. Memory. Conscience. Overcoming." Co-Chair of the Jewish Community of Moldova Alexander Bilinkis thanked the Moldovan leadership for their participation in such events, pointing out the difference between the words spoken at the highest levels of government, and their actions. In this regard, the head of the Jewish community expressed surprise at the fact that the state does not make any effort to maintain and construct monuments in memory of the 300 thousands of Jews murdered on the territory of Moldova. Head of the Jewish community of Moldova also expressed his dissatisfaction with the fact that, with the tacit consent of the authorities, "many cities of our country are erecting memorials with the symbol of the "Iron Guard" — organisation of storm troopers during Antonescu's fascist regime," while politicians name "a street after that Nazi criminal." "Inaction in such sensitive issues, as inter-ethnic relations, protection of rights of national minorities, the fight against all kinds of extremism, fascism, religious intolerance — it is the same kind of crime, as the actions aimed at inciting them," — concluded Alexander Bilinkis.[122]

On April 8, a memorial-rally-requiem was held near a memorial to the "Victims of Chisinau Ghetto," on the Ierusalim Street in downtown Chisinau, and was dedicated to the Day of Holocaust and Heroism of European Jewry on the initiative of the Israel Cultural Centre.[123]

On April 11, the Jewish community of Moldova held a memorial rally at the monument to victims of the 1903 pogrom.[124]

On July 17, the day of 72nd anniversary of the Romanian dictator Ion Antonescu coming into occupied Moldova, and signed a decree on the establishment of concentration camps and ghettos, the organisation "World without Nazism" paid a tribute to the victims of the Holocaust. During this event the Chairman Association of Former Ghetto and the Nazi concentration camps Mihail Gordin said that the younger generation should know about the tragedy of those who fell victim of fascist terror, i.e. more than 300,000 Jews and Roma who were tortured in Moldova as ordered by the war criminal Ion Antonescu, and called to not believe those who deny the Holocaust, because otherwise, it could happen again. [125]

On September 23, a funeral requiem rally took place at the Memorial "For Victims of Fascism" in Dubossary, the location of the mass grave of victims of the Bessarabian Holocaust. The event was attended by hundreds of people. During a solemn memorial event dedicated to the Moldovan "Babi Yar" the head of the Jewish community of Dubossary Ozias Ukstein said Chisinau that politicians were not interested in such a "small historical episode" because none of them had come to the rally. [126]

- Presence of anti-racist and anti-fascist civic initiatives.

On January 25, conference "Holocaust — the lessons of tolerance" was held in Cahul. The conference presented research papers of college students of Cahul on this topic. Participation in the international competition in the future is anticipated. The exhibition "The Holocaust. Rybnita tragedy" was hosted there, too.

On January 31 in Moldova, establishment of a social movement "Heirs of Victory" was announced, the purpose of which — patriotic education of young people, preservation of memory of the Great Patriotic War and preparation for celebrations of the 70th anniversary of the Great Victory over fascism. Movement "Heirs of Victory" was created by the Council of Veterans of Republic of Moldova, by the proposal of the International Union of "Heirs of Victory," with headquarters in Moscow. [127]

On February 11, Publika TV channel, presented a program about the Holocaust in Bessarabia during the Second World War. On March 28, it was reported that a documentary film "Bessarabia's Outcasts" was filmed in Moldova, dedicated to the genocide of the Roma population by Antonescu's regime. The picture was filmed by the initiative of the National Centre of Roma in Moldova and the Swedish association E Romani Glinda. [128]

On April 8, the Moldovan Communist Youth League and other youth and non-governmental organisations, as well as prominent representatives of Moldovan historical science (Association of historical

and political scientists "Pro-Moldova," non-governmental organisation "Moldova Without Nazism"), hosted a round table in Chisinau (at the "Summit Events Center") dedicated to "Moldovan liberation movement: yesterday, today, tomorrow." The round table proposed to organise mass fundraising actions, necessary for restoration of historical monuments in Moldova, as well as publication of historical works in large quantities in Moldovan and Russian languages, prepared by members of the Association of historical and political scientists "Pro-Moldova," dedicated to the major stages of liberation struggle of Moldovan nation, including the resistance against the Romanian occupation in 1918–1940 and in 1941–1944, drawing parallels with the task of this struggle today, arming all Moldovan patriots with the knowledge of genuine, not falsified, history — patriots who in the future want to live in an independent state — the Republic of Moldova, and not in a Romanian province Bessarabia [129]

On November 20, the students of the Transnistria State University announced the launch of the campaign "Liberation," dedicated to the 70th anniversary of the liberation of Moldova from the German-Romanian invaders. These dates will be celebrated in 2014.The Gagarin Boulevard now features a Memory Lane. The first vice rector of the TSU Natalia Nikiforova noted that the management of the university expects initiatives from students to perpetuate the memory of soldiers who died for the liberation of the territory of Transnistria, Soviet Moldavia from the Nazi invaders. [130]

The significant activity of the society regarding the struggle against xenophobia should be noted. On February 7, representatives of the civil society appealed to Prosecutor General asking for the prosecution of a deputy from the liberal party Ana Gutu for inciting ethnic hatred and violating the Law on equal opportunities. Amongst those who appealed against Gutu — activists of human rights organisations, bloggers and journalists: Alexander Roshko (chairman of European Network of Democratic Young Left ENDYL), journalists Ernest Vardanyan and Olga Antonova, Vladimir Vasilyev (First Secretary of the District Committee of Communist Youth, Buiucani sector) and others. [131]

On April 2, the Civic Congress spoke in opposition of the Liberal party's bill, according to which Russian will lose its status of a language of inter-ethnic communication, losing its position to Romanian, and declared the start of opposition actions. Representative of the Civic Congress Olga Goncharova, chairman of the People's Assembly of Moldova, stated that the congress will direct an appeal to international organisations responsible for the execution of basic international documents, which Moldova is a part of, "which will inform about our situation." "Today we are expressing an opinion of a vast

majority of Moldovan citizens, larger than those 7% if people who voted for the Liberal party. The bill proposed by Gutu contradicts not only the basic international documents, signed by the Republic of Moldova, but also contradicts the internal legislation. This includes both the Constitution, and the law on the rights of national minorities, as well as the law on the use of languages, law on national passport system and many others. Most importantly, this initiative brings us back to the 90s and divides the society not just in two, but in a lot of camps," Goncharova stated. [132]

On April 11, Chisinau hosted a presentation of the project "Beware, fascism!" initiated by the League of Russian Youth in Moldova. As part of the project, the youth will inform the public about all cases of manifestation of radical nationalism, as well as extremist actions or statements in the country. Furthermore, one of the main goals of the action — "introduce a propaganda of inter-ethnic peace, tolerance and respect to one another and the memory of heroes that liberated the world from the brown plague of 20th century. [133]

On July 24, the Jewish community of Moldova urged the Moldovan President to pay attention to the increasing incidents of anti-Semitism in the country. In a statement signed by the heads of the community, it was noted that in recent months a series of events that caused a stir public opinion and have a pronounced pro-fascist and anti-Semitic nature. "Based on the statements of the Jewish community in some of these cases, criminal investigation was initiated, but the culprit were not found, or have not yet received the deserved punishment," — the authors of the document noted. In addition, they wrote, "it is particularly unfortunate that in the context of the above events there are parallel actions that contribute to worsening of the situation." The statement authors noted that all of these negative things happened in the country, which aimed at European integration and declared European principles and values, and appealed to the authorities to pay attention to the anti-Semitic actions and to stop them. [134]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

The ideology of the Romanian unionism assumes defence of the last regime, in which Moldova was part of Romania and an ally of Hitler's regime under I.Antonesku. Hence, there is the idea of the equation of the Nazi and the Soviet regime and the presentation of "small nations" as victims and collaborators as the liberation movement.

On January 31, the news website Curaj.net published an anonymous article, entitled "Nazis and Soviet Union were like two criminal accomplices." The article demagogically stated that liberation of Europe from fascism is a myth and propaganda. In addition, it was stated that, the Third Reich and USSR had a common cause — ridding world of "Western Democracy." The author also stated that Russian community has still not cured itself of this idea. [135]

On February 7, in an interview with "InfoPrut," one of the leaders of the youth wing of the ruling coalition of the Democratic Party, Ion Ion Hargel called Day of Victory in the Great Patriotic War an extremist holiday. [136]

On April 19, the Board of Unification of Moldova and Romania spoke with an initiative to begin the restoration of the "Antonescu tower" — a monument to Royal Romania, erected in memory of the capture of Bessarabia territory. The tower, build on Marshal Ion Antonescu's orders, was located near a village of Gidigich in 1941 "to commemorate the liberation of Bessarabia from the Soviet power." [137]

On April 30, the Civic Platform "Actiunea-2012" also demanded Moldovan government to remove the celebrative events, dedicated to the Victory Day, from the central square in Chisinau. Authors of the document urged not to allow the celebrative events with the use of "communist symbols" at the square, which is a "symbol of struggle for independence of the second Romanian state from USSR." They also insisted on declaring May 9 a day of national mourning. [138]

On May 16, Bogdan Petriceicu Hasdeu Municipal Library held a presentation of the collection of documents "Iron Guard in Bessarabia. Documents."Authors — Alexandru Moraru and Benedict Ciubotaru stated that documents will "refute all charges against the legionnaire movement by communist and Zionist falsifiers."A. Moraru

also stated that the "Iron Guard" was a "movement for national liberation from foreign political, financial, diplomatic and economic oppression."[139]

On February 20, at the session of parliamentary commission on foreign policy and European integration, Ana Gutu, when considering the agreement of the CIS countries, to perpetuate the memory of courage and heroism of people participating in the Great Patriotic War 1941–1945, delivered a sharp criticism of the agreement, saying, "I will absolutely not vote for this agreement, let's be serious, it was not our war."[140] On May 20, yet again Ana Gutu stated in an interview with Kommersant.md, that she hopes that the Victory Day will be cancelled before the end of current parliament's mandate. "Second World War was not our war — it was imposed on use by two dictators. Many families from Bessarabia had relatives who fought in Soviet and Romanian armies. Both suffered. So what victory are we talking about here? In Europe, they are celebrating the Day of Remembrance and Reconciliation," she said. Gutu also stated, that the right to commemorate victims should be also with those whose relatives fought on Hitler's side.[141]

On April 30, this initiative was supported by a Moldovan MP from the "reformative wing" of the Liberal Party Ion Hadarca, who stated that the fact that the Victory Day is celebrated on the central square of Chisinau shows that "we don't yet think in a European way."[142]

On March 8, a specialised body of the Council of Europe — the Venice Commission — stated that the ban of Soviet symbols in Moldova contradicts a number of articles of the European Convention on Human Rights and has to be announced unconstitutional. However, the Moldovan politicians chose to ignore it. President Nicolae Timofti stated on the air of one of the TV channels on March 19, that he does not see any difference between symbols of communism and fascism. He went on to call the decision of the Venice Commission a recommendation, not obligatory for Moldova.[143] After the decision of the Constitutional Court that the ban was illegal, vice-chairman of the Liberal Party Valery Muntianu stated in response, that the party will continue to fight for the elimination of communist symbology.[144]

As for the desecration of monuments on the night of May 9, unknowns have desecrated a monument to soldiers of the Great Patriotic War in Ohrei, by tearing off the memorial plaque to the fallen soldiers, whose names remained unknown. Memorial plaque, saying "Glory to Heroes!" was thrown by vandals onto a river coast.[145] In Chisinau vandals desecrated the monument dedicated to the Holocaust victims.[146]

In November 2013, an incident occurred that stirred up the Moldovan society: on November 5, at a Halloween masquerade in a Chisinau club Cocos Prive a German citizen Herbert Schiesser appeared

in a uniform with a swastika, and lifted his hand in a Nazi salute.[147] Schiesser said that he was just joking. No action is taken regarding the incident. Meanwhile, it soon became known that the German citizen was wanted by the German court due to charges of sexual harassment and fraud.[148]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

The municipality of Chisinau shows special diligence in dealing with the memory of the victory over Nazism. On April 28 (*the original text says 29.04*), during a meeting of Chisinau municipality, the head of Municipality's External Relations Gabriela Chumak proposed to declare the May 9th a "day of mourning," and ban the Soviet symbolism. "Lviv and Ivano-Frankovsk city councils had declared May 9th a day of mourning, banned the use of symbols of states that do not exist, whether Nazi or communist, and we ought to do the same. Latvia, Estonia, Lithuania did the same thing through law. I ask to convene an emergency meeting of Chisinau Municipal Council to make a decision. I think that the "St. George Ribbon" and the "Hammer and Sickle" create conflicts," Chumak stated. Mayor of Chisinau Dorin Chirtoaca called his subordinate's initiative "brave" and "worthy of attention and respect."[149]

Mayor of Chisinau Dorin Chirtoacă, at a press-conference on May 8, stated that Moldova remains occupied since 1945. The main argument supporting this thesis, according to Chirtoacă, is the fact that there are annual celebrations of the Victory Day on May 9th, instead of the Day of Europe."Starting next year, we will arrange festivities on the Great National Assembly Square to mark the Day of Europe. Celebration of the Victory Day will be held in a memorial complex "Eternitate," as it was before. If someone believes that we are restricting the rights of those who want to celebrate the Victory Day, we deny these allegations. We only want equality," Chisinau Mayor stated.[150]

On June 28, Chisinau City Hall has banned Russian Youth League to conduct events dedicated to the Day of Moldova's liberation from Romanian occupation.[151]

On July 26, a monument "Train of Pain" dedicated to the victims of deportations was erected in Chisinau. However, the inscription on it talked about the victims of Soviet repression of 1941–1949, thus saying nothing about the repression unleashed by the Nazis in 1941–1944 and writing off all the victims of this period solely as victims of the Soviet regime.[152]

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

History textbooks, which are used by students since 2009, due to the recommendation of the Ministry of Education give an estimate of the historical events from the perspective of Moldova as part of the Romanian state. Based on this logic, textbooks whitewash the Romanian fascist Antonescu, but there is no mention of the more than half a million victims in Bessarabia, northern Bukovina, and Transnistria while being occupied by Romanian troops.

Moldovan authorities with ideological support of Romania try to abandon the celebration of the Day of Victory over Fascism, setting a right-wing radical alternative to May 9 as Victory Day, which creates conditions for the revision of the history of the Second World War. [153]

- Historical revisionism, Holocaust denial.

On April 25, it was reported that a Romanian anti-Semitic author, a denier of the Holocaust, Paul Goma, who lives in France, has received Moldovan citizenship. The writer intends to arrive to Chisinau and head the Centre of Communism Research in Bessarabia and Bukovina, which was established under the Union of Writers. [154] In his essay titled "Săptămâna roşie 28 iunie — 3 iulie sau Basarabia şi Evreii" ("Red Week 28 June — 3 July, or Bessarabia and the Jews") Goma openly denies and justifies the Holocaust defining the regime of Ion Antonescu in Bessarabia and Transnistria as "just retribution, revenge," meaning the Jews are to blame for their own suffering, because they had supported the Soviet regime. Earlier writers' Union nominated him for the Nobel Prize for Literature, which caused a scandal in the Jewish community, given that the announcement was made on the eve of the commemoration of the victims Holocaust.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
–/×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–2.5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–17.5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

There were no public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists recorded in Moldova in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  No such instances were recorded in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

Chisinau police interrogated the head of the Russian Youth League in Moldova Igor Tulyantsev on May 28. Interrogation was sanctioned as part of the recently initiated criminal case regarding the use of a wartime slogan "Death to Romanian cannibals!" During an interrogation, Tulyantsev was presented with the results of philological examination, which recognised the slogan as extremist and inciting ethnic hatred. The investigation did not find Tulyantsev's explanation that the slogan was a purely historical reference and did not intend any insult to Romania as invalid.[155]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
×	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5	–2.5
	Total for the section 13	–5	–2.5

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Moldova has acceded to most international commitments to combat racism and discrimination. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is the exception.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

Representatives of Moldova have refrained from supporting the draft resolution of the UN General Assembly against the glorification of Nazism on November 27 and December 18, 2013.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

No such initiatives were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	5	0
	Total for the section 14	10	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Deterioration of Moldova in the rank of radical nationalism in 2013 (5th place compared to the 7th in 2012) is due to increased activity of nationalists, as well as an increase in xenophobic attitudes in the society. All this has led to an increase in violent acts of hate, one of which was fatal.

Additionally, attention is drawn to that xenophobia comes primarily from politicians and the media, which have split the society along the ethnic lines, imposing the idea of Romanisation of the country, and attempting to revise the history of the Second World War, which is a taboo for Russian-speaking citizens of Moldova.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Currently, minorities in the Republic of Moldova are not safe against discrimination, and the most striking example of this is the situation with the Russian language and school education in places of compact settlement of ethnic minorities.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

The Liberals and the Democrats of the ruling coalition talk a lot about the need to respect human rights, but are concerned to a lesser degree with the rights of national minorities, disregarding own perception of the minorities on the needs of the development. The intentions of the Liberal Reformist party, which is part of the ruling coalition, to deprive Russian language of the official status and to introduce a number of restrictions on its use suggests that the country's political forces are activated, ready to lead to the Baltic way, i.e. enter discriminating norms against minority languages, contrary to the recommendations of international organisations, especially the European Commission against Racism and Intolerance, as well as other bodies of the Council of Europe.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

In this respect, the situation in Moldova is paradoxical, because there is still no consensus on the name of the titular nation. Some consider it the Romanian and others say Moldovan. The first group includes some members of the ruling party, the second concerns the majority of the local population. In this case, contrary to the opinion of the majority, the ruling elite is trying to carry out a hasty Romanisation. Actually it is the differentiation of the rights and freedoms of the ruling elite and the rest of the population.

If the intention of the ruling elite to replace the Russian language with Romanian as the only official language in Moldova including the Gagauz autonomy is added, as well the process started awhile back regarding the review of history of the Republic of Moldova, primarily in school programmes, it can be seen that the trend is becoming more and more stable with each year.

- *Legislation enshrining inequality of minorities.*

There is a gradual formation (evidently modelled after the Baltic States) regarding language legislation, postulating inequality between the "titular" and the Russian languages and, consequently the language speaker.

- *Rulemaking in protection of minorities.*

The legislation on the protection of minorities were adopted but it was not implemented in practice in Moldova.

- *Freedom of speech violations.*

No such instances were recorded in 2013.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

The rejection of the Soviet past and focusing on Romania with its harsh pre-war militaristic regime, including the dictatorship of Marshal Antonescu (see below) forced the ruling Liberals and Democrats to open the floodgates for radical nationalism, glorifying the pro-fascist "Iron Guard" and Antonescu's regime. Abandonment of condemnation of Antonescu regime does not allow the ruling alliance to take any laws on the inadmissibility of actions of rehabilitation of Nazism and the glorification of Nazi criminals. Moreover, this policy calls questions the le-

gitimacy of the Republic of Moldova and heats up the attitude of the radical political forces in favour of its abolition and union with Romania, in spite of the current Constitution.

In turn, such anti-state policy of the authorities has led to the fact that the Party of Communists (PCRM) has become perhaps the most influential anti-fascist force in Moldova, to protect the sovereignty of the country and fighting for the rights of minorities. As the Romanian sociologist Dan Dungaciu has noted, "if earlier intervention the Russian-speakers in the affairs of PCRM was minimal, now, and this was particularly noticeable during the last local elections, it is obvious. This part of the electorate, mainly composed of educated urban dwellers, is not dependent on the symbols of the party and the Communist Party is rather perceived as the main defender of the Russian-speaking ethnolinguistic communities (which I call "imperial minority"). This part of the supporters of the Communist Party does not decrease after the new law. "In this regard," — he said, — "the conclusion is that in the Republic of Moldova the struggle with the PCRM is not so much political or socio-economic. This is also a struggle for identity."[156]

The resolution of condemnation of the totalitarian communist regime and the prohibition of its symbols has caused severe confrontation of the ruling Alliance and the Communists, who did not want to give up their symbolism. The Party of Communists appealed to the decision in the Constitutional Court and won the case against the highest court of the country.

In addition, if the ruling alliance, relying on the Resolution of the European Parliament of April 2, 2009 on European conscience and totalitarianism, and the PACE resolution of 26 January 2006 on the need to condemn the totalitarian communist regimes, basically equates communism and fascism, accusing them of atrocities, then the Moldovan Communists strongly object to this, pointing out that it was the USSR that defeated German Nazism.

Thus, following the political purposes of confrontation with the Communist Party and driving it out of the country's political field, as well as taking a course of rapprochement with Romania, the ruling coalition voluntarily or involuntarily sided with radical nationalist forces. The law banning communist symbols, the decision of the Government on the establishment of the National Commission on the functioning of languages, designed to monitor the purity of the state language, changes in the law on advertising, as well as a legislative initiative on the recognition of Romanian as the official language of Moldova and lifting the status of Russian as the language of interethnic communication in this situation are discriminatory issues aimed at strengthening the position of the radical nationalists as well as further violation of the rights of national minorities in the Republic of Moldova.

As a result, there is a gradually forming situation where the possibility of self-realisation for the Russian-speaking minority is becoming more limited, which threatens its marginalisation and exclusion from active civil life. In addition, it is already leading to a split within the society along political and ethnic lines. As a result of the Russian-speaking minority is becoming more receptive to the attitude of protest in defence of their rights.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

It can be said that in case of Moldova the identity of the two main confronting parties refers to the historical trauma. In the case of Romania oriented liberals and democrats it is the memory of Stalin's repressions, deportations, famine, and in the case of members of leftist political movements and Russian-speaking citizens it is about the memory of the fascist "Iron Guard" activities in the prewar Romania and Marshal Antonescu during the World War II. The cultivation of such a traumatic memory enhances the split in society, which in the conditions of Moldova becomes equally of both political and ethnic character.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The introduction of legal restrictions on the use of Russian worsens life of Russian speakers and adversely affects the development of the Russian-speaking business. At the moment Moldova is in the 89th place in the ranking of countries, i.e. the penultimate in Europe.

- *Economic impacts and instability.*

Economic problems, as well as the economic instability are characteristic for Moldova, but they are based on reasons not related to xenophobia and extremism.

- *Decline in production growth, emigration of the labour force.*

Labour migration is quite normal for present-day Moldova, but mainly emigration occurs for economic reasons. Nevertheless, it is unlikely the imposition of restrictions on the use of the Russian language can lead to mass emigration of the Russian-speaking population due to social and political reasons.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

The first wave of Romanisation has already resulted in Transnistria splitting off and Gagauzia becoming an autonomy in the early 1990s. New wave of Romanisation can make the breakaway irreversible and male Gagauzia follow the example of Transnistria.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

In case of further Romanisation or moving to unite with Romania a sharp deterioration in relations with Ukraine and Russia would inevitable. In 2009, Moldova and Ukraine signed a bilateral agreement on cooperation in ensuring the rights of persons belonging to national minorities. This Agreement has passed all the ratification procedures in Ukraine, including the promulgation by the President in October 2010. In Moldova, the document is blocked by the ruling majority in parliament. According to unofficial data, the Moldovan authorities' reluctance to ratify the Agreement due to the syntagmas "Moldovans" and "Moldovan language," which are present in the text of this document.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Republic of Moldova should join the UN General Assembly resolution on "glorification of Nazism: the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance," as it would help national reconciliation in the country.

Moldovan parliament should ratify the bilateral agreement with Ukraine on cooperation in ensuring the rights of persons belonging to national minorities. This will enable both countries use the legal instruments for the protection of rights of national minorities, as well as to enforce the rights of its citizens and compatriots in the territory of the neighbouring state.

The Parliament should implement the recommendation, supported by the Moldovan delegation on May 17, 2012. It is a model law on the inadmissibility of actions for the rehabilitation of Nazi glorification of Nazi criminals and their accomplices adopted by the

IPA of CIS. This model law was recommended for discussion and adoption by the national parliaments of the CIS countries. The Parliament of the Republic of Moldova registered a similar bill already on December 1, 2011.

2. *General recommendations for adjustments to the legal framework*

Moldova should revise laws to marginalisation of the Russian language and, therefore, discrimination of Russian-speaking population. Everything must be done to prevent the adoption of discriminatory law "On Language Policy of the Republic of Moldova" 135 of March 26, 2013, submitted by the Liberal Party, as the law will finally divide the country along ethnic lines.

Furthermore, laws for the protection of military monuments and memorials associated with the victory over Nazism should be enacted, for this victory has a clear pan-European and global value. In this regard, the Republic of Moldova should take the example of Germany and Austria, where there is respect for such monuments.

The government of the Republic of Moldova should have the legislation conform to the decision made in 2003, i.e. the Law on Combating Extremist Activity, and to submit an appropriate bill to the Parliament.

It is desirable to discontinue the support of radical unionists, thus encouraging them to take more decisive action.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Executive authorities should be more careful in dealing with the functioning of the languages of ethnic minorities, as well as the characteristics of the historical memory, all of which is directly related to human rights.

The government of the Republic of Moldova should carry out the optimisation process of education with a compulsory public discussion prior to making any amendments, including the prevention the shutdown of schools where the tuition is in the languages of national minorities.

A public debate on the most pressing issues of the country's history should also be organised, providing freedom of expression to all interested parties. This discussion could also apply to issues of public and political symbolism, as well as significant historical events and characters, including memorials. Such a debate would give the authorities an idea of the diversity of views on the history of the country and the leading trends that would allow more objective and impartial implementation of the policy of historical memory.

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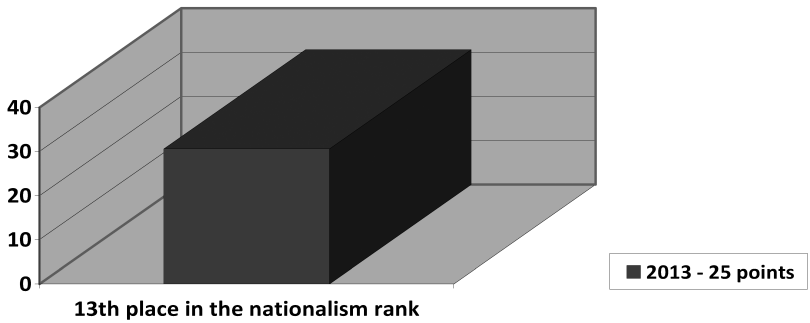
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–15	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	7.5	7.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	10	10
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–25	–25
9	Extremist and radical nationalist public actions	–10	–15
10	Racist attacks, violence and terror	–10	–15
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–17.5
13	Persecution of veterans and partisans of the anti-Hitler coalition	–5	–2.5
14	International aspects	10	5
	Total	–47.5	–52.5

POLAND


40
30
20
10
0
13th place in the nationalism rank
2013 - 25 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Despite the fact that the legislation of the Republic of Poland, in general, complies with EU legislation, there are still some discriminatory elements. Thus, the Law Against Discrimination does not prohibit discrimination on the basis of language and citizenship. [1]

As of January 2013, the law banning ritual slaughter according to the Muslim and Jewish customs, which, of course, is discriminatory against the followers of the two religions. The law is contrary to Article 25 of the Constitution, which guarantees equality of religions. Despite the government's attempts to change the situation,on July 12, the lower chamber of the Sejm (parliament) rejected its proposed bill on legitimating of kosher and halal slaughter of animals. [2]

Unfortunately, the equation of Nazism and communism being characteristic of the government, which allows to not respond to "inconvenient" questions about the activities of the Polish underground during the 1940s (see more details below), can also be noted.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

No such legislation exists in Poland.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  No such legislation exists in Poland.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

The discrimination against the Roma (total population of 20–25 thousand) can be noted. Much of this ethnic group resides in substandard housing. 90% of the employable population does not have a permanent job because employers do not want to employ them.[3] Only 39% of Roma women and 56% of Roma men are entitled to pensions.[4]

The Roma are deprived of use of social services. 60% of Roma children do not attend kindergartens (the figure for non-Roma children is 28%). According to the European Union Agency for Fundamental Rights, less than 30% of Roma reported having middle or secondary special education (compared to 80% of non-Roma that were surveyed). Not all children of the Roma families, for whatever reason, are included in the educational system, and 1 in 5 Roma children is referred by the authorities to study in a special school for mentally retarded children, most likely due to poor knowledge of the Polish language.[5] There is also the problem of segregation of Roma children in schools, i.e. the creation of "Roma classes." Attempt to create such a class in Poznan in 2013. However, in response to the request of the Commissioner for Human Rights, it was stated that it was a temporary phenomenon for the preparation of the integration of Roma children with the others.[6]

On March 26 and May 7, about 80 inhabitants of Roma settlements in Wroclaw, received a notice of eviction within two weeks. The Roma were saved from eviction due to the intervention of human rights organisations[7]

Atheists are also subjected to discrimination, as written statement from the parents are a must in order to change lessons of religion to ethics in schools.

Muslims and Jews ended up among the discriminated groups because of the law regarding the ban of the ritual slaughter that came into force in 2013. In addition, Jewish and Muslim prisoners complain about the inability to get, respectively, kosher and halal food in prison.

Another group being discriminated against is LGBT. There have been complaints of the violation of their dignity at the hands of the police.[8] On January 28, deputies of the lower chamber of the Polish parliament rejected a set of bills providing for the legalisation of gay marriage. Against the three-bill package voted 228 deputies, whereas "in favour" voted 211. Legislative initiatives introduced by representatives

of the liberal-conservative party "Civic Platform" proposed legalisation of same-sex civil unions as well as granting them a number of rights, including the right to inherit property.[9]

The Kashubian minority representatives have complained about the lack of television programmes in their language.[10]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	—	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	—	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	—	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	—	–5
	Total for the section 1	—	–10

2. Xenophobia and inflammatory statements of the government and the media

The authorities have respect for R. Dmowski, the active "Polonisator" of national minorities and ardent xenophobe (President Komorowski laid flowers at the monument to him twice in 2013).

In late March, the Lublin City Council decided that "in view of the Christian tradition" of the city to stop municipal finance of "operations and activities that are contrary to public morality or having scandalous content."[11]

In April, mayor of Wroclaw said that the situation with the forced relocation of the Roma could be regulated by evicting Roma onto the outskirts of the city.

On June 19, leader of a small Polish far-right-wing party "Union of Slavic Empires" Ian Kelb gave an interview to the daily newspaper "Rzeczpospolita daily," where he stated — "We know who rules Poland — Jews, furthermore — bad Jews."[12]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	—	–5
	Total for the section 2	—	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 13 of the Constitution prohibits the existence of any of the organisations "that use totalitarian methods and practice Nazism, fascism and communism, as well as those (organisation) whose programmes or activity express ethnic or racial hate, promote violence as means of accession to power or influence on the government, or promote classification of bodies and membership."

Article 25 speaks of equality of religions. "Relations between the State and the Church, the other religious unions are formed on the principles of respect for their autonomy, and the mutual independence of each in its own sphere, as well as cooperation for the benefit of man and the common good" — the article says. Article 48 notes that parents have the right to raise children according to their own convictions. "This raising should take the degree of maturity of the child into account, as well as the freedom of conscience and religion, as well as the child's belief" — the article said. [13]

Article 53 emphasises that everyone is provided with the freedom of conscience and religion. It is noted that religion can be taught in schools, but it cannot interfere with the freedom of conscience and religion of others persons. Forced participation in religious practices and the requirement to disclose their worldview, religion or faith are prohibited [14]

As for punishment, Article 118 of the Criminal Code is devoted to attacks and killings perpetrated by hate. The penalty for this is 12 years in prison, for accomplices would get 5 years, and for premeditation of crime the penalty is 3 years. Article 118a provides that the punishment for members of group / mass attacks is the same terms of imprisonment. Article 119 speaks of intimidation using threat of hate crime is penalised 3–5 years of imprisonment. Article 137 is devoted to the xenophobic vandalism against state symbols. Article 194 is devoted to

discrimination against believers, Article 195 is on disruption of a church service or a funeral.

Article 255a is devoted to punishment for advocating terrorism. Article 256 talks about the punishment for the promotion of totalitarian ideology or hatred due to nationality, race, religious beliefs, and for dissemination of relevant material, collectors included. According to paragraph 3 of Article 256 this excludes cases where these materials are produced and disseminated for artistic, educational and scientific purposes.

Article 257 is devoted to punishment for offenses motivated by hatred. Article 261 is on vandalism against monuments. [15]

- Presence and development of anti-discriminatory legislation.

Article 32 of the Constitution states: "No one for any reason can be discriminated against in political, social or economic life." Article 35 emphasises that Poland provides minorities with freedom to maintain and develop their own language, preservation of customs and traditions, as well as develop their own culture. National and ethnic minorities have the right to establish their own educational, cultural and religious identity, as well as to participate in matters relating to their cultural identity. Article 27 notes that although the official language is Polish, it does not violate the rights of national minorities that arise from the ratified international treaties. [16]

In December 2010, an act was passed on the implementation of certain rules of the European Union on equal treatment, dedicated to combating direct and indirect discrimination on grounds of sex, race, ethnic origin, nationality, religion, denomination, belief, disability, age or sexual orientation in the housing and labour market, and in the field of social welfare, health and education. Article 13 of the Act says that all victims of discrimination are entitled to compensation. According to Article 15 the period of limitations is 5 years. Appropriate changes were made in the Articles 145–147, 151 of the Administrative Code and Article 183 of the Labour Code. [17]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In February 2013 the Council of Ministers created a Council to prevent racial discrimination, xenophobia and related intolerance. It coordinates the actions of the authorities in this area, monitors the situation, etc. The Council consists of representatives from 28 departments and 14 ministers.

In 2011, a directive was issued by the public prosecutor on improved investigation of hate crimes. In 2013, the General Prosecutor's

Office requested to organise a special office in every area for investigation of crimes due to xenophobia. On September 24 and 26, the General Prosecutor's Office has organised courses for prosecutors on hate crimes. [18]

Protection of victims from discrimination and hate crimes is also done by the Ombudsman. According to Article 208 of the Constitution, he is "the guardian of rights and freedoms of man and citizen specified in the Constitution and other regulations." [19] The Ombudsman's job is described by a law enacted in 1987, the Ombudsman shall be appointed for a period of 5 years by the Sejm for approval of the Senate at the request of the speaker of parliament or a group of 35 deputies. The same person cannot be the Ombudsman for more than two terms. Following the adoption of the law on the implementation of EU regulations on equal treatment in 2010, the Ombudsman received the obligations to promote anti-discrimination and the implementation of equal treatment. [20] The Ombudsman may prepare the analyses and observations of the situations, conduct independent research on discrimination, publish relevant reports and recommendations. The Commissioner is preparing a National Action Programme on equal treatment and provides an annual report on its implementation. [21]

Unfortunately, it should be noted that the Labour Inspectorate, being without powers of authority, verifies the presence/absence of discrimination. [22]

In Poland, there is no system of support for victims of hate crimes and it is carried out only by a few NGOs, which is clearly insufficient. [23]

The reluctance of law enforcement agencies to deal with hate crimes (see next section for more details) can also be noted.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)

A few dozens of people are charged with hate crimes annually (in 2011 the court had examined 40 cases, and in 2012 it was 75), but the media do not include information of only few cases. Here are some of them.

On February 19, two nationalists disrupted a lecture by M. Sroda, and later were fined in the amount of 500 zloty. [24]

In May, the court sentenced persons who desecrated a Jewish cemetery in Krasnik, sentencing them to payment of damages. [25]

On August 13 the court acquitted antifascists, who were accused of destroying two police vehicles during clashes with neo-Nazis in Poznan. [26]

The reluctance of law enforcement, bordering on connivance of xenophobia, to seriously deal with cases of hate crimes should be noted. Although Article 52 of the Criminal Code states that the court must take into account the motivation of the perpetrator, however, as

a racism motivation was not mentioned, the courts preferred not to consider these aspects of the crime.

There is a low detection rate of hate crimes (in 2010–2012 it was within 17–26%). In January, police of the Bialystok region stopped the investigation of the desecration of synagogues in Orly due to the inability to find the culprits. The same thing happened in April in Myslenice, and in September in Zamosc. [27]

The cases of direct connivance of law enforcement agencies xenophobia are recorded, too.On June 21, a court in Poland ruled that there is no reason to exclude the new anti-Semitic party from the registration list. Prosecutor's Office refused to remove the party "Union of Slavic Empires," which professes aggressive nationalism, because "none of the prosecutors filed a complaint against it. [28]

The police tried to write off the desecration of the Uniate Church in Trzebiatów for "disorderly conduct" and did not attempt to apprehend the offender, despite the fact that culprit's identity was known. [29]

In July, the district court in Bialystok decided not to prosecute a border officer who called Chechen people "lazy Caucasians," "supporters of paedophiles," "parasitic scum" on the Internet considering that all the statements were expression of freedom of speech. At the same time the regional prosecutor of Bialystok refused to launch an investigation into the swastika on the wall, explaining that the swastika is a symbol of happiness in Asia. [30] In response to the Ombudsman upon humiliation of a transsexual at the hands of police in November 2013, the police said they allegedly did not find any evidence of this. [31]

Already in January 2014 a prosecutor in Poznan stopped the investigation of the case of anti-Semitic chants of football fans, on the pretext that they the fans of the "opposing" club were not Jewish. [32]

- Unlawful use of anti-extremist legislation.

  No such instances were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	—	5
×	Presence and development of anti-discriminatory legislation	—	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	—	5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	—	2.5
–	Unlawful use of anti-extremist legislation	—	0
	Total for the section 3	—	17.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

A number of statements of Polish politicians against xenophobia may be noted. Polish authorities have strongly condemned the actions of Polish fans at a football game with the Lithuanian team in August 2013, when Polish fans stretched a giant banner with the inscription "Lithuanian cad, kneel before the Polish Pan."[33]

On November 11, the President of the country organised his own march of Independence dedicated to the Independence Day of Poland, where he invited the war veterans. According to him, it is necessary "to take the holiday away from the hands of extremists and hooligans." At the beginning of the event the president called for unity of society, which is now "significantly polarised." "Today the public life is poisoned with unnecessary disputes," — Bronislaw Komorowski said, — "It is necessary to be critical, but the criticism should not mean mutual destruction."[34]

On November 13, B. Komorowski called nationalists' attack on the Russian Embassy in Warsaw an "absolute scandal that cannot be justified." During a Polish radio ZET broadcast he apologised to Russia for behaviour of the attackers. Polish President said that numerous forces sought to portray Poland as a Russophobic state, but it was not the case.[35]

After the attack on the Russian Embassy the representative of the Polish Ministry of Foreign Affairs Marcin Wojciechowski posted: "Hooliganism has no excuse. We condemn the violation of the Vienna Convention" in Twitter.[36]

Polish Prime Minister Donald Tusk on January 28, asked MPs to approve gay marriage in an appeal, "You cannot question the existence of such people, as well as cannot stand against their chosen way of life," — he said.[37]

Polish Prime Minister Donald Tusk on February 20 commented the nationalist speeches at the Warsaw University, saying — "Screaming,

swearing and poorly mannered young men in masks, for now just tried to disrupt a lecture of an academic professor Magdalena Schrody. But if we do not react unambiguously, a month or six months later, they will not only scream, but also start to attack people. Later still, they will hit a professor, who dared conducting a lecture that does not fit their nasty taste." Prime Minister added that he does not like certain comments that were made about this event. "Most of all I am amazed by some important people's opinions on yesterday's event — that nothing really happened. I think, that a terrible thing happened, even though no one had really attacked anyone," Tusk was saying, "If everyone, without exception — starting from the University's director, leaders of public opinion, including politicians and media — will not react in a unified way, then a month or six later these hooligans will not just shout things, but will also attack people. I have no doubts about that," Prime Minister stated.[38]

On June 20, the Senate of Poland made a statement on the 70th anniversary of the Volyn tragedy, calling the tragic events of 1943 an "ethnic cleansing with sings of genocide." The statement pointed out that the "Volyn massacre" began of February 9, 1943, with the attack of the UIA on Paroslya village, where 173 Polish people were killed. This started a "rough act of physical destruction of Poles, which was conducted by the Bandera faction of the Organisation of Ukrainian Nationalists and the Ukrainian Insurgent Army," document says. Polish MPs refused to directly used the term "genocide" in the statement about the 70th anniversary of the Volyn tragedy, but noted the "rough act of physical destruction of Poles, conducted by OUN and UIA."[39]

On November 6, at a meeting of the Parliamentary Committee on Justice and Human Rights deputy Ombudsman Ryszard Czerniawski drew attention to the problems that arise in a multicultural society keeping stereotypical assessment of various population groups. In his opinion, it is necessary to train civil servants, particularly the police, to prevent and to properly identify the offenses of racist or xenophobic nature, and provide specification on affairs with foreigners. Also measures to raise public awareness regarding the matter need to be implemented.[40]

On February 26, it became known that the Lodz municipality has announced the termination of all support for a football club LKS, due to anti-Semitic behaviour of its fans.[41]

The mayor of Punsk, in response to the request of the Commissioner for Human Rights confirmed that the city and the region will once again be restore bilingual Polish-Lithuanian signs.[42]

On September 12, the mayor of the Polish city of Lublin, Krzysztof Zuk demanded that immediate steps be taken to establish the identity

of the authors of anti-Semitic posters found in the city. "I condemn and firmly refuse to justify all acts of aggression and anti-Semitism as such. I will not allow such incidents to go unpunished, and reflect on the image of Lublin, the city with centuries-old multicultural traditions, tolerant and open city people," — Zuk concluded. [43]

After the arson of a mosque in Gdansk on October 15, Mayor Paweł Adamowicz said: "This is a shameful gesture, an event that must be met by universal censure. Gdansk has been and will be an open city, the city of tolerance and respect for all people." [44]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	—	5
	Total for the section 4	—	5

5. Activities aimed at promoting tolerance and preventing extremism

As of 2001, the government has taken a number of initiatives to alleviate the plight of the Roma, by providing access to education, social and health services, etc.

In April, in Wroclaw a meeting on Roma issues was held with representatives of the Ombudsman, the local authorities, the police.

On January 23, a meeting on the situation of foreigners living in temporary detention was held in Warsaw, which was attended by the Minister of the Interior Jacek Cichocky, Ombudsman Irena Lipovicz, children's ombudsman Marek Michalak and representatives of non-governmental organisations.

On 7 February, a meeting of Committee on National and Ethnic Minorities on the prevention of racial violence took place in the Sejm. The meeting was attended by representatives of the Ministry of Internal Affairs, Police Headquarters and non-governmental organisations. [45]

On February 26, in Lublin a consultative meeting organised by the Department of Border Protection was held on the conditions in protected facilities for foreigners.

In May, General Labour Inspectorate held a seminar for representatives of civil society organisations and public institutions on the principles of legal employment of foreigners and their work in the territory of the Republic of Poland in the office of the Ombudsman.

Since mid-2013, in collaboration with the International Organisation for Migration, the Office of the Ombudsman has been implementing the project "Strengthening the management of migration." The project provides for the establishment of training centres for detention of foreigners, social welfare centres, as well as teachers, doctors, police representatives to work with migrants.

Council for Migrants operating under the Ombudsman produced a brochure "How to use an amnesty" per the request to foreigners.

In September, the police, in cooperation with the Ombudsman and NGOs issued a textbook on anti-discrimination for police officers.

On November 28, The Ministry of Justice held a meeting with representatives of non-governmental organisations on the draft guidelines for the government on amendment of the laws for regularisation of the situation of transgender people and get them a legal possibility of identity change.

On December 5, the Office of the Ombudsman conducted a debate "Anti-Semitism. Diagnosis of phenomenon in Poland against the background of the situation in the European Union." The purpose of the meeting was to develop a proposal for legislative changes and social initiatives, which could lead to a change in the consciousness of citizens and public authorities on anti-Semitism and hate crimes.[46]

On August 15, it became known that in the Polish village of Gruszow of the Silesian voivdeship, near the Ukrainian-Polish border, the local authorities intend to dismantle the monument dedicated to a member UIA, a Ukrainian radical nationalist organisation.[47]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	—	5
	Total for the section 5	—	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Article 56 of the Constitution says that foreigners can enjoy the right to asylum in Poland in accordance with the principles laid down by law. A foreign citizen who seeks protection from persecution may

be granted refugee status under international treaties binding the Republic of Poland.[48] The stay of foreigners in Poland is regulated by the Aliens Act (new version adopted in 2013), the Citizenship Law, the Law on the entry and exit of citizens of EU member states.

According to Article 16 of the Aliens Act, the Directorate of Immigration in the Ministry of the Interior deals with the migration issues. Its responsibilities include entry, exit and transit of foreigners, granting of refugee status and the right of asylum, granting authorisation to stay for humanitarian reasons, to provide temporary protection. Head of the Directorate is appointed by the Prime Minister per the proposal of the Ministry of Interior. According to Article 25 upon entry foreigners are required to provide health insurance for the duration of stay in the country and a document confirming that they have the means to live (the latter does not apply to those coming on a work visa, immigrants who arrived for temporary protection or asylum). The decision to admit is made by chief of the border checkpoint.

Article 19 indicates that a foreigner needs to stay in Poland for at least 5 years, and only after that they can apply for a permanent residence permit, reducing the period to 3 years is available only in case of reunification with family.

Article 27 requires all foreigners to unquestioningly obey the requirements of the Polish authorities to present the required identification documents, financial viability, as well as the right to remain in the country.

Residents of countries with which Poland has agreements on visa-free entry may remain in Poland up to 90 days. A foreigner staying in the country for more than 90 days, is to received a temporary residence permit for a period of not more than three years (Article 98).

Article 114 provides that a foreigner can obtain a work permit for the potential position if there are no local candidates available, and the employer must pay a wage not lower than if it was a local worker. For highly skilled foreign workers, according to Article 139, the salary should be at least 150% of the wage of their Polish counterparts. According to Article 117 says a work permit may be refused if the company has already been punished for violating the law on employment of foreigners within the last 2 years.

After a temporary residence permit a permanent residence permit (for 10 years) or a residence permit on humanitarian grounds (2 years duration) are granted.

Article 199 says that a permanent residence permit may be taken away from a foreigner, if it demands for defence or threatens national security or the protection of security and public order, or if the application contained false information, or if the applicant has been con-

victed of a crime in Poland punished with more than 3 years imprisonment, or if the applicant left Poland for more than six years.

Article 299 says that the foreigner must leave Poland before the expiry of the visa, or within 30 days after the failure to obtain /extend the visa/asylum. Article 304 says that the deportee foreigner must be provided with any information on the possibility of a refugee status.

Article 333 says that representatives of non-governmental organisations dealing with refugee and may be present as observers during the activities associated with the removal of an alien to confirm the respect for the dignity and rights of foreigners during the procedure. The state will cover the travel expenses of two of the representatives of NGOs.

Article 334 mentions the possibility of voluntary repatriation paid by the state. Article 348 says that a foreigner is granted a residence permit on humanitarian grounds on the territory of Poland, if there is a danger to the applicant's life and liberty while returning home, such as being subjected to torture or degrading treatment, unjustly convicted, etc. Exceptions to this rule are included in Article 349: committing war crimes, presence of threat to the state defence or security or the protection of security and public order in Poland. If circumstances have changed in the country of departure or the person has provided false information, the resolution is revoked. In the future a foreigner can obtain refugee status or a residence permit. Illegal immigration is dealt by the border guard.[49]

In 2006 a law on entry and exit of citizens of EU member states was passed. According to Article 14 the EU citizens can enter Poland without a visa and are free to be there without registering for the duration of 90 days (Article 15). Long term accommodation is allowed for employed persons and students in Poland, or those married to a Polish citizen (Article 16). In this case, it is required to register and to obtain a residence permit (Article 20). After five years of continuous residence in Poland, an applicant may be eligible for permanent residence[50]

Issues of protection of migrant controls are regulated by a law adopted in 2003, the Act on Granting Protection to Aliens. According to Article 3 of the law a foreigner can request refugee status, a temporary residence, and provision of protection.

Article 14 states that if in a statement of a foreigner there is no evidence of domestic threat, or if it contains false information, or if the foreigner came from a safe third country where the applicant can return, an application for refugee status is rejected. In case of rejection of the alien must leave Poland within 30 days. According to Article 29 the decision to grant refugee status or to reject the request, shall be made within 6 months. If the application was made on false grounds, the decision shall be made within 30 days with the right to appeal

within 3 days. If no decision is made within a year, the alien receives a temporary residence permit.

Article 68 speaks of assistance in voluntary repatriation of an alien which includes expenditure on the purchase of tickets, visas, sustenance. According to Article 74 after receiving the refugee status an alien is granted a residence permit for 2 years, which may be extended for another 2 years. According to Article 91 an alien is deprived of the right of refuge in the event of change in the conditions in the applicant's homeland, or the exercise of activities directed against the national security or defence or public security and policy.

According to Article 2 of the Law on Citizenship marriage to a Polish citizen does not affect the nationality of the husband or wife (however, according to Article 10 marriage reduces term need to apply citizenship down to three years). With regard to the acquisition of nationality (this is the subject of Article 6.4 of the Citizenship Act), it is obtained by birthright (including citizenship given to children of non-citizens born in Poland). In the case of a child born in the marriage of a citizen and non-citizen of Poland, the parents have three months to choose citizenship. In 16 years, the child may choose Polish citizenship again. Foreigners get Polish citizenship after five years of lawful residence (Article 8).[51]

Repatriation is controlled separately in Poland. According to para. 5 of Article 52 of the Constitution ethnic Poles who came from other countries, can settle in Poland on permanent basis.[52] Repatriation Law adopted in 2000 regulates the repatriation of Poles "remaining in the East," i.e. the Asian part of Russia, Central Asia and the Caucasus. "Poles" are defined as persons whose predecessors (either 1 at the grandparents' level or 2 at the great-grandparent's level) either were ethnically Polish or Polish, who kept the Polish national traditions (Article 5). An immigrant gets Polish citizenship on the day of arrival (Article 4). At the same time, according to Article 12 Consul grants immigrants a visa upon presentation of documents confirming the existence of property and liabilities in the municipality, a physical or legal person to provide for the livelihoods of the immigrant in Poland for at least a year (with the exception of the Poles who are discriminated against and persecuted, as well as persons who is granted is disability or old age pension).[53]

Under Polish law, illegal immigration is punishable with a fine. Assistance to the illegal immigrants shall be punished, even if it is not done for profit. There is no exempt from punishment for the people who provide humanitarian aid to illegal immigrants. Those who provide the apartment for illegal immigrants may be subjected to a fine or imprisonment.[54] A person responsible for the importation of illegal immigrants is imposed a fine of 10,000 zloty.

- Government's compliance with such legislation (law enforcement practice)

Like many Eastern European countries, Poland has a dual role. On one hand, Poland donates migrant workers, i.e. more than 2 million Poles left for Western Europe. Their activity is so great that, for example, British Prime Minister David Cameron said that the Poles are undermining the local labour market.[55] On the other hand, Poland remains the gateway to the EU for migrants. As of December 2012, the country recorded 111,971 foreigners.[56] The scale of migration is backed up by the fact that Poland refused entry to 52 thousand Eastern migrants within 1.5 years, according to data released in November 2013. This is particularly true for Russian citizens of Chechen nationality, as well as Ukrainians, Bulgarians, and Georgians. The Directorate of Immigration passed more than 14 thousand decisions on the status of refugees (twice as much as in 2012) within the first 9.5 months of 2013, 83% of the decisions were on petitions from Russian Chechens.[57] There are approximately half a million Ukrainians in Poland.[58] According to some estimates, the number of illegal immigrants living in the country is approaching the same figure.[59]

Ministry of the Interior features the Council for Refugees. Its tasks include dealing with complaints against decisions and orders of the Aliens Office, the analysis of the situation of migration, cooperation with international organisations. The Council consists of 12 members appointed by the prime minister for the term of five years. At least half of the members of the Board must have a law degree.[60]

In 2013 the regime was facilitated in temporary centres for immigrants. They were able to move more freely within the centres.[61]

In September 2013, the Aliens Office abolished the practice of automatic ban on re-entry to Poland for foreigners who have been denied refugee status.[62]

On October 29, the Constitutional Court ruled that the internal rules of the protected detention centres for foreigners, providing regular searches, are contrary to the Constitution of Poland. The Court held that the grounds for such searches should be described in the law, and not in the bylaws. Ministry of the Interior pledged to remove those provisions in 9 months, during which a new document regulating searches will be ready.[63]

The system of integration of refugees is not always effective. According to the report of the UN High Commissioner for Refugees published in June 2013, 10% foreigners of those who were granted refugee status in Poland, were "completely homeless," i.e. "do not have a roof over their heads." About 40% have accommodation, but live in extremely poor conditions. It is noted that the problem of homelessness

is caused by the imperfect process of integration of refugees, which causes considerable difficulties when applying for a job.[64]

- Discriminatory practices against immigrants.

The current regime of protected centres for foreigners is modelled after the military or the prison regime, combined with the exterior design and interior architecture the whole deal is just depressing. Foreigners are humiliated by periodic searches involving full strip searches.[65] Refugees and human rights organisations complained that underage foreigners living in protected facilities cannot attend school outside of the centre, and the authorities cannot organise education in the centres themselves. The centres also provide free medical services for children of immigrants living there.[66]

Until September 2013, there was an automatic ban on re-entry to Poland for foreigners who have been denied refugee status. A total of 3,000 such decisions were made in 2012–2013.[67]

- Use of ethnic crime as justification for discrimination against immigrants.

Ethnic crime theme (mainly regarding the Roma) is actively used the propaganda of radical nationalists. So, for example, the organisation "National Revival of Poland" held protests against the Roma in Wroclaw and "Roma crime" in Zabrze.[68]

- Social assistance for immigrants.

According to Article 303 of the Aliens Act the state shall pay for the refugee health care in the event of a threat to health.

According to Article 413 as part of the admission to detention centres for asylum seekers, foreigners undergo a medical examination and treatment (if necessary) at the expense of the state. Detainees have the right to contact with diplomats and NGO representatives, visiting relatives, Internet access, a daily two-hour walk, contacts with other foreigners (Articles 415–416).[69]

According to Article 56 of the Law on Granting Protection to Aliens, an alien whose application for refugee status is considered, can be provided assistance during the proceedings, and for a period of 14 days from the date of the final decision (then it can be extended up to three months from the date of the decision on granting the status of refugee or a decision not to grant refugee status with a temporary residence permit). Assistance is granted to an alien given that the alien has no means to sustain themselves and cannot earn them. According to Article 57 and 61 this assistance includes accommodation in the centre of stay, the provision of a small amount of money for their own expenses, medical care, a subsidy for the purchase of

clothing and footwear. In the centre of the stay foreigners are supplied with food, transport tickets, so they can travel to the court if needed, medical examinations, etc., textbooks of Polish language (Article 61). If a foreigner has sufficient funds, or has broken the Law, or was out of the centre over three days without explanation, the cost of the whole or part of the assistance shall be withheld (Article 65). According to Article 112 arriving in Poland as part of a temporary protection includes medical care, as well as providing assistance with accommodation and meals.[70]

According to Article 17 on the repatriation, the state reimburse the cost of fare of travelling by train from their place of residence to Poland, a subsidy amounting to 2 average monthly salaries, reimbursement for the education of children in the last month, a partial refund for the repair of property (but not more than 200% of salary all members of the family). They can attend free Polish language courses and courses to adapt to life in Poland. Article 21 of the Law notes that immigrants are given accommodation in 45 m2 on a perpetual lease from the municipality, which was allocated a grant from the state.[71]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to a public opinion poll, conducted by a Public Opinion Research Centre (CBOS), that was published on February 3, 33% of Poles have negative attitude towards Ukrainians, 34% — to Jews, 35% — to Turks, 39% — to Russians, 41% — to Romanians and 52% — to Gypsies (Roma).[72] Polish sociologist, Ian Polesuk from Bialystok University, noted in late February, that recently radicalisation is observed amongst Polish youth. Sociologist Dr. Lukas Yursichin, one of the founders of Social Movement Analysis Society, stated that public actions of ultra-right wing activists are an "alarming signal, indicating radicalisation and isolation in the society, and maybe even an omen of serious acts of violence in our cities." He noted, that currently in Polish society, an "open wave of anti-Semitism" is observed.[73]

Results of a survey of Warsaw students were published on April 19. The survey indicated a high level of anti-Semitism in Warsaw (and probably in all of Poland). 44% of students responded that they would not like to have Jewish neighbours. The same amount would not like to have Jewish relatives. 40% would not like to study in the same school with Jews. 61% responded that they would stop talking to their friend, if he went back or converted to Judaism. In addition, when answering questions about the Holocaust period, 55% considered adequate the extremely limited assistant of Poles towards their Jewish compatriots during Holocaust, and 11% even considered it excessive.[74] При At the

same time, one in four of students called Nazi concentration camps a "Hitler's successful project.[75]

Significant migrantophobia is also observed. A survey conducted in late 2013 showed that 2/3 of Poles believe that Poland should not encourage immigration from Africa, Asia and Eastern Europe.[76]

In September 2013 during the conflict between local people and a band of Roma in Andrychow more than 2,000 Internet users signed for to the requirement of "clear the city of Roma."[77]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	—	5
×	Government's compliance with such legislation (law enforcement practice)	—	5
×	Discriminatory practices against immigrants	—	–5
×	Use of ethnic crime as justification for discrimination against immigrants	—	–5
×	Social assistance for immigrants	—	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	—	–5
	Total for the section 6	—	0

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

On February 19, a group of 50 masked people, burst into the assembly hall of Warsaw University, where a lecture of professor Magdalena Schroda was supposed to take place. Attackers chanted "Fagots! Fagots" and "Once with sickle, once with hammer, the red rubble!" A fight broke out with university's security. Bandits broke the door. On February 23, in Radom's Graduate School of Social and Technical Sciences, a group of young people tried to disrupt the lecture of a chief editor of "Gazeta Wyborcza," Adam Michnik. They screamed anti-Communism and nationalist slogans.[78]

On February 24, it became known that 2 members of Polish National Council of television and radio communication (chairman of the council Jan Dvorak, and Krzysztof Luft) received murder threats of anti-

Semitic character, after they decided not to extend the licence of an ultra-Catholic television company Trwam, and deny its request to become a part of digital multichannel television system, which in the future will replace the analogue broadcasting in the country. [79]

In June 2013 about a hundred nationalists and football fans disrupted a lecture by Professor Z. Bauman at Wroclaw University. Ringleaders were head of the local branch of the "National Revival of Poland" D. Goszinsky and the leader of Wroclaw football fans R. Zelinsky, author of the book "How I fell in love with Adolf Hitler." [80]

On August 22 it became known that Bauman, refused a title of honour professor at the University of Lower Silesia in Wroclaw because of the constant anti-Semitic insults received over the Internet. [81]

A number of threats was connected to the fans of "Lodz" football club. Around February 17, the fan-club website of LKS "Lodz" published a video, offering the potential sponsors to play a game of "Hit the Jew," by throwing darts at a picture of a Jew on the club's wall. [82] On September 29, during the match between the teams of "Lech Poznan" and "Widzew Lodz" Poznan fans sang: "Your home in Auschwitz, Poland knows all about that the Red Army will be burned." There were also other anti-Semitic slogans: "Gas the RTS." RTS — is an abbreviation of the words "Sports Association of workers." And also: "To hell with the Jews, workers of the trains — we are with you." [83]

There were also direct threats expressed as xenophobic graffiti. On March 15, a swastika, an SS emblem and words "JUDEN MORD" ("Kill Jews") were found on the walls of a Jewish cemetery in Myslenice. [84] On September 8, an inscription "JUDEN RAUS" ("Out with the Jews!") was sprayed on the wall of a building, in the district of Warsaw Zoliborz. [85]

On September 12, at the public transport stops in Lublin, there were posters featuring the image of the editor, head of the printed edition of "Gazeta Wyborcza" with marks in the form of a Star of David. On the other posters, there were pictures of anti-fascists such as Rafal Datkievicz, the President of Wroclaw University, Zygmunt Bauman, well-known sociologist and Janusz Palikot, the founder Thomas Petraszevicz centre "Brama Grodzka," Theatre NN, as well as Simon Petrusevicz, one of the founders of the alternative club in Lublin, which are called "Tektura." The slogan: "Burn! Hang! Eradicate!" was next to their faces. [86]

In April 2013, during the scandal over the eviction of Roma in Wroclaw NRP created a Facebook group entitled "Elimination of the Roma camp," calling to do this on April 20 (Hitler's birthday). However, it did not go further than that stage.

As it was mentioned, in September 2013, during the conflict between local people and a band of Roma in Andrychow more than

2,000 Internet users signed for to the requirement of "clear the city of Roma."[87]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Xenophobic literature is actively published and translated in Poland. So, in 2013, the following books were published, among others, "Jewish supremacy" of the American anti-Semite David Duke,[88] "Two Hundred Years Together" of A. Solzhenitsyn,[89] priest Felix Sardis' book about the sinfulness of liberalism,[90] the book of an American journalist M. Hoffman "Judaism Unmasked" which "proved" that modern Judaism has nothing to do with the Old Testament and Christianity is the sole "heir" of "true" Judaism,[91] a book by an American anti-Semite, a professor of psychology at the University of California at Long Beach, Kevin Macdonald "The essence of Jewish influence." Among the research on ethnic activity, with stories about the alleged all-powerful Jewish lobby in the United States,[92]" Analysis of the participation of Jews in the intellectual and political movements of the twentieth century" (the "dominance" of the Jews of Western culture[93]), book by an Irish priest D. Fahey "Rulers of Russia" that portrays the revolution of 1917 as a "Jewish conspiracy,"[94] a collection of articles of the journalist Leszek Zebrovsky "Myths against Poland. Jews, Poles. Communism 1939–2012,"[95] a collection of articles "Political soldiers. Directory of a radical nationalist."[96]

Nationalistic music groups include Medley, which released album "We can fight" in 2011 in honour of the anti-Soviet rebels of the 1940's.[97] Agressiva88 band actively uses Nazi rhetoric in its work.[98] Another nationalist music group is Gammadion.[99]

Songs of xenophobic nature are performed by a famous singer Andrzej Kolakowski.[100] In August, in a small town of Ostroda in Warmia and Mazury, a pro-Nazi music festival "Unity is strength" was held.[101] There is also the "March Radio" led by T. Rydzik popular in conservative circles.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	—	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	—	–5
	Total for the section 7	—	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)

In Poland there is a number of ultra-nationalist organisations. In November 2012, the leaders of organisations "Polish Youth" and the National Radical Camp announced the proclamation of the National Movement (NM). In March 2013, the leaders of the Movement stated its ideological declaration. According to it, the main goal of the movement is the protection and promotion of Polish national identity "built on Christianity."

On June 8, 2013 in Warsaw, the first congress of the National Movement took place. It was attended by more than 1,000 people, including foreign visitors. The main topics of discussion during the Congress were on necessary changes in politics, economics and foreign policy of Poland.

The more radical side is represented a small ultra-nationalist political party "National Revival of Poland" (NRP), which considers itself the successor of "Falanga" the far-right organisation of interwar Poland.

Ultra Catholic party "League of Polish Families" which was a part of the government in the mid-2000's actively uses homophobic rhetoric.

In the last week of August nationalists held XI Summer Camp "The Cross and the Sword," whose members had a combination of ideological and physical training. [102]

NM and NrP are actively cooperating with "colleagues" from other countries. In 2013, visits of Polish skinheads to the Czech Republic and Slovakia to participate in mass actions were recorded. On October 23–24 a conference of the European nationalists was hosted in Warsaw. [103] A nationalists march in Krakow on November 11 was attended by the leader of the British nationalist Nick Griffin, who said that "influential Zionists want to destroy white Europe by settling the natives 'third world." [104]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

NM stands for the creation of an authoritarian Polish Republic, like the one that was in the reign of Pilsudski. NM programme demands

dealing with tolerance, multiculturalism, liberalism, LGBT, communism, foreign domination, and so on.[105] NM also declares its migrantophobia. When in June 2013, it became known that by the end of the year 50 migrants from North Africa will arrive in Poland, "National Movement" organised a noisy campaign "We do not want migrants, we want repatriates."[106]

National-Radical Camp uses Nazi (Roman) salute.[107] In its ideological declaration of National Radical Camp stands for the rejection of liberal democracy "as a regime hostile to European civilisation" in favour of the concept of "hierarchically organised nation" against same-sex marriage and "fundamentally false and dangerous" model of multiculturalism.[108]

NRP opposes euthanasia and abortion, gay marriage and LGBT, and is also in favour of the prohibition of any kind of socialism and liberalism. Enemies of the party and the Polish nation are considered liberals, communists, "multiculturalists," homosexuals, Muslims, Russian, Jews and Roma.[109] In its programme, the party calls for a ban of all groups that are "agents of foreign states," especially supporters of the EU; the termination of integration with the EU and non-payment of external debt are also demanded.[110]

The declaration of the so-called Third position (the neo-Nazi ideology, in opposition to capitalism and communism), a follower of NRP, contains anti-Semitic thesis about "world domination of Zionism."[111]

The party also expresses anti-Roma sentiments.[112] The organisation "National Revival of Poland" held protests against the Roma in Wroclaw and "Roma crime" in Zabrze in 2013.[113]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

As analysts note the crisis and patriotic propaganda of major parties led to the fact that the ultra-right have become part of "big politics" and their demonstration became more extensive. In addition, the large scale anti-Communist propaganda has considerably strengthened the influence of right-wing in the Polish society.[114]

According to the opinion polls, National Movement is supported by approx. 2% of respondents.[115] Nationalists actively cooperate with Institute of National Remembrance, a governmental historical and archival institution established in 1998, engaged in the study of the activities of the security bodies of Poland in the period of 1944–1990, as well as the security agencies of the Third Reich and the Soviet Union, in order to investigate crimes against Polish citizens during this period, as well as the implementation of the lustration procedures, employin a number of far-right activists.[116]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

There are no representatives of radical parties in the government. The "big" parties, however, support their slogans (see below).

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

After the electoral defeat in 2007, the League of Polish Families, the representatives of the above organisations and parties are not in the parliament. However, national-radicals do have some influence on the so-called "big parties," including those in Parliament.

First of all, xenophobic slogans are actively supported by the main oppositional force in Poland the party "Law and Justice" (LaJ) party, the nationalist electorate mostly vote for it. After the attack on the Russian Embassy in Warsaw, a spokesman for the Polish government, during a broadcast of the Polish Radio on November 13, Pawel Gras said that "For the injection of anti-Russian atmosphere in the country blame the opposition the party "Law and Justice," led by Jaroslaw Kaczynski, the twin of the late president of Poland. [117]

The fact that it is "LaJ" was behind the unrest of November 11 was stated on November 15 in an interview with "Polska The Times" by the former chairman of the right-wing party "League of Polish Families" Roman Giertycz, who noted that the leadership of the NM are people, closely related to "LaJ." [118]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	—	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	—	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	—	–2.5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	—	0
–/×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	—	–2.5
	Total for the section 8	—	–15

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  No such instances were recorded in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

Radical nationalists in 2013 held a series of public events, demonstrating a significant grassroot support.

The largest mass public action of the radicals is the "Independence March" on November 11, the day of the proclamation of the independence of Poland in 1918. It is organised by the "Polish Youth" and "Radical Nationalist Camp." In 2009, it was attended by about 300 participants, and then in 2010 it had 2,000 members, and in 2011 — 20,000 participants. Since 2010, the march had riots. On November 11, 2013 in Warsaw, the participants of the "march," which attracted about 15,000 people, carried flags with Celtic crosses and shouting xenophobic slogans. They came to the gate of the Russian embassy and started throwing stones, flares and other items at it. Some protesters tried to break down the gates of the diplomatic mission, while others set fire to a police attendant booth.[119] Police used tear gas and rubber bullets to disperse the rioting nationalists and the right-wing participants.[120]

A similar march (only without riots) was held on November 11 in Wroclaw and Bialystok, attended by several thousand people.[121] First march took place in Krakow, gathering, according to various estimates, from 700 to 1,500 people.[122]

In addition to the "march of independence" May 1 is celebrated annually. On May 1 several hundred so-called autonomous nationalists and members of the party "National Revival of Poland" took place in Warsaw, with the slogan "We want decent work in Poland."[123]

In addition, on February 16, a demonstration to support the preservation of Kosovo within Serbia was held in Warsaw.[124]

On March 1, in Warsaw and Wroclaw a demonstration of nationalists dedicated to the memory of soldiers of anti-Communist forces operating in the 1940s was held.[125]

On September 15, supporters of NRP had a demonstration with the slogan "Once again the hammer, hammer — red scum," "Not red, not pink — only Polish National."[126]

On 6 November over a hundred people with crosses in their hands protested in front of the Centre of Contemporary Art, demanding the

resignation of its director and to remove the blasphemous items offensive to religious feelings. The protesters demanded not to show the film "Adoration," filmed in 1992 by Jacek Markevicz. A figure of a naked Jesus is in one of the scenes. [127]

On December 13, 600 to 1,500 nationalists held a demonstration in Wroclaw in memory of the anniversary of the introduction of martial law in 1981 and the signing of the Lisbon Treaty on the EU reform, that took away some powers from the Member States of the Union in favour of the European Commission. [128]

Nationalists are also involved in the demonstrations of others, trying to recruit new supporters and to portray themselves as normal participants of the political process. On September 14, nationalists took part in the demonstration which was held in Warsaw by trade unions bringing the social slogans. [129]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  No such instances were recorded in 2013.

- Presence of "football xenophobia" and racism amongst sports fans.

Manifestations of xenophobia in football mainly related to the fans of the club "Lodz," which is likely to be supported by the management team.

Around February 17, the fan-club website of LKS "Lodz" published a video, offering the potential sponsors to play a game of "Hit the Jew," by throwing darts at a picture of a Jew on the club's wall. [130]

On September 29, during the match between the teams of "Lech Poznan" and "Widzew Lodz" Poznan fans sang: "Your home in Auschwitz, Poland knows all about that the Red Army will be burned." There were also other anti-Semitic slogans: "Gas the RTS." RTS — is an abbreviation of the words "Sports Association of workers." And also: "To hell with the Jews, workers of the trains — we are with you." [131]

In addition, during the football match between Polish Lech and Lithuanian Zalgiris in Poznan on August 2013, Polish fans stretched a giant banner with the inscription "Lithuanian cad, kneel before the Polish Pan." [132]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	—	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	—	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	—	0
×	Presence of "football xenophobia" and racism amongst sports fans	—	–5
	Total for the section 9	—	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013, there were 14 cases of xenophobic vandalism. Two-thirds of these cases were of anti-Semitic. Synagogues were desecrated in Zamosc (September 3[133]), Gdansk (November 5[134]), Dzierzoniow (November 19[135]), and the Jewish cemetery in Krasniqi (January[136]), Kalisz (15 February[137]), Myslenice (March 15[138]), Warsaw (April 10[139]), Blon (April 29[140]), Lublin (July 22[141]), Otmuchow (August 1[142]). Such extent suggests explicit sense of impunity for those who commit it, as well as the important role of anti-Semitism in the right-wing ideology.

On August 4, became known of anti-Semitic graffiti on a mural depicting Pope John Paul II in Krakow (Poland).[143]

On the night of September 10, mural in Trawniki, which depicts prisoners of the Nazi labour camps, as well as the scheme of the camp, was desecrated again. Unknown persons painted the Star of David on it.[144]

Also, on July 21, in Trzebiatów in northern Poland, a hooligan tried to throw a firecracker into the Uniate church during worship.[145]

In 2013, bilingual labels in cities populated by Lithuanians such as Puńsk, Trakiszki, Seino, Wojtukiemie were destroyed.[146]

In addition, on June 5 in Bialystok, antifascists damaged car local leader of NRP and wrote "Volksdeutsche" (i.e, a collaborator) on his house.[147]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

No such instances were recorded in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

There were 10 hate attacks recorded in 2013. The victims of the nationalist were LGBT, anti-fascists, Jews, Chechens and Roma.

On February 19, a group of 50 masked people, burst into the assembly hall of Warsaw University, where a lecture of professor Magdalena Schroda was supposed to take place. Attackers chanted "Fagots! Fagots" and "Once with sickle, once with hammer, the red rubble!" A fight broke out with university's security. [148]

On March 9, nationalists tried to attack the visitors a charity concert in Wroclaw organised by anti-fascists. [149]

On March 12 there was an attempt to attack Israelis — Yeshiva students at the airport in Warsaw. [150]

On April 15, someone set fire to the door of an apartment in Zeleny Vzgorzhy in Bialystok. Only by sheer luck, there were no casualties. [151]

In April 2013, the nationalists disrupted the LGBT Film Festival in Katowice and the meeting of the LGBT association "Iris" in Katowice. [152]

On June 27 neo-Nazis attacked the visitors Torun cafe Draz, which is also visited by the anti-fascists. [153]

In early July an LGBT activist was beaten in Wroclaw. [154]

In October, there was an attack on a Roma family in Lodz. [155]

On November 11, 2013 two squat house (illegally occupied premises, which are often used by anti-fascists as their headquarters) in the centre of Warsaw, were attacked by nationalists and fascists. [156]

- Nationalist or religious terrorist attacks.

On October 15, 2013 a mosque in Gdansk was set on fire. A blast was supposed to go off, but the ticking time bomb did not explode. [157]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	—	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	—	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	—	–5
–	Cases of hate crimes	—	0
–/×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	—	–2.5
	Total for the section 10	—	–12.5

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

In Poland, there are dozens of small organisations and groups of anti-fascists, who hold leftist and anarchist views. A few years ago, they were united in a "coalition of 11 November," the purpose of which was opposition of nationalists march on the Independence Day, 11 November. [158]

There is also a portal www.antifa.bzzz.net, stating that its goal is the elimination of neo-Nazism as a political force. "Our work is a response to the activities of groups practicing Nazism, fascism, racism, anti-Semitism, nationalism and homophobia. These ideas are seen as a direct threat to individual liberty. We believe that in a country so badly affected by the totalitarian regimes of Nazism and Communism, this type of ideology and attempts to spread it have to encounter a strong and effective opposition," — the statement reads. They emphasise that the focus on the organisation of educational activities, support of prisoners, etc. [159]

However, they also support the so-called fighting antifa that attack neo-Nazis. In this case, the organisers of the portal refuse cooperation with the police and the political parties, because, according to anti-fascists, anti-fascism is a trendy slogan that politicians use for their popularity. [160]

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On January 19, anti-fascists held a picket of solidarity with the Greek anti-fascists at the Greek Embassy in Poland. [161]

In February, antifascist hackers managed to crack a series of neo-Nazi websites and emails of activists of NRP, NM, etc. The information obtained in the future cracks was posted on the Internet. [162]

On March 9, a charity concert to aid of sick children organised by anti-fascists took place in Wroclaw. [163]

On March 23, a demonstration of anti-fascists in Wrocław was held under the slogan "Wroclaw for all without hatred!". [164]

In Poznan on June 1–2 and November 30 2 sports tournament "Freedom Fighters," featuring boxing and MMA, took place. [165]

In mid-June in Poznan, anti-fascists hung a banner in memory of the anti-fascist K. Morike murdered in France. [166]

On June 19, a picket of solidarity with the anti-fascist A. Gaskarov arrested in Russia due to the so-called "Bolotnaya Square case," was held at the Russian Embassy in Warsaw. [167]

On June 22, in Torun local anti-fascists organised the 15th tournament of anti-fascist tournament "Play the ball, even in the rain." The tournament was attended by ten teams from different cities in Poland. The event ended with a concert of anti-fascist groups. [168]

On October 30, anti-fascists disrupted the gathering of NRP members in Poznan. [169]

On November 9, on the anniversary of Kristallnacht, a Jewish pogrom perpetrated by the Nazis in 1938, in Germany, 3 anti-fascist rally took place in the centre of Warsaw, near the offices of the nationalist organisations. [170]

On November 15, in Warsaw a demonstration of anti-fascists "Enough with the terror of the "independence marches"!" was held. [171]

On November 23, in Bielsko-Biala a festival of anti-fascist bands "Nationalism — No, thank you!" took place. Besides music, the event included lectures on nationalism. [172]

On December 12, on the anniversary of the introduction of martial law in 1981 a picket organised by anti-fascists took place in Poznan. [173]

- Presence of anti-racist and anti-fascist civic initiatives.

On XIII Day of Islam, which is celebrated in the Catholic Church in Poland on January 30, Catholics and Muslims pray together at the Basilica of Franciscans in Kraków. The service was attended by representatives of the Muslim community in Krakow and the congregation of the Catholic Church. After the service in Pontifical University of John Paul II a forum was hosted, dedicated to "Education of young Christians and Muslims in the spirit of justice and peace." The event was organised by the ecumenical ministry of the Archdiocese of Krakow, Franciscan Fathers, Interdepartmental Institute of Ecumenism and Dialogue of the Pontifical University of John Paul II, an international ecumenical brotherhood Net For God and a Catholic Intelligentsia Club in Krakow. [174]

On April 20, an event "Culture at the picnic" was held in the Roma settlement in Wroclaw, which was intended to break the cross-cultural stereotypes, in particular those relating to the Roma. Anyone could come and see how Roma live, to ask of their problems. Experts on Roma culture talked about different groups of Roma, their traditional occupations and costumes. [175]

On June 15, an "Equality Parade" was held in Warsaw, which was participated by several thousand LGBT activists, as well as activists opposing sexual discrimination. Protesters insisted on the adoption of the laws that would have regulated the rights of same-sex marriages, introduction of modern education in schools, free from religious propaganda. [176]

After rudeness of the Polish fans at the match with the Lithuanians, one of the media put up a letter in which the Poles asked for forgiveness from the Lithuanians, the letter was signed by a large number of Poles.[177]

The oldest human rights organisation, the Helsinki Foundation for Human Rights published two pamphlets in August, developed under the legal aid programme for refugees and migrants. The pamphlets discussed granting of asylum and further actions after receiving refugee status or temporary protection. Brochures were published in Polish, Russian, English, French and Arabic.[178]

As part of the "Aim for multiculturalism" programme the HFHR began hosting a 10 month course on multiculturalism in September. Classes are designed for workers in the public sector, especially educational institutions, central and local authorities, as well as law enforcement officers and medical personnel.[179]

In September, in Poland just as in many other EU countries, the month of the Islamic-Christian debate with the participation of well-known religious leaders and representatives of influential non-governmental organisations was held.[180]

On November 13 " Journalists Society" sent a letter to the Russian media to protest against the actions of the participants' "independence march" on 11 November. "Although we are not involved in the attack on the Russian Embassy in Warsaw, we ask you to forgive me for this incident, which was strongly condemned by the Polish authorities. The same nationalist hooligans who attacked the office of your country, with the same hatred attacked those Poles who are considered their ideological enemies... It's not the Poles fighting with Russians, but the enemies of freedom and its defenders. In this struggle, we believe you, colleagues and friends, are our allies. We ask that you also treat us the same. Together we can stop the extremists," — the statement says.[181]

In November, "Appeal to the President of Poland — a determined struggle against violence and fascism" that was signed by a number of intellectuals, appeared. It required the president to ensure compliance with the Constitution and protect the safety of citizens, to draw attention to compliance with spirit and letter of the Law on gatherings of the organisers of the march on November 11, to ban fascist groups.[182]

There is a number of initiatives related to the anniversary of the events known as "Volyn massacre," the mass destruction of the Polish population of Volyn at the hands of Ukrainian nationalists in 1943 On June 22, a famous Polish director Krzysztof Zanussi appeared on the TV show "Shuster Live," where he urged Ukraine to apologise for the murder of Poles in 1943, in response to the host's question of who has to apologise for the Volyn tragedy of 1943.[183]

On July 1, the Polish and Ukrainian Catholic hierarchs jointly issued a document calling for mutual forgiveness and harmony for the occasion of the 70th anniversary of these events. Resolution issued by Ukrainian and Polish Roman and Greek Catholic prelates, recognises ethnic murder as "evil" and convinces people of both countries to forgive each other. "We know that only the truth can set us free, that which does not decorate or degrade, which is not betrayed in silence, but it leads to forgiveness," — the bishops said in a statement. The statement was signed by the Major Archbishop of the Ukrainian Greek Catholic Church, Sviatoslav Shevchuk, Archbishop Jozef Michalik, and the president of the Conference of the Polish Roman Catholic bishops. [184]

On July 11, in the centre of Warsaw a march was held to commemorate Poles who died in the currently Ukrainian lands. The procession was attended by about 3 thousand people. "Good relations between Ukrainians and Poles are needed, because we are neighbours, but they can be achieved only on the basis of truth. It is necessary to remember the proportions in which someone died. But we must learn to forgive and to build peace," — the priest said during the liturgy of memory victims. [185]

The activity of the Jewish community in the fight against xenophobia may also be noted. In the memorial complex on the site of the former concentration camp Auschwitz-Birkenau on April 28, "March of Life" was traditionally held, which was attended by more than 11,000 people of 42 countries. The marchers walked about 3 miles and entered the gate with the infamous inscription Arbeit Macht Frei ("Work liberates"). The "Kaddish" prayer was said near the memorial monument, where more than a million Jews, Poles and Gypsies died in the gas chambers. [186]

On July 14, in response to the Sejm's deviation of the law to permit kosher and halal slaughter the leader of the Jewish community in Poland Peter Kadilczik said: "Populism, narrow political interests and disregard for the needs of ethnic minority won over common sense. The Sejm took a big step back in time to the days of religious persecution and discrimination." [187]On September 3, it became known of a joint letter to the leaders of the Jewish and Muslim communities of Krakow to protest against the ban on ritual slaughter. [188]

As of 2002, Poland has a Foundation for the Preservation of Jewish Heritage, created by the Union of Jewish Communities in Poland and the World Jewish Restitution Organisation. Its objectives include the protection of Jewish heritage, which has a unique religious and historical significance, the restitution of former Jewish property. In 2013, the Fund has renovated a total of 14 cemeteries and 2 synagogues.

The Foundation also implements a youth project "Haverim-Friends. Meetings of Polish and Jewish youth" aimed at overcoming negative stereotypes among young Poles and Israelis.

For the occasion of the 70th anniversary of the Warsaw ghetto uprising a ceremony commemorating the fallen was held in June.

On June 30, the 16th annual ceremony "Memory Protection" was hosted at the Jewish Museum in Krakow, during which awards were given to those Poles, who selflessly engaged in the preservation of Jewish heritage. Partners of ceremony are Jewish Heritage Preservation Foundation, the Embassy of Israel, Ministry of Culture and the fund of M. Tryson.

In July, a march to commemorate the 71th anniversary of the liquidation of the ghetto was held in Rzeszow.

On June 25, Head of the Centre for Jewish Holocaust Studies of the Institute of Philosophy and Sociology at the Polish Academy of Sciences, Professor Barbara Engelking became a laureate of the Jan Karski and Poli Nirenska award, which is given to the authors of publications depicting the life of Jews in Poland and Jewish contributions to the Polish culture. [189]

In 2013, the film "Stubble" by V.Pasikovsky was released in theatres (in Russia the movie was called "Koloski" (spikelets)) dedicated to the extermination of the Jews during the occupation of their neighbors, the Poles. Despite the fact that part of the society's attitude was hostile (see below) local people decided to return stolen tombstones back to a number of places of destroyed Jewish cemeteries. [190] Among the supporters of "spikelets" were Polish Culture Minister Bogdan Zdrojewski and director Andrzej Wajda. [191] Maciej Stuhr the star of the film received the national Polish Film Award for Best Actor, and the film won another award in the nomination of the art director and several other nominations, including "Best Picture"

Resentment of monument of the "soldier-rapist" on behalf of the local population of Gdansk can be noted (see below). [192]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	–	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	—	5
×	Presence of anti-racist and anti-fascist civic initiatives	—	5
	Total for the section 11	—	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

On January 19, it was reported that in the town of Stargard Szczeciński, a monument erected in honour of the Red Army's victory over fascism is being systematically desecrated. [193]

The consequence after the theory of "two occupations" was the appearance of monument to the Soviet soldier-rapist on the Victory avenue in Gdansk on October 12. The author of the sculpture was a student of a local Academy of Fine Arts Jerzy Bogdan Szumczik. According to him, the work is devoted to the restoration of historical truth and the fate of women in wartime. The sculpture was removed on the morning of the next day by order of the municipal authorities and the police after the statements of angry locals. Administration of Gdansk stressed that did not give permission for the installation of the monument. [194]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  No such instances took place in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  No such instances took place in 2013.

- Historical revisionism, Holocaust denial.

There were such cases in 2013. On April 9, an article of a Polish historian, professor of the Polish Academy of Sciences Krzysztof Yashevich, received some attention. The article was published in a Polish historical magazine "Focus Historia Ekstra," dedicated to the 70yh anniversary of Warsaw ghetto uprising, and stated that "destruction of European Jews during the World War II was only possible with an active participation of Jews in the killing of their own people." [195]

On July 3, a controversial Polish politician Janusz Korwin-Mikke said that the Nazi Fuhrer, Adolf Hitler, did not know about the extermination of the Jews in Poland and the Holocaust which, apparently, was the work of the chief of the SS, Heinrich Himmler, who deliberately

kept Hitler unaware of this. Korwin Mickey said he was ready to argue with anyone who believed that Hitler had known about the extermination of the Jews. [196]

In addition, the concept of "two occupations" is actively promoted in Poland, the Nazi and Soviet, making Poles exclusively passive object of history, as well as, going beyond the brackets, passive participation (and in many cases, and active) of Poles in the extermination of the Jews. This theory is the basis for the Institute of National Remembrance. Any attempt to remind about Poland being an accomplice are found extremely painful by the Polish society, as well as the government. On April 24, it was reported that a Polish ambassador to Germany Jerzy Marganski spoke against the German TV series "Our mothers, our fathers," where soldiers of the Polish Home Army were portrayed as anti-Semites. [197]

The film "Stubble" encountered quite a bit of hostility and actually split the Polish society. Former Prime Minister, the leader of LaJ, Jaroslaw Kaczynski said that he had not watched the movie, and was not going to because it was a lie. Right-wing "Gazeta Polska" described the picture as "harmful to the Poles." Popular weekly "Wprost" put the portrait of artist M.Stuhr on the cover framed with a Star of David with the headline "Maciej Stuhr is begging to be lynched." The actor along with other filmmakers were accused of "manipulation of history for the sake of commercial success" and that he "looks like an intellectual of a Kafka novel on the screen rather than a Polish peasant." A good illustration of the general relation to the topic is the story told in an interview with Colta.ru by the producer of the film D. Jablonsky: "When we rented a farm for the main amount of action, and adapted it to our needs, did all this work, the owner suddenly appeared to and said: "Listen, I heard about what you're shooting, and I tear up the contract. Not because I have something against the topic, but I am very afraid that I will set of fire by those who do not like Jews'." [198]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	—	–5
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	—	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	—	0
×	Historical revisionism, Holocaust denial	—	–5
	Total for the section 12	—	–10

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  No such instances were recorded in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  No such instances were recorded in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  No such instances were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	—	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	—	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	—	0
	Total for the section 13	—	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Poland ratified the European Convention on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the European Charter for Regional or Minority Languages (2009) and the Framework Convention for the Protection of National Minorities (2000).[199] However, Poland has not signed the European Convention on the Legal Status of Migrant Workers, Convention on the Participation of Foreigners in Public Life at Local Level, Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms.[200]

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

  No such instances were recorded in 2013.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013, there were no international application or the initiative of the authorities or of prominent politicians in Poland, anti-discrimination, xenophobia and neo-Nazism.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	—	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	—	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	—	0
	Total for the section 14	—	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

The observation of radical nationalism in Poland commenced in 2013.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

In Poland, there is anti-discrimination and anti-extremist legislation, which is based on the Constitution of the country. Aspiring to the EU, the country has signed several international agreements committing to guaranteeing the rights of minorities.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

In February 2013, the Council of Ministers created the Council on prevention of racial discrimination, xenophobia and related intolerance. The activity Prosecutor General's Office, which organised special body for investigating crimes motivated by xenophobia every area is significant. Protection of victims of hate crime is a responsibility of the Ombudsman, too. Per the adoption of the law on the implementation of EU regulations on equal treatment in 2010, the Ombudsman was now responsible for anti-discrimination and the implementation of equal treatment.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

In Poland, there is no such differentiation. In many ways, this is a consequence of the fact that Poland is a mononational country where 94% of the population identify themselves as Poles.

- *Legislation enshrining inequality of minorities.*

The law discriminating against Jews and Muslims is in force since January 2013, banning the ritual slaughter according to the Muslim and Jewish customs.

- *Rulemaking in protection of minorities.*

No such rulemaking was recorded in 2013,

- *Freedom of speech violations.*

  No such instances were recorded in 2013.

- *Legislation and law enforcement practices concerning migrants.*

Poland has developed the migration legislation, based on the Constitution of the country. The stay of foreigners in Poland is regulated by the Aliens Act (new version adopted in 2013), the Citizenship Law, the Law on the entry and exit of citizens of EU member states, Law on Granting Protection to Aliens. The Repatriation Law adopted in 2000 regulates the repatriation of Poles' who remained in the East. The legislation has negative attitude toward illegal immigration by imposing significant fines onto those who helped illegal immigrants and those who hired them to work.

In practice, Poland acts as both a donor and the recipient of migration, taking hundreds of thousands of immigrants and sending millions of its citizens to work in the West.

Until 2013 a number of discriminatory and humiliating practices was used when dealing with immigrants. In 2012–2013 the Aliens imposed an automatic ban on re-entry into Poland for foreigners who have been denied refugee status. Until the end of 2013 asylum-seekers or those after temporary protection had to put up with being regularly humiliated by searches at the detention facilities. Many refugees cannot get a job, get decent housing, etc. Children living in the centres did not have the possibility to attend educational institutions.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Unfortunately, there is a number of discriminatory practices against Roma, including attempts of discrimination in schools, attempts of evictions of Roma from their homes. There is the discrimination of religious minorities as a result of the act which came into force in 2013, the decision to ban the ritual slaughter.

There are cases of discrimination against LGBT people including a ban on same-sex marriages.

In Poland, there is no system of support for victims of hate crimes, it is carried out only by a few NGOs, which is clearly insufficient. Thus, we can say that some laws to protect the rights of minorities are there only formally.

A number of instances of reluctance of law enforcement bodies to deal with hate crimes and direct connivance of the nationalists and

racists should be noted. Detection of crimes motivated by xenophobia remains extremely low.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

Despite the fact that Poland is a mononational country, a large part of the population (one-third to one half) expresses hatred for minorities, including the "titular" peoples of the countries bordering with which Poland. Representation of migrant crime coming from nationalists and a part of the media contributes to the growth of migrantophobia.

With regard to the minorities, the evidence suggests that they are likely to perceive themselves as being discriminated against. Their strategy of action varies from the active protection and self-representation of LGBT and Jews or complaints to the Ombudsman of Kashubians.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Formally, Poland is on the quite high 34th place in the world (Russia is 61st). [201] Currently, however, people are dissatisfied with the standard of living, even though it has nothing to do with xenophobia and racism in Polish society.

- *Economic impacts and instability.*

The high unemployment rate (12.4% in 2012, 14.5% in 2013) remains in the country. [202] The economy cannot recover from the crisis. These shocks are not related to xenophobia and extremism. Instead the latter two are stimulated by the unfortunate economic situation, as laypeople concerned with the crisis start to look up to the politicians, who offer simple solutions and point out the convenient scapegoat. A young unemployed person becomes an easy prey of ultra "recruiters."

- *Decline in production growth, emigration of the labour force.*

Poland's GDP increased by 1.6% in 2013 thus revealing the lowest growth rate since the crisis of 2009. [203] Millions of Poles have worked in Western Europe for many years, becoming, as it turns out, subject of migrantophobia of the "indigenous" population. Their migration is not caused by the growth of xenophobia, but only the desire to achieve a better life.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Externally, the situation is stable, but the mass marches of nationalists, accompanied by violence, clashes between neo-Nazis and antifascists, show growing instability in the society. In addition, the active use of the "patriotic" rhetoric on behalf of the leading parties actually made nationalism acceptable in the eyes of the masses. The leading opposition party virtually patronises the neo-Nazi organisations. While authorities are able to keep the situation under control, but it does not mean that it will be so for a long time.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Tension in Lithuania, Belarus and Ukraine led to intense introduction of "Karta Polaka" (Polish Card) in 2007, making it possible for owners to get free long-term multiple-entry visa, which entitles them to multiple border crossings without the provision of additional documents, as well as to work legally in the territory of Poland without special work permit, apply for financial assistance from the budget of the Polish state budget or local government gmina administrations, designed to support the Poles abroad, etc.[204] The authorities of the neighbouring countries see the card as a mild form of claiming the land that once belonged to Poland in these countries.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Poland must sign the European Convention on the Legal Status of Migrant Workers, Convention on the Participation of Foreigners in Public Life at Local Level, Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms. In addition, given the growing popularity of right-wing radicals, accession of Poland to vote for UN General Assembly resolution condemning Nazism would be desirable.

2. *General recommendations for adjustments to the legal framework*

It is desirable to amend Article 27 of the Aliens Act, introduce a clause prohibiting discrimination on grounds of language and citizenship into the law on anti-discrimination, to repeal the law banning rit-

ual slaughter. It is also desirable to repeal the Article 196 of the Criminal Code on insulting the feelings of believers, as it could easily be covered by Article 257 of on verbal hate assault.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

It is necessary to speed up the introduction and active implementation of the programme for the Roma integration, it is important to do everything possible to immediately stop evictions of Roma into "nowhere." It is also necessary to abolish written statements from parents who want their children to attend ethics classes instead of religion lessons, and to repeal of the ban ritual slaughter.

It is desirable to create a governmental system of support for victims of hate crimes. Law enforcement authorities should take steps to overcome the reluctance of its staff to investigate hate crimes. Ministry of the Interior is obliged to implement the decision of the Constitutional Court to abolish the rules justifying regular searches.

It is desirable to adopt a programme for the integration of refugees, to resolve the issue with the education and treatment of children in detention centres.

It is also important to introduce an extensive programme to promote tolerance among the population, and a programme to combat xenophobia in sport. Authorities should refuse to honour the memory of radical nationalists of the interwar period. Also the "theory of two occupations" supported by the Institute of National Remembrance should be renounced as it rehabilitates radical nationalists and anti-Semites; and a full discussion of the role of the Poles during the Holocaust should be promoted.

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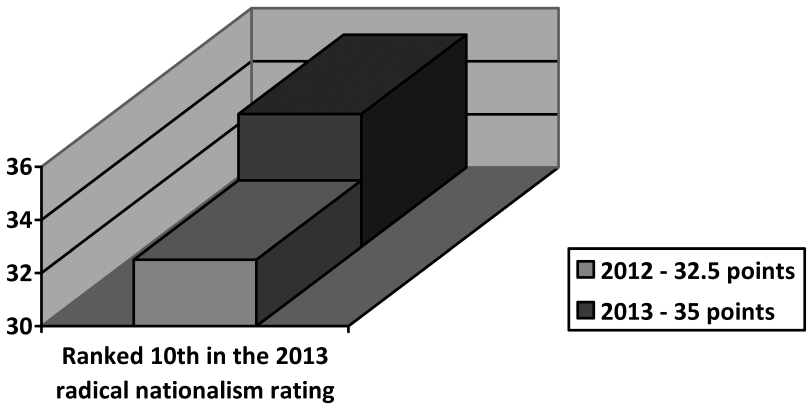
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	—	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	—	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	—	17.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	—	5
5	Activities aimed at promoting tolerance and preventing extremism	—	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	—	0
7	Incitement of religious and ethnic hatred	—	–10
8	Radical nationalist groups and parties	—	–15
9	Extremist and radical nationalist public actions	—	–10
10	Racist attacks, violence and terror	—	–12.5
11	Presence, popularity and size of anti-fascist and anti-racist movements	—	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	—	–10
13	Persecution of veterans and partisans of the anti-Hitler coalition	—	0
14	International aspects	—	5
	Total	—	–25

RUSSIA


36
34
32
30
Ranked 10th in the 2013
radical nationalism rating
2012 - 32.5 points
2013 - 35 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

In general, there is no legislation in Russia that discriminates against minorities. Although, a number of discriminatory legislative initiatives, both regional and federal, were observed in 2013. Most of these initiatives did not get past first reading.

There was a proposal to tighten the procedure for expulsion of immigrants, forcing them to earn the amount required for deportation in public service (deputy O. Nilov, April[1]); a proposal to accept foreign children to schools and kindergarten only if their parents provide taxpayer documents (A. Zhuravlev, October)[2]; a proposal to introduce a death penalty for foreign criminals (LDPR deputy R. Khudyakov, Novemeber[3]); an attempt to introduce a compulsory requirement for Buryatian language in Buryatian schools, regardless of students' national composition (Buryatia, September—October 2013.[4]

It is worth mentioning that the State Duma Profile Committee on Family, Women and Children rejected the bill that completely prohibited foreign nationals to adopt Russian orphans, which was submitted to the Lower House by deputies of the Kemerovo Legislative Assembly, where this ban has been introduced and abolished twice.

On November 21, Inter-factional parliamentary group discussed the protection of Christian values. Deputies supported Yelena

Mizuliva's proposal to introduce the idea that Orthodoxy is the basis of national and cultural identity of Russia to the Preamble of the Constitution. [5]

It is also worth noting that in 2013 State Duma adopted a legislative act that some experts considered somewhat discriminatory towards foreign nationals — on June 26, President Vladimir Putin signed a new Federal Law "On the introduction of amendments to certain legislative acts of the Russian Federation." The law establishes the possibility of limiting the right of foreign national to enter the Russian Federation if he/she has been brought to administrative responsibility on the territory of the Russian Federation twice or more times in the past 3 years. [6] Thus, there is a possibility to lose the right to enter the country if a foreign national has, for example, violated traffic rules twice in the past 3 years.

The first half of 2013 was marked with heated debates in Russia and the international community over the recently adopted two controversial legislative acts. The first one is Article 6.21 of the Code of Administrative Offences (CAO), which assumes administrative responsibility for the propaganda of "non-traditional sexual relations" among children. The second is the Law "On Amendments to Article 148 of the Criminal Code of the Russian Federation and Certain Legislative Acts of the Russian Federation in order to counter the insult of religious beliefs and feelings of citizens" (referred to as the law on protecting religious feelings). Both these Acts were signed by President Putin on June 30, 2013.

Despite the existing opinion that these legislative initiatives are discriminatory in nature, there is a number of reasons to consider such claims, doubtful at least, and in some cases — unfounded.

When it comes to the aforementioned CAO amendments that prohibit the propaganda of "non-traditional" sexual relations among children, by this the law implies "the distribution of information aimed at forming non-traditional sexual attitudes in minors, encouraging non-traditional sexual relations and distorting the perception of social equivalence of traditional and non-traditional sexual relations, or imposing the information on non-traditional sexual relations that cause interest in such relations." [7]

Given that Russian legislation prohibits propaganda of *any* sexual relations among minors, including traditional, experts do not see any violations of LGBT or children rights in this Article.

Declaration of social inequality of non-traditional sexual relations compared to traditional ones corresponds to the Russian Code on Marriage and Family that does not permit same sex marriages and the adoption of children by such couples, which corresponds to the traditional perception of family relations in Russia.

The law does not concern the ability of medical workers, including child psychiatrists and psychologists, to conduct informative work for children of non-traditional sexual orientation.

At the same time, in current wording, the law continues to be vague (for example, there are no clear definition of "distribution of information" or "imposition of information"). This means that there is the potential for abuse in law enforcement. Human rights activists, including the head of the Human Rights Council Mikhail Fedotov, and the Human Rights Commissioner Vladimir Lukin, warned the Russian government about this.

When it comes to the law on protecting religious feelings, Russian Human Rights Council proposed not to introduce criminal responsibility for insulting religious feelings of citizens, as the current Criminal Code already provides administrative punishment for hooliganism, incitement of hatred and other offences, including towards religious persons. On January 27, the government noted that this law creates competition between rules of law in their official review, because punishment for insulting religious feelings is already provided in the Criminal Code. It was also noted that the current legislation does not define the terms "philosophical symbolism" and "religions that are integral parts of Russian peoples' historical heritage."

Nevertheless, State Duma had adopted the above-mentioned law that provided criminal responsibility for insulting religious feelings,[8] finding that in this case it is not about incitement of religious enmity or hooliganism, but precisely about offending religious feelings. Punishment for such offence amounts to a fine of up to 300 thousand rubles, or 240 hours to a year of compulsory labour, with a maximum year of imprisonment. Those who insult religious feelings in places of worship will be fined up to 500 thousand rubles, sentenced to up to 480 hours of compulsory labour, or sentenced to 3 years imprisonment.[9]

"Insult to religion" or "blasphemy" is punishable by law in many countries, including Andorra, Cyprus, Croatia, Czech Republic, Denmark, Spain, Finland, Germany, Greece, Israel, India, Iceland, Italy, Lithuania, Malta, Norway, Netherlands, Poland, Portugal, Russia, Slovakia, Switzerland, Turkey, Ukraine, and a number of Muslim countries. At the same time, United States courts consider prosecution for insulting religion as a violation of freedom of speech. England and Wales abolished such laws in 2008. Furthermore, Venice Commission — an advisory body of the Council for Constitutional Affairs — believes that inclusion of religious insults in the list of offences is not necessary or desirable" and "blasphemy should be excluded from the list of offenses."[10]

However, there are reasons to believe that the law itself needs clearer terms. For example, introducing the concept of "public actions expressing obvious disrespect for society and committed in order to insult religious feelings of believers" (part 1, Art. 148 CC RF),[11] the law does not expand its contents, which leaves room for abuse, especially with regard to atheists and members of so-called "non-traditional" religions. This is also indicated by the human rights Institute of Freedom of Conscience in its report "Freedom of Conscience in the Russian Federation."[12]

Thus, we can conclude that there were partial legislative changes that were discriminatory in nature, mainly due to incomplete legal definitions, which opened possibilities for their abuse.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

Russia does not have legalisation restricting the voting rights of its residence on ethnic grounds.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  Russia does not have such legislation.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

Discriminatory practices recorded by the 2013 monitoring in Russia can be divided into the following areas: religious discrimination, discrimination of migrant workers, ethnic discrimination and homophobia.

Religious discrimination. In 2013, there were 29 cases of violation of Muslim's rights, 25 cases of violation of the rights of Jehovah's Witnesses, and (in a lesser extent) 5 cases related to new religious movements, Russian protestants (3 cases), neo-Pagans (3 cases), Jews and independent orthodox communities (1 case each).

In February, new cases of law enforcement harassment towards Jehovah's Witnesses were observed. On February 1, in Kushevskaya (Krasnodar region), February 5 in Proletarsky (Belgorod region), February 14 in Moscow, 17 February in Novoskolniki (Pskov region), 20 February in Grayvoron (Belgorod region), February 24 in Privolzhye (Samara region), Jehovah's Witnesses, who conducted missionary work, were detained by police. In some cases, detention was accompanied by insults and threats. Police conducted raids and searches in their places of worship and confiscated religious literature. On June

25, local administration of Gorodetsky district in Nizhny Novgorod Oblast prohibited "Jehovah's Witnesses" to conduct their congress with the diocese of ROC, because Gorodets "is a spiritual capital of the region."[13]

On March 21, it was reported that Tobolsk Prosecutor's Office opened a criminal case against Jehovah's Witnesses accusing them of encouraging citizens to refuse their civic duties and avoid medical procedures.[14] On August 7, Tver Central District Court considered the Jehovah's Witnesses website (www.jw.org) as extremist.[15] However, in January 2014, this decision was overturned by the Judicial Chamber of the Tver Regional Court.[16]

A considerable part of Jehovah's Witnesses literature continues to be in the Federal list of extremist materials. On June 19, Uspensky District Court (Krasnodar) recognised the Jehovah's Witnesses book "Thoroughly testify about God's Kingdom" as extremist.[17]

When it comes to discrimination against *Muslims*, most cases are related to bans on the construction of mosques. This issue is most acute in Moscow, where the Muslim population has significantly grown over the past 10–15 years.

Moscow Mayor Sergey Sobyanin have made multiple statements (February 28, June 9, September 16, November 20) that mosques will not be constructed in Moscow, because there is a sufficient amount for "native" residents, and "building for everyone from around the country is overkill."[18] Besides the capital region, several others refused construction of mosques: Bratsk (February 14[19]), Tambov (March 20[20]), Novokuznetsk (April 6[21]), Tula (November 22[22]), and Rostov Oblast (December[23]).

Several cases when operating mosques were shut down have also been recorded. On May 20, Gubkinsky city authorities have shut down electricity and water to the local mosque.[24] On August 16, Gubkinsky City Court granted prosecution's appeal to shut down the operation of the mosque.[25] In July, Muslim house of worship has been dismantled in the Penal Colony N4 (Vyazniki, Vladimirskaya Oblast).[26] On July 30, Stavropol Regional Court upheld the decision of Kislovodsky City Court on the demolition of two unfinished mosques in Belorechensky and Inustriya.[27] On November 26, Pyatigorsk City Court refused the Muslim community to use the new mosque for religious purposes and ordered to disassemble the minaret.[28] On November 27, court bailiffs arrived at the construction site of a mosque in Kaliningrad. The construction was suspended after a bus with OMON officers armed with rifles arrived.[29]

In many ways, these cases are caused by mass Islamophobia of the population and the reluctance of the authorities to cause any more dissatisfaction of the majority.

Furthermore, there were cases of discrimination and persecution of practicing Muslims related to their appearance. For example, on March 3, in "Halal" coffee shop, located on the territory of Surgut's mosque, officers of one of the riot police units forced around 10 visitors to cut their beards. The detained Asians and Caucasians were taken to the police department by OMON officers, from where they were released the next morning.[30] On April 24, it was reported that the Department of Investigation of the Investigative Committee of Russia for Khanty-Mansi Autonomous Okrug (SKR HMAO) refused to initiate criminal proceedings against the riot police staff, who shaved the beards of patrons of a Halal restaurant in Surgut on March 3, having not found signs of violence in their actions.[31] On November 14, during a court hearing in Ongudaisky Court of the Altai Republic, prosecutor Yevgeny Morozov forced imam Svatov to remove his religious clothing. He also threatened an attorney of the local Muslim organisation Abdoldanov S. M. to shut down their mosque in Kosh-Agach.[32]

On July 9, doctor of the Gutkin prenatal maternity hospital in Petrozavodsk refused to treat a mother of a two-month-old son Nigora Tabarova, due to her wearing a headscarf. Medical doctor O. Sadovkina stated, "I am a Jew, and my religion prohibits me from treating Muslims. I will not accept any other patients in headscarves."[33]

There also were cases of discrimination against *other religions* in 2013. On September 11, it was reported that members of the *Society for Krishna Consciousness* were going to be evicted from their temple in Moscow. City authorities considered the construction of a new temple "inappropriate" because of an alleged discontent of local residents.[34]

Discrimination against *neo-Pagans* is mostly expressed in bans of their public actions. On March 22, it was reported that the Omsk city administration, under the pressure of ROC (which believed that the holiday insults religious feelings), had annulled the coordination of a festival "Farewell Winter," that local neo-Pagans planned to conduct on Sunday in "Green Island" ("Zeleny Ostrov") park, without giving any reasons.[35]

In late June, in the village of Morozovka, Rossoshansky district of Voronezh Oblast, Ivan Kupala holiday was banned at the request of ROC priest. Neptune Day was also prohibited in this area.[36]

On July 31, Perm officials abandoned their plans to allocate land for construction of a synagogue, after a large nationalist campaign accused Perm authorities of wanting to gift a large area of land to the *Jewish community*.[37]

Monitoring also recorded cases of *ethnic discrimination*. Several of them are listed below:

On March 21, it was reported that administration of a supermarket in Omsk, ruled to ban persons of non-Slavic appearance from their store.[38]

On July 8, it was reported that chief of a Head of the Military Commissariat of Yugra Khanty in the city of Raduzhny, Sergey Rossomahin, talked about the threat of Salafi infiltration in the army and accused Caucasians of mass disrespect towards Russians during a meeting of military commissariats in Pyt-Yah. Commissariats produced a proposal on diasporas' collective responsibility. According to this plan, elders of diasporas will sign an agreement of responsibility for the behaviour of their tribesman during his service in Russian Armed Forces.[39] This essentially introduces the principle of collective responsibility. On November 19, it was reported that 18 students of Kislovodsk Medical College were expelled at the request of prosecution for dancing lezginka on the street. They were previously fined by the law enforcement for violating public order.[40]

It was reported in December that Meskhetian Turks are being discriminated in the North Caucasian Federal District. According to several reports, some southern villages impose an unofficial ban on visiting nightclubs, backed by the unofficial curfew for all "immigrants." There is an extensive system of extortion when obtaining passport, military conscription (the right to serve in the military) and so on. Schools are segregated — separate classes are created for Turkish students, which prevents them from learning Russian language. At the market, Turkish merchants are forced to sell their products at a loss — under the threat of unofficial ban to trade in general. Authorities made every effort to prevent a photo exhibition about the life of Meskhetian Turks. Head of the Gigant village (Salsky District of Rostov Oblast) sent an official letter to the police, stating that Meskhetian Turks conceived to hold an "unauthorised gathering" in Nizhneyaninsky village, where a photo exhibition about Meskhetian Turks was planned. A country club in the village of Voskhod (Rostov Oblast), where the exhibition was supposed to be held was shut down and the organisers of the exhibition were placed under surveillance.[41]

There were regular attempts to force the population of national republics within the Federation to learn the titular language. In particular, such reports came from Tatarstan and Buryatia, where the Russian-speaking population was dissatisfied with these manifestations.

There were also cases of *LGBT discrimination*.

These cases were primarily related to bans on public actions under the pretext of "region specifics" or the aforementioned law prohibiting propaganda of homosexuality among minors. In essence, these are the abuses in the law enforcement that were predicted by human rights ac-

tivists, who protested the amendments to the Code of Administrative Offences.

For example, Head of Regional Security Department in Moscow Aleksei Mayorov on March 14 expressed doubts about the possibility of holding gay pride parades in the city, because, in his opinion, it would cause conflicts. "We can allow this, if we want to create a large fight."[42]

On March 22, Chairman of the Constitutional Court of Russia Valery Zorkin, at a lecture in the State Duma, stated that authorities in Russia's regions have the right to refuse the coordination of actions supporting LGBT. V. Zorkin named "specificity of Federation" as a reason for such refusal. "Let us set aside how you want to live, the freedom of thought and so on, I am not touching this. I am touch on specific conditions that clearly indicate that it cannot be the same in Makhachkala and Amsterdam," Zorkin said at a lecture in State Duma.[43]

In St. Petersburg, nationalists attempted to attack the sanctioned LGBT demonstration on May 17. Police prevented the clash, but did not arrest the assailants.[44] In June, police dispersed a rally supporting LGBT rights.[45] In June and July, authorities arrested several people who conducted individual pickets in support of the LGBT community in Kazan and Yekaterinburg.[46, 47] On October 27, St. Petersburg police thwarted any attempt to use LGBT symbols during the Olympic torch relay. Three LGBT activists who tried to display these symbols were arrested.[48]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–2.5	–2.5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–7.5	–7.5

2. Xenophobia and inflammatory statements by members of the authorities and media

Russian officials made a number of purposeful statements aimed at spreading *migrantophobic sentiments* in the society. These statements came from both the ruling party and the opposition (left and right wing). It is obvious that party activists sought to capture voters' sentiments in light of upcoming regional elections and exploit any human vices, including nationalism. Thus, first deputy chairman of the parliamentary Committee on Ethnic Affairs, communist Valery Rashkin, made several public statements blaming immigrants for increased crime rates in Russia — primarily rape and drug trafficking. He also accused immigrants of taking money out of Russia, demagogically stating that every Russian family loses 20 thousand rubles because of them. He promised that the Communist Party of Russia (CPRF) will introduce a bill on work visas, repeating the usual migrantophobic thesis about immigrants taking away the jobs of the native population.[49] He was enthusiastically supported by the chairman of CPRF in Moscow Duma, Andrei Klychkov, who regularly intimidated city residents with ghettos and "Sharia Patrols."[50]

On February 15, Presidential Envoy to the North-western Federal District Nikolai Vinnichenko (former envoy to the Urals) passionately criticised the migration policy and reproduced a number of migrantophobic stamps about the high crime rate, that migrant women "overcrowd St. Petersburg maternity homes and crowd out the local women."[51] Migrantophobic rhetoric was used by a candidate for Moscow Governor from "United Russia" Andrei Vorobyev, who put a fight with immigrants as one of his objectives. He claimed, that are often complaining about the dominance of unskilled immigrant workers, who are "stealing bread" from the native population.[52] On June 11, former State Duma deputy Gennady Gudkov gave an interview to the joint media project of Vipcomments and RIA "New Region," where he stated that migrants supposedly lost all fear of Russian people and will soon decide that they can establish their customs in Russia.[53]

Monitoring also recorded multiple migrantophobic statements of the current Moscow administration — Mayor Sergey Sobyanin (June 13, June 20, August 7, August 15, September 16, October 17, October 21, 6 and 12 December), vice-mayor Leonid Pechatnikov (June 20), city prosecutor Kudenetov (February 1), chief management of FMS in Moscow O. Kirillov (April 11) and head of the Moscow police A. Yakunin (June 20). Majority of these statements involved accusations of increased crime rate.[54] A good example of the general sentiment is Sobyanin's statement that if we exclude all crimes committed by immigrants, Moscow would be the most lawful city in the world.[55]

This sentiment was shared by other candidates for Moscow Mayor. Electoral manifestos of *all* candidates contained proposals of restricting labour migration, forced replacement of immigrants with local workers, as well as statements about the supposedly high crime rate among immigrants.[56]

A surge in anti-immigration statements followed interethnic clashes that were accompanied by October raids in Biryulevo district of Moscow.[57] Majority of politicians representing various political forces unanimously accused immigrants themselves. According to the head of the parliamentary committee on security and anti-corruption Irina Yarovaya (United Russia), "what happens today in Biryulevo is a result of pent-up irritation towards the situation with immigrants."[58]

Protesting against austerity measures towards those involved in the raid, State Duma deputy and former Moscow mayoral candidate M. Degtyarev (LDPR) told "Bolshoy Gorod" magazine that "authorities need to be protected by the majority, not bludgeoned... police has to smash ethnic crime, not patron shawerma stalls... We wait for his (Moscow Mayor's) words and actions to curb ethnic crime."[59] Leader of LDPR Vladimir Zhirinovsky told "Russian Gazette" on October 14th that Moscow is supposedly overloaded with foreign workers.[60] On October 15, LDPR deputies and Vice-Speaker of the State Duma Igor Lebedev sent an appeal to Prime Minister Dmitry Medvedev, asking him to consider a moratorium on money transfers to countries where most immigrants originate from.[61] Just Russia party proposed its own anti-immigrant initiatives. Deputies from this party vouched for activists of "Shield of Moscow" and "Narco-stop" nationalist movements, who were arrested in early October for attacking immigrants in Kapotna and promised to raid immigrant's places of residence.[62]

After some time had passed, members of the ruling party began to talk about the real causes of Biryulevo events — corruption of local authorities that allowed a criminal group to be established at a local wholesale base.

It is also worth mentioning Vladimir Zhirinovsky — leader of the Liberal Democratic Party of Russia (LDPR) — who was considered to be a "number 1 xenophobe" among the Russian ruling elite. In an interview with "Arguments and Facts" published on February 25, Zhirinovsky stated that in Russian "national regions are put higher than Russian" and called for the withdrawal of Stavropol region from the North Caucasus Federal District and introduce a visa regime with the countries of Central Asia.[63] On October 24, he appeared on Russia-1 channel and urged to restrict the birth rate in North Caucasus by imposing fines for the birth of a third child. He also proposed to restrict the movement of North Caucasians by "surrounding the North Caucasus territory with barbed wire."[64] On October 31, LDPR leader

appeared at the World Russian People's Council in Moscow and stated that Russia is currently being "humiliated."[65]

On September 14, Olympic gold-medallist and State Duma deputy from United Russia Irina Rodina tweeted an edited photo of Barack and Michelle Obama looking at a drawn-on banana.[66]

On December 5, chairman of the Chechen parliament Dukuvakha Abdurahmanov expressed outrage with Zhirinovsky's statements about North Caucasus, but in doing so focused on his Jewish origin.[67] "Why Zhirinovsky-Edelstein speaks on behalf of the Russian people, when Russian people — from Donsky to Putin, to Gagarin, to Zhukov — have so many historical persons? Why does he have to defend the Russian people?" Chechen deputy concluded his speech with a question, "What can you all solve, if you can't handle Edelstein?"[68]

Deputy Chief of the Criminal Investigation Department of the MIA in Moscow Filipp Nemov gave an interview with a newspaper "Moskovsky Komsomolets" on April 29, where he recommended "notifying the "02" service (police) or the territorial departments of the internal affairs bodies about the natives of Transcaucasian republics, renting accomodiation" as an effective way of reducing flat robberies, reproducing a xenophobic thesis that all Caucasians are criminals.[69]

When it comes to xenophobia in the media, the most vivid example was the Komsomolskaya Pravda article by U. Skoibeda, published on May 13. The article was dedicated to a post by L. Gozman on the "Echo of Moscow" website, where he compared the SS to Soviet counterintelligence during the Second World War (SMERSH). Skoibeda's article stated "Sometimes I regret that Nazis did not make lampshades out of ancestors of today's liberals. There'd be less problems." However, after the scandal broke out on May 15th, the subtitle was changed to the following: "Liberals revise history to knock the rug from under our country." The phrase about "lampshades" was removed from the text. Skoibeda also accused liberals that they wished victory for the Nazis.[70] Chief Editor of the newspaper Vladimir Sungorkin stated that the article was just lost in a large flow of materials.[71]

However, most xenophobic publications (and statements of officials) were related to migrantophobia, Islamophobia, anti-Semitism and homophobia.

Anti-immigrant sentiments in the media is best highlighted by the establishment of an Immigrant Assistance Headquarters under the Embassy of Tajikistan on April 29. Republic's Ambassador to the Russian Federation Abdulmajid Dostiev stated that Russian "yellow press" and certain state television channels create an "atmosphere of enmity and intolerance" around Tajikistan citizens. "We believe that the extremely negative image of our citizens formed in the media, as well as the issue of air and rail link between our countries is not created spontaneously,

but deliberately — through effective PR by the interested individuals and parties, whose aim is to deteriorate the friendly relations between the two countries and nations."[72]

The so-called "anti-gay materials" began appearing in large numbers when the State Duma was discussing the corresponding amendments to the Code of Administrative Offences. Previously, this topic was not massively popular in the Russian media. According to experts, it was the media interpretation of this law, the imposition of this topic on society and attempts to portray LGBT members as almost enemies of the state[73] have led to the fact that the level of homophobia has almost doubled in Russia since 2012, while the general level of xenophobia has decreased.[74]

An anti-Semitic speech of ROC deacon A. Kuraev was unprecedented given the traditionally friendly relations between the Russian Orthodox Church and members of the Russian Jewry. On February 25 he published an article in his blog, dedicated to the celebration of Purim in which he reproduced the anti-Semitic clichés, saying that Jews are allegedly celebrating the "Cutting out of elite" of the Achaemenid Empire and "the day of deliberate unpunished massacres." According to the Deacon, this holiday supposedly teaches resentment and revenge. Kuraev even said that the world lets Jews to set moral standards for themselves, which they use to their advantage.[75]

No less surprising was the anti-Semitic scandal within Just Russia party. On August 6, that a crossword puzzle published in the party leader newspaper (who was also a candidate for Moscow Mayor) had a derogatory term for Jew ("zhid") as a hint for a question. Employee of Levichev's campaign headquarters, responding to a complaint by a Jewish pensioner, stated that "zhid" is a literary word and "during the war, many traitors were Jews and they deserve it."[76]

Islamophobic materials regularly appeared in the media during the debates about religious clothing in schools and December 2013 Volgograd terrorist attacks. Although, anti-Islam articles were consistently published online without any connection to certain events in the country. It is worth once again mentioning Deacon Kuraev, who posted a number of articles in his blog, calling Islam a source of terrorism[77]

There have also been media publications supporting the activity of radical nationalists.[78]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Preamble to the Constitution of the Russian Federation states that Russia is inhabited by a multinational Russian nation. Constitution guarantees the equality of the peoples in Russia.

Article 13(5) of the Constitution prohibits the "establishment and activity of public associations whose goals or actions are aimed at forcible change of the constitutional order and violation of the integrity of the Russian Federation, undermining the security of the state, establishment of armed groups, *incitement of social, racial, national and religious hatred*."[79]

Article 19(2) of the Basic Law establishes, "the State shall guarantee the equality of human and civil rights and freedoms, regardless of sex, race, nationality, language, origin, financial or official status, place of residence, attitude to religion, beliefs, membership of public associations and other circumstances. Any restriction of civil rights on social, racial, national, language or religious grounds is prohibited."

Article 28 of the Constitution guarantees freedom of speech, religion, including the right to profess religion individually or jointly with others, or not profess religion at all. It also guarantees "freedom to choose, have and spread religious and other beliefs and act in their accordance."

Article 148 of the Russian Criminal Code provides for criminal responsibility for violating the right to freedom of conscience and religion, and Art. 282 — for inciting hatred and humiliating human dignity on the grounds of sex, race, nationality, language, origin, attitude to religion or social status. In 2007, xenophobic crime was added as a separate definition in a number of Articles of the Criminal Code on violent crimes.

In 1996, Russia adopted the Law "On National-Cultural Autonomy," which "Defines the legal basis of the national-cultural autonomy within the Russian Federation, establishes the legal basis of interaction between state and society to protect the national interests of the citizens of the Russian Federation in their selection process of the ways and forms of their national and cultural development."[80]

In 2002, Russia adopted the Law "On countering extremist activities," aimed, among other things, against the incitement of racial, national or religious enmity.[81]

In 2012, Article 22.1 of the Federal Law "On State Registration of Legal Entities and Individual Entrepreneurs" and Articles 331 and 351.1 of the Labour Code were amended. These changes prohibited persons convicted or criminally prosecuted for extremist crimes from working with children (in education, training, development of minors, health and leisure, health care, sports, culture and arts, social protection and social services), as well as their registration as individual entrepreneurs in the above-indicated fields.

On May 7, 2012, Vladimir Putin signed a Decree "On Ensuring Inter-Ethnic Harmony," which instructed to form a Council for Interethnic Relations, and develop the State National Policy Strategy (the Strategy was approved in December 2012), as well as develop a set of measures for developing the bodies of state power engaged in prevention and management of inter-ethnic conflicts, and monitoring of inter-ethnic relations. [82]

On December 19, 2012, President Putin signed a Decree "On the Strategy of State National Policy for the period until 2025." [83] The Strategy defines the *Russian nation*, which is defined as "a community of citizens of the Russian Federation of various ethnic, religious, social and other origins, who are aware of their civil community and political/legal relationship with the Russian state (co-citizenship)."

On January 1, 2013, amendments and updates to the Code of Administrative Offences and the Federal Law "On countering extremist activities" came into force. According to these changes, the use of Nazi or similar attributes and symbols is only permitted for the purposes of research, encyclopaedic articles and audio-visual or printed materials that do not contain propaganda and (or) justification of Nazism and fascism. Signs and images similar to the officially registered extremist organisations also fell under the ban. [84]

In 2013, the legislative activity was mostly related to the harmonisation of interethnic relations, as well as prevention of extremism. On July 3, President Vladimir Putin signed amendments to Article 9 of the law on freedom of conscience and religious associations. According to them, religious organisation cannot be founded by a person whose actions were deemed extremist by the court. [85]

On October 22, President signed the Federal Law "On amendments into certain legislative acts of the Russian federation in terms of determining the powers and responsibilities of the public authorities of the Russian Federation, local self-government and their officials in the sphere of international relations." To the powers of the government bodies of the subject of the Russian Federation, the law attributes corresponding authorities in the field of interethnic relations, such as strengthening of interethnic and interreligious harmony; prevention of discrimination on grounds of nationality, lan-

guage or religion; social and cultural adaptation of migrants. The Federal Law also establishes similar in content, but within its own competence, powers in the sphere of international relations at all levels of municipalities. Furthermore, the list of grounds for dismissal of municipality heads is supplemented with unsuccessful actions to prevent ethnic conflicts. [86]

On December 30, 2013, Vladimir Putin signed a law introducing Article 280.1 to the Criminal Code, which criminalised public calls to actions aimed at violating the territorial integrity of Russia. Regular calls to separatism are punishable by fine of up to 300 thousand rubles or the two-year's worth of subject's income, or by up to 300 hours of compulsory labour or up to 3 years of imprisonment. Similar calls made in the media, including online are punishable for compulsory labour for up to 480 hours or up to 5 years of imprisonment. [87]

On May 13, it was reported that the Ministry of Regional Development of Russia introduced an item to the Implementation Plan of State National Policy Strategy, according to which deputies will lose their posts for statements insulting the dignity of any nationality or religious group. The Ministry also proposed to prohibit persons who have made xenophobic statements from government employment. [88]

On January 31, a complex plan of measures for socio-economic and cultural development of the Russian Roma was adopted. The programme, developed in cooperation with various Roma associations, contains concreate measures and obligations for officials. [89] Similar programmes were adopted in Astrakhan and Kurgan. [90]

An important moment was the decision of State Duma to declare amnesty in connection with the 20th anniversary of the Russian Constitution, excluding Articles 282, 282-1, 282-2 (extremism and incitement of interethnic and interreligious enmity). [91]

- Presence and development of anti-discriminatory legislation.

Russia has only recently started developing its antidiscrimination legislation. In 2003, the Criminal Code of the Russian Federation was supplemented with the definition of discrimination (Article 136) as "violation of rights, freedoms and legal interests of a person and citizen, regardless of his/her sex, race, nationality, language, origin, attitude to religion, beliefs, membership in public associations or any social groups." Articles prohibiting discrimination are contained in the Labour Code, the Tax Code and other Federal laws.

At the same time, experts believe that this legislation needs further development and evolution, [92] because the concept of discrimination is found only in the CC RF and is revealed not through its concrete forms, but by identifying violations of rights, freedoms and legal interests of citizens. Meanwhile, according to the international legal acts, violation

of human rights and freedoms can be one of the objectives or results, but not a form, of discrimination.[93]

Legislation also does not explain what is included in the term "violation of rights" in this context, it does not identify forms of discrimination, differences between direct and indirect discrimination, or the ban of discrimination by private persons or public institutions. A whole range of important legislative instruments does not contain prohibition of discrimination at all.

Nevertheless, there is a certain movement in that direction. On July 4, President Vladimir Putin signed a law developed by the Ministry of Labour and Social Protection, which prohibited discriminatory requirements in job descriptions. From now on, employers will not have the right to specify requirements of sex, age, religion, residence, family status and nationality, in their employment ads.[94]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In 2012, Russia established a Council under the President of the Russian Federation on Interethnic Relations, the main task of which is to review conceptual foundations, objectives and tasks of the state national policy. Similar councils, committees and workgroups were created in regions across Russia (Stavropol region, Tatarstan, Vladimirsk Oblast, Leningrad Oblast, Belgorodsk Oblast, St. Petersburg).[95] In other regions, these institutions are already active.

On September 20, it was reported that the Federal Protective Service will collect information on interethnic and interreligious attitudes in regions, because the government of the Russian Federation will be assessing the effectiveness of regional governments by the situation in interethnic and interreligious relations, among other things.[96]

Human Rights Ombudsman Vladimir Lukin was actively advocating for the rights of Jehovah's Witnesses and LGBT. On September 9, it was reported that Gorodetsky City Court (Nizhegorsk Oblast) satisfied Lukin's appeal in protection of a religious organisation "Administrative Centre of Jehovah's Witnesses in Russia." The court ruled an official response of Viktor Trufanov illegal and violating the organisation's rights for refusing the organisation to conduct religious service.[97] In November, Vladimir Lukin appealed to the law enforcement urging to prosecute the organisation "Okkupay-Gerontofilyay," which attacked LGBT. Later that month, he personally met with LGBT activists to discuss measures of protecting their rights.[98]

Furthermore, a number of Russian courts and prosecution bodies of first and second instances ruled in favour of the unlawfully persecuted Jehovah's Witnesses (8 cases), Muslims (3 cases), Russian Protes-

tants (2 cases), Catholics (1 case), as well as LGBT activists (6 cases) and those unlawfully accused of extremism (7 cases).

Federal Ministry of Education and its regional departments were able to defend the preservation of a secular middle school, maintaining a ban on hijabs. On January 10, Minister of Education of the Stavropol Territory Irina Kuvaldina, rigidly stated that a public school will not have any religious apparel. At the same time, the government will continue to subsidise subjects within state standards. On January 18, Minister of Education and Science of the Russian Federation Dmitry Livanov said that the example of the Stavropol Territory on the introduction of the general requirements for the appearance of students should be recommended to all regions of Russia. "When children come to school, go to class, when they study together, there should be nothing to segregate or separate them. It is important for every child to feel comfortable, to avoid the differences that separate them one from another."[99] Dmitry Livanov repeated these words on July 12, after winning the Stavropol court case, noting that wearing hijabs in *private schools* is quite acceptable.[100]

Russian authorities were quite active towards the various nationalist actions. On August 1, Moscow police foiled an unsanctioned rally of football fans, dedicated to Spartak FC fan Yuri Volkov, who was murdered by Chechen natives.[101]

Police also prevented all attempts at so-called "Russian cleanses" in Moscow and St. Petersburg on August 5, 18 and 21.[102] "Russian cleansing" is similar to people's patrols of the Golden Dawn party in Greece — when groups of thugs carry out illegal checks for documents at markets, in order to identify illegal immigrants. On September 1 and 21, St. Petersburg police and on September 14 — Moscow police — prevented nationalist "gatherings" in city centres.[103]

Thus, we can state that authorities are making significant efforts to enforce anti-discrimination and anti-extremist legislation.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

According to the Human Rights Movement "World Without Nazism," 583 persons were convicted for xenophobic offences in 2013, compared to 305 person in 2012 and 414 in 2011. This jump was largely due to additional convictions of those involved in Biryulevo pogrom and the "Russian cleanses." Such an increase in convictions was also related to the growth of xenophobic crime, which started in 2012 and continued 2013. 53 people were sentenced to short-term arrests, 253 — a fine, 87 — to correctional labour 3 — to restriction of freedom, 15 were issued a warning 1 — verbal remark, 48 — sentenced to a suspended term of imprisonment, 5 — to imprisonment for up to

one year, 46 — to imprisonment for a period of 1 to 5 years, 29 — to imprisonment for a term of 5 to 10 years, 10 — to imprisonment for a term of 10 to 15 years, 3 — to imprisonment for a term of 15 to 20 years, 2 — imprisonment for a term of 20 to 25 years, 1 — to life imprisonment, one was sentenced to a ban on the profession, 5 were sent for compulsory treatment, two were sentenced to compulsory education, and 9 were sentenced to disciplinary action.

At the same time, the number of persons who were given custodial sentenced has decreased (96 versus 115 in 2013). This is largely related to the fact that most of the perpetrators were online propagandists or involved in "Russian cleanses" and Biryulevo pogrom, when nationalists received a suspended sentence for physical crimes.

Courts considered cases related to attacks and murders, xenophobic graffiti, extremist materials online, distribution of Wahhabi literature and sale of Nazi attributes.

In accordance with a court verdict, Chelyabinsk religious organisation "Orda" was prohibited on the grounds of extremism and incitement of ethnic enmity. The same verdict applied to the Omsk branch of RNE, "Northern Brotherhood" and the Kirov Dinamo FC Fan Club.

The Federal List of Extremist Materials, which courts use as basis for their judgement, grew from 1,588 entries to 2,179, maintaining the momentum established in 2012. This indicates not just the growth in xenophobia, but also the fact that courts started to pay more attention to this phenomenon. Books, websites and even audio-clips fall under investigators' focus area. Roskomnadzor issued 6 warning to various media organisations.

Prosecution has been widely engaged in anti-extremist activates. On June 21, it was reported that prosecution authorities have revealed more than 800 violations of anti-extremist legislation. 65 officials were brought on disciplinary charges, 37 warnings were issued. [104]

- Unlawful use of anti-extremist legislation.

A number of cases of misuse of anti-extremist legislation were recorded in 2013. This was largely caused by imperfections within various legislative acts on religious feelings and against the so-called propaganda of homosexuality. Some of the cases are listed below:

On November 13, it was reported that Chief Editor of the Khabarovsk newspaper "Molodoy Dalnevostochnik" Aleksandra Suturina is suspected of violating the law that prohibits propaganda of "nontraditional sexual relations." The cause was her interview with Aleksandr Yermoshkin — a teacher and LGBT activist. [105]

On January 25, Investigation Committee for Karelia renewed the criminal investigation on inciting hatred and hostility on grounds of re-

ligion, against the author of an atheistic text "Karelia is sick of priests" by Maxim Efimov[106]

On February 16, at the central square of Dzerzhinsk, police officers had detained 15 people, who were demanding not to close a local school, which is supposed to be given to an orthodox gymnasium, under the pretext that they allegedly were distributing leaflets supposedly containing extremist statements.[107]

Furthermore, there were several incidents that could only be described as connivance to xenophobia. On May 30, for example, it was reported that criminal proceedings were not initiated on the desecration of a place of worship in Balashiha (Moscow suburbia) in March, due to... "absence of evidence."[108] On August 28, it was reported that the Investigative Committee of Russia refused to initiate criminal proceedings against abbot Sergey (Rybko), rector of the Church of the Descent of the Holy Spirit in Moscow, who had made multiple calls to attack LGBT members.[109] Police virtually paid no attention to the numerous actions of "Okkupay-Pedofilay" group, who attacked LGBT activists in Kamensk-Uralsky.[110] The situation changed only after federal media coverage.

Meanwhile, St. Petersburg police did not interfere in the first wave of "Russian cleanses" — illegal checks of identification documents and trade permits carried out by nationalist organisations, often accompanied by attacks on immigrants. Anonymous source in the local police reported that these "cleanses" are "interesting and so-far effective measures. But it must be understood that the system that they are trying to push will push back. Our task is to make sure this does not go *far* beyond the legal field.[111] Apprehensions only began on July 31, when reports of police inaction sparked a scandal in the media.[112]

Head of the Regional Ministry of Internal Affairs in Chuvash Republic Major General Sergey Semenov stated on November 7, that he does not see anything extremist in a banner "*National-Socialism = Order*." "National Socialism is a public movement, it is not prohibited by law. The main objective of this movement is combatting alcoholism, prostitution and drug abuse. At least, these are the objectives that this movement publicly declares."[113]

When nationalist attacked the Moscow-Dushanbe train in November 2013, local police officers and railway employees present at the scene did not make any actions to stop this incident. When the train supervisor tried to send a telegram to the next station — Volgograd — employees of the station refused to accept it, citing lack of a corresponding agreement between railway authorities of Tajikistan and Russia. Furthermore, two employees of the Audit Service Safety Railways in the Astrakhan region, who accompanied this train to the border, did not take any measures and did not inform the authorities.[114]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
–/×	Presence and development of anti-discriminatory legislation	2.5	2.5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	12.5	12.5

4. Statements by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Russian politicians, led by President Vladimir Putin, were actively using anti-xenophobic rhetoric in their speeches, having a corresponding effect on the public consciousness.

Speaking at an extended session of the Ministry of Internal Affairs on February 8, Russian President Vladimir Putin stated that the countering extremism remains a key task of internal affairs bodies. "Xenophobia, ethnic and religious intolerance threaten the unity of our multinational nation and the wholeness of the Russian state. It is necessary to suppress the activities of extremist organisations in the strongest manner, respond quickly to any extremist manifestations, regardless of whom they might come from. We have to do more than just ensure that human or citizen rights and freedoms are respected, our direct duty — is to protect all citizens. So I repeat: no extremist action must remain unpunished," President stated. [115]

On February 19, speaking at a meeting of the Council on Ethnic Relations under the President, Putin stated, "Our fundamental task is to strengthen harmony and tolerance in Russian multi-ethnic society, so that people, regardless of their ethnicity or religion, felt as citizens of a single country. I see this as the key to sustainable, successful develop-

ment of our country. This exact approach was laid out in the new state national policy Strategy."[116]

On March 5, President of Russian Federation Vladimir Putin, speaking at an extended session of Russian Prosecutor General collegium, stated that issues of countering terrorism have to be within prosecutors' permanent attention. He said that in previous year, the number of such crimes has increased by almost 12% compared to 2011. "Your direct duty — promptly respond to attempts of inciting ethnic and religious hatred, to propaganda of xenophobia and chauvinism. It is necessary to act consistently, based on rules of law, permitting no double standards and bias. But you must decidedly act in this area," Putin said.[117]

On June 10, President of the Russian Federation Vladimir Putin, at a meeting on the action plan of the executive federal bodies, listed "countering national and religious extremism" as one of the key tasks for the law enforcement. "We must strictly prevent the activities of organised criminal groups formed on ethnic basis. This task is not just for the Ministry of Internal Affairs, but also for all law enforcement bodies and special services," Putin stated.[118]

On June 13, during his visit at the Jewish Museum and Centre of Tolerance in Moscow, Vladimir Putin stated that inter-ethnic and inter-religious peace are fundamental for Russia's existence. "We believe that religious peace, interethnic and interreligious harmony is the basis for the existence and development of Russian state," Vladimir Putin said.[119]

On October 22, President Vladimir Putin spoke in Ufa at the Council on Interethnic Relations. He proposed to establish a regional monitoring system for international relations, risk assessment and preventative measures, and involve competent experts and national-cultural associations in this work. President also noted that people who are appointed deputy heads of regions and who are responsible for interethnic relations have to possess modern knowledge in this field, be able to form a team of competent managers and set up a direct dialogue with the people and public associations.[120]

The day after, Putin spoke at a training seminar for mayors of Russian cities, held under the auspices of the Presidential Administration. He said that cooperation with national diasporas and members of traditional religions is most important. "They should become your allies in countering ethnic conflicts," Putin stated.[121]

On November 6, Putin met with LDPR leader Vladimir Zhirinovsky and asked him "not to address a certain part of your electorate in order to strengthen your positions to the detriment of our country's fundamental interests," referring to his anti-Caucasus statements.[122]

On November 7, Russian President met with Constitutional Right professors of various regional universities. Referring to the slogan "Stop feeding the Caucasus," Putin said, "Any attempts to remove any terri-

tory from us is anti-Constitutional and must be prosecuted by law. There should be no witch hunts, but there should be legal assessments The idea that separation of one area would benefit us is untenable. Solutions are in another field — combating corruption, improving the socio-economic situation." To improve inter-ethnic relations, according to the president, there needs to be a level playing field for citizens in all regions of the federation. "The Russian people, wherever they live — in the traditionally Russian area or in a national region, should feel equally comfortable everywhere, just like a representative of a national regions."[123]

On November 20, President Putin met with leaders of non-parliamentary parties, where he said, "There is no principle that would say that we have to create such xenophobia in the society, including towards people of non-traditional sexual orientation."[124]

On December 20, Vladimir Putin spoke at a gala event dedicated to the Day of State Security, stating that FSB's task is to "give a hard fight back to those who encroaches on the integrity of the country and seeks to split our society, to sow ethnic, religious hatred.[125]

State Duma Speaker Sergei Naryshkin, speaking on January 27 at the former Nazi concentration camp of Auschwitz, has warned against attempts to justify the crimes of Nazism in the modern world. "First time in years after the war it was hard to imagine that there will be those who will whitewash the Nazis and their accomplices and their crimes against humanity. Unfortunately, today we see such examples, and we have no right to indifferently ignore this," — he said. S. Naryshkin asked to prevent the revival of the "brown plague." "We definitely need a unity of effort so that no one was able to return Nazism to our home."[126]

On August 7, Just Russia party MP Oksana Dmitrieva commented on the anti-Semitic crossword in a newspaper belonging to Just Russia leader (see section 2). She tweeted about her "sadness and outrage" with the use of the word "zhid" (Russian derogatory term for Jew). On August 8, she added, "Such 'agitation' must not just be punished, it should be grounds for dismissal, disband the headquarters." She then appealed to the leader of "JRs," Mr Mironov, to "assess this as soon as possible and take measures." However, Mironov responded, "Foolish and harmful blooper of an ordinary performer. However, it is not necessary to turn the party into a flurry of self-flagellation." He also stated that the "performer" (referring either to the person responsible for newspaper print or to the complaining pensioner) was punished. "This should be said openly and publicly," Dmitrieva replied.[127] Despite these facts, Just Russia party never made a public statement.

On July 23, Ministry of Health of Karelia investigated an incident in Petrozavodsk, finding that refusal to treat a Muslim patient really did

take place. The Ministry and hospital administration apologised to Nigora Tabarova. "The doctor will be subjected to disciplinary penalties. I am sure that this will never happen again, and once more, I sincerely apologise to the patient and citizens whose feelings have been affected," stated the head physician of women's clinic Eugene Tuchin. [128]

There have been several statements against homophobia. On June 11, Human Rights Ombudsman in Russia Vladimir Lukin stated that he fears the "unwise" use of the law banning the promotion of non-traditional sexual relations, which was recently adopted by State Duma. "The main problem would be in enforcement. Strict and unwise enforcement could lead to human casualties and human tragedies." [129]

On April 17, the Commissioner for Human Rights in St. Petersburg Alexandr Shishlov stated, that it is necessary to think about the quality of the city law prohibiting the so-called propaganda of homosexuality amongst minors. "I do not think that the issue of sexual minorities is relevant in St. Petersburg. It does exist, but our city has far more pressing problems," the Ombudsman added. [130]

On June 14, State Duma deputy from Just Russia Valery Zubov was interviewed by Regiones.ru. Commenting on the law about the so-called propaganda of homosexuality, he said, "I get a feeling that my fellow deputies have had some kind of fit, fixing on combating homosexuality, protecting morals and so on. I think that MPs should care about other things, such as the pension system, the growth of tariffs and the quality of education. As for morals, my family and I will manage ourselves." [131]

On September 9, deputy chairman of the Federation Council Committee on Constitutional Law, K. Dobrynin, commented on deputy A. Zhuravlev's initiative to take away LGBT-parents' children. "You cannot strike on citizen's rights if he has not committed a criminal or administrative offence. The fact that a citizen 'allows for non-traditional sexual relations' does not constitute as such an offence, and such citizen is not a delinquent. Therefore, what sort of termination of parental rights can we talk about? The government should not dictate what sort of parents children should have. I believe we must urgently stop this 'gay-fighting' lawmaking — enough, everyone is tired of this false agenda." [132]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

Events aimed at harmonising interethnic relations and educating tolerance among youth have been held on both federal and regional levels.

There were mainly two kinds of events — conferences, roundtables and trainings, and various friendship festivals, sport events, school essay and painting competitions and journalistic works. Sometimes, both types of events were united under one brand, the "Day (or days) of Tolerance"

These events were attended by representatives of the government and civil society activists — from the Public Chamber of the Russian Federation and lower, as well as members of non-parliamentary parties and others. There was also a significant religious participation in such events. Several examples of such projects are listed below:

On January 11, it became known that the government of St. Petersburg began spreading CDs with special animated series "World Without Violence" to schools of St. Petersburg, which will teach children of tolerance. Filming of the 7-episode season began in 2011. In it, popular cartoon heroes "Smeshariki" talked about friendship and mutual understanding. [133]

On January 14, the House of Friendship of Udmurtia celebrated the interethnic New Year. The celebration brought together representatives of all ethnic and cultural associations of Udmurtia. This year, organisers have expanded the geography of celebration and invited not only the members of the national-cultural associations from Izhevsk, but also the activists from local offices from the cities and districts of the republic. [134]

In early February, Kabardino-Balkaria held a junior contest "Religion and Tolerance." It was conducted by the Ministry of Media and ORG of Kabardino-Balkaria. [135]

On February 19 in Grozny, a festival "Russia — our common home" was launched. On the instructions of the Chechen Republic Ramzan Kadyrov a group has been created that will travel to the Russian regions, inhabited by people from the Chechen Republic. During the festival, the group will visit a number of cities in the south and central parts of Russia — Rostov-on-Don, Astrakhan, Volgograd, St. Petersburg, Yaroslavl and others. Activities aimed at spiritual and moral education, prevention of extremism and terrorism, prevention of drug abuse and crime among natives of the Republic are scheduled. [136]

On February 21, on the initiative of the Muslim Community of Yaroslavl, a round table was held "For peace and harmony in Russia." About two hundred participants — representatives of various religious

denominations, security forces and civil society — discussed ways to prevent the spread of radical ideas amongst youth. After discussing all issues, participants agreed to cooperate in the prevention of radicalisation. [137]

On July 18, Board for Information Disputes made a decision regarding the scandalous decision about Skoibeda's controversial article in Komsomolskaya Pravda.

"Board believes, that there is a line which a journalist in a democratic society cannot cross... 'Lampshades' — is not just a 'dark metaphor', it is a symbol of dehumanisation of that regime, including the phenomenon of an 'ordinary fascism'. To ("sometimes") regret that Nazism did not "make lampshades" out of someone is to stand on a par with those who was (is or will be) ready to "liberate" or to "cleanse" the area meant for "them" from "others" — "aliens," allocated into an unacceptable or even unbearable group of people on any of the possible grounds. [138]

On December 11, it was reported that Omsk coffee shop banned a racist patron, who left a racist review on twitter. [139]

Activity of the Jewish community in Russia can also be noted. On January 27 — an International Holocaust Remembrance Day — many public events dedicated to the memory of the tragedy were held. On February 19, it became known that on the initiative of the Russian Jewish Congress, schoolchildren in the capital would be able to visit an Orthodox temple, mosque and synagogue, located on Poklonaya Gora, with a guide. Educational excursion will consist of two parts — tour and lecture, where authors of methodical manuals and textbooks for the new subject will talk about history and culture of religions. Lectures will be held in the Museum of Jewish Heritage and Holocaust at the Memorial Synagogue. [140]

On April 18, an agreement was reached between the Federation of Jewish Communities in Russia (FEOR) and a social network "Vkontakte" on cooperation in the fight against extremism. According to the agreement, FEOR will notify the administration of the social network about such materials, and the administration will take appropriate action. [141]

On April 23, it was reported that the Russian Jewish Museum's Centre of Tolerance held discussions on establishing regional Centres of Tolerance. President of FEOR Alexandr Boroda detailed the concept of the Centre of Tolerance in Moscow. He said that to create similar centres in the regions, an area of 500 square meters will be quite sufficient, which, in his opinion, should house a discussion area, exhibition area and educational zones with interactive boards and other modern equipment. Furthermore, he believes that funds for new equipment and establishment of regional centres must be allocated from the state budget,

possibly through the Ministry of Regions. All other optional extras could be financed by regions themselves. Head of FEOR added that Moscow Centre of Tolerance is prepared to provide content for other centres (films, programmes, educational modules).[142]

Weak spot of most projects is its formality — events are held to "tick them off," the problem is not studied deeply, recommendations and conclusions are prepared in advance and are not considered by the authorities. As for festivals and sports competitions, these attract people that are generally already tolerant, and therefore, are not very effective. Public actions mainly remind about the problem, rather than contribute to its solution.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of anti-discriminatory legislation.

Paragraph 1, Article 27 of the Constitution of the Russian Federation states, "any person legally residing on the territory of the Russian Federation has the right to freedom of mobility, freedom to choose place of stay and residence." Paragraph 2 of the same Article states, "any person can freely leave the Russian Federation. Citizen of the Russian Federation has the right to freely return to the Russian Federation."

Besides Constitution, Federal laws and Russian immigration legislation includes international agreements on visa-free regimes with various countries.

Federal laws that regulate immigration include:

— Law "On the Right of Citizens of the Russian Federation to the freedom of movement and choice of place of residence within the Russian Federation" dated 25 June 1993 № 5242-I;

— Law "On the Procedure for Exit from the Russian Federation and Entry into the Russian Federation" dated 15 August 1996 № 114-FZ;

— Law "On Citizenship of the Russian Federation" dated 31 May 2002 № 62-FZ;

— Law "On Legal Status of Foreign Citizens in the Russian Federation" dated July 25, 2002 № 115-FZ;

— Law "On migration registration of foreign citizens and stateless persons in the Russian Federation" dated July 18, 2006 № 109-FZ.

On May 7, 2012, President Vladimir Putin signed a Decree "On ensuring inter-ethnic harmony," which instructs the introduction of compulsory exams (Russian language, Russian history and fundamentals of Russian law) for unskilled migrant workers and present normative acts aimed at strengthening administrative and criminal liability for violating the requirements of the Russian migration legislation.

On June 13, 2012, Vladimir Putin approved the Concept of State Migration Policy for the period until 2025.[143] The Concept noted that the most important element of the state migration policy is attracting immigrants to fill the population, labour force, develop innovation potential, and create conditions for immigrants' adaptation and integration. Among other objectives, the concept listed protection of immigrants' rights and freedoms and their social protection.

"Inadmissibility of any form of discrimination" was stated, however, nothing was said about the need to adopt special anti-discrimination legislation. There need to "form intercultural skills among immigrants and the hosting society, combating xenophobia and racial intolerance" was also noted.

In November 2012, the Citizenship Law of the Russian Federation was amended with a requirement to present a Russian-language proficiency certificate when applying for a work permit.

On January 4th, President Vladimir Putin has signed a package of bills aimed improving migration legislation, including strengthening the criminal liability for its violation. Thus, now employers and receive the right to involve and employ foreign workers temporarily residing in Russia, without the need for a special permit. In addition, the specified category of foreign nationals, in turn, can carry be employed without a work permit. It will also be possible to direct and process employment of foreign labour documents in an electronic form (online).

Furthermore, a possibility arises to introduce a 3-year ban to entry into Russia for foreign citizens and individuals without citizenship, who during the period of previous stay did not leave the country within the 30 days given after the end of a period of temporary stay. At the same time, criminal liability is established for foreign citizens or stateless persons, whose entry into the country is prohibited, for crossing the Russian state border. Criminal liability for organising illegal migration was also increased.

A number of measures were introduced to ensure the social and domestic security for migrant workers. Thus, Article 18.9 of the Code of Administrative Offences "Violation of rules of stay in the Russian

Federation by foreign citizens and stateless persons" was supplemented with the standard responsibility for the hosting side failing to take measures for financial, medical and housing help for a visiting foreign citizen or stateless person in the period of his stay in Russia (the penalty for officials ranges from 40 thousand to 50 thousand rubles, for legal entities — from 400 thousand to 500 thousand rubles.). The same liability measures will be applied in the cases of provision of false information by the hosting side about the purpose of stay in Russia of a foreign citizen or stateless person when registering documents to enter the country.

Finally, representatives and workers of large foreign companies (investors in the territory of Russian Federation) will gain the right to receive long-term visas for a term of up to 5 years. The same standard will be applied to organisations involved in "Skolkovo" centre or the international financial centre projects. Visas will be given out based on direct appeals of the authorised by the Government of the Russian Federation federal executive authority without the need for drafting invitations to the FMS of Russia. [144]

On December 28, amendments were introduced into Article 27 of the Federal Law "On the Procedure of Entry into the Russian Federation and Exit from the Russian Federation" and Article 5 of the Federal Law "On the Legal Status of Foreign Nationals in the Russian Federation." According to these changes, immigrant from CIS countries can freely stay in Russia for 90 days, but only once every six months. These persons can return to the Russian Federation after 90 days since their last visit. Stay for a longer period of time will automatically be considered as an offence. [145]

On June 21, it was reported that foreigners-migrant workers from Central Asia will be able to participate in September elections in Tyumen and its Oblast. Migrants are allowed not only to vote, but also forward their candidacies. [146]

- Government's compliance with such legislation (law enforcement practice).

Law enforcement practices with regard to immigration balance between the understanding of economic benefits of immigration and the need to protect immigrants from xenophobic manifestations on the one hand, and the desire to please xenophobic voters on the other.

On April 12, Minister of Labour and Social Security Maksim Topilin stated that wages of migrant workers and Russians should be the same. "We believe, that the value of labour force should be equal for employers, there should be no differentiated approach in this regard," the Minister said. He noted, that currently employers are not contributing to the Social Security Fund or the obligatory medical insurance while

using migrant labour. “This means, that the cost of the labour force is significantly lower for an employer, when using foreign labour. We are currently preparing a package of bills, which will allow us to balance this situation.” [147]

On October 19, Business Ombudsman Boris Titov stated in an interview with Prime agency that immigrants need to be included in the pension scheme. [148] On October 24, he proposed to introduce amnesty for immigrants. According to him, this would legalise up to 40% of immigrants and force companies employing them pay the same taxes as for Russian citizens. [149]

Federal Migration Service was taking measures to streamline immigration. On December 17, head of FMS Konstantin Romodanovsky spoke at the Federation Council, stating that a total of 6 billion rubles of fines have been imposed and more than 60 thousand immigrants have been deported from Russia over the past year. According to Romodanovsky, more than 420 thousand foreign nationals were banned from entry into the Russian Federation, which is six times more than over the same period last year. [150]

As of January 2013, all migrant workers in Moscow are entered into a fingerprint register. 450 thousand fingerprints were registered by the end of the year. [151]

In a number of regions, efforts are made to involve national-cultural autonomies in the immigration issue. However, this could lead to the ghettos that migrantophobes keep talking about.

On the other hand, we observe a reduction in migrant worker quotas and establishment of barriers to their employment in certain industries. On December 24, Dmitry Medvedev signed a Government Decree that prohibited immigrants from trading in Russian markets and pharmacies. Foreign workers are only allowed to work at the counters of stationary shops. [152]

These prohibitive measures result in the growth of illegal immigration, corruption, etc.

- Discriminatory practices against immigrants.

Frequent reports of discrimination against immigrants followed after a large flow of migrant workers began arriving in Russia from the neighbouring countries. Such cases were recorded in the fields of registration, mobility, business, employment, education, housing, healthcare and others. Discrimination against migrant workers, caused by imperfections in immigration legislation and violations of said laws by the employers, as well as migrantophobic sentiments in the society, occurred in various regions and in various contexts.

There were instances when immigrants were subjected to labour exploitation — they were underpaid, or not paid at all. There was also

discrimination in housing, when landlords preferred to let their properties to "Russians" or "Slavs." Immigrants are subjected to increased attention of the law enforcement patrols on the street. Thus, according to a survey by the Institute of Migration and Interethnic Relations, conducted in Uzbekistan among the recently returned migrant workers, respondents have noted serious problems with the law enforcement. 35% complained about unexplained inspections and extortion; 60% of those who work in Russia note that if their rights are violated, they would turn to their friends, 15% — to their fellow countrymen, and only 5% — to the police.[153]

Characteristically, local authorities prefer not to pay attention to these problems, proposing to tighten immigration policy further as a solution. Thus, on July 15, after a massive traffic accident in Moscow caused by an Armenian worker, Mayor Sobyanin spoke with an initiative to deport migrant workers if they violate traffic rules.[154] A campaign of deportations was launched in August, caused by an attack of a market merchant (Russian citizen) on a police officer. Within its framework, a camp was set up in Golyanovo, where several hundreds of people — mostly Vietnamese — were gathered. Human Rights Ombudsman Vladimir Lukin and human rights activists Svetlana Gannushkina and Andrei Babushkin criticised the unsanitary conditions of their detention, stressing that such camp "has no legal status."[155] On August 9, it was reported that the Golyanovo camp will be closed — deportations will begin the following week and others awaiting trial will be given accommodation.[156] A similar camp was set up in Perm. People were forced to live in tents in cold weather.[157]

Attempts to decrease immigration via administrative means was also unsuccessful. For example, it was reported in early August that head of Kronstadt administration T. Meshcheryakov launched a campaign to replace foreign street janitors with native Russians. Press reported that such initiative caused discontent among the locals, because the quality of the work significantly fell.[158] In November, it turned out that the "Kronstadt experiment" failed, because the employment of "Slavs" caused increased fees for residents, which the authorities could not justify for political reasons.[159]

There have been cases of discrimination in the medical establishments. On November 6, doctors of the Vladivostok maternity hospital № 1 refused to treat an Uzbekistani woman, who did not have a passport and a medical policy, or money for paid hospitalisation. Pregnant woman, already having contractions, was thrown on the street, where she had to lie down on the side of the road. Hospital employees observed this from their windows. Ambulance workers, who brought another patient to the hospital, demanded the hospital treats the woman

as well, but doctors refused. Locals were banging on the hospital doors for an hour, but were also unsuccessful. They appealed to the police and the Ministry for Emergency Affairs, also calling NTV journalists. Police officers forced hospital employees to treat the patient. [160]

On November 20, it was reported that the chief doctor of the Vladivostok maternity hospital was given service discrepancy. Prosecution demanded that the chief doctor should identify violations and considered disciplinary action against persons who violated the law. [161] At the same time, on November 26, it was reported that the Uzbekistani woman was also sentenced to a fine and deportation, for illegal stay. [162]

Vladivostok events were perceived by some officials as a call to action. On December 11, head of the Moscow Regional Federal Migration Service Oleg Molodevsky said that FMS plans to employ doctors in identifying illegal immigrants, and deport them to their respective countries before they give birth, to reduce the rate of child abandonment in the region. Over 2.5 years, foreign mothers abandoned 166 children. [163]

- Use of ethnic crime as justification for discrimination against immigrants.

Ethnic crime has been the favourite topic for Russian nationalists and certain media outlets, used to stir up hatred towards immigrants.

This "horror story" remains fairly popular — according to a survey conducted by Superjob.ru, published on September 9, 52% of Russians believe that immigrants increase the crime rate and corruption, "come to violate the law, murder and rob." In 2007, only 34% were of this opinion. [164]

The popularity of this myth is evidenced by the fact that Russian President himself was forced to refute it. Speaking on October 3 at a meeting of the United Russia party, Putin noted that immigrants should not be seen as potential criminals. "There are good people, obedient, and there are criminals; it does not depend on religion or nationality." [165]

Unfortunately, xenophobic statements about immigrants were common among the law enforcement, officials and politicians (see section 2). The Russian Orthodox Church was involved in these as well. Speaking at an international discussion club "Valdai," dedicated to interreligious and interethnic dialogue, head of the Department for External Church Relations (DECR) Metropolitan Hilarion of Volokolamsk said that uncontrolled immigration is one of the biggest challenges to religious peace in Russia, because immigrants (including from Central Asia) often spread extremist ideas. Metropolitan also repeated the xenophobic idea that immigrants supposedly commit 50% of crimes in Moscow. [166]

Candidate for Moscow Mayor A. Navalny from the non-systemic opposition also stated that illegal immigrants commit more than half of crimes.[167] On August 24, it was reported that Navalny was founding his xenophobic statements on the information gathered by his headquarters.[168]

Although, there have been statements refuting this myth. On May 6, head of the Kazan Internal Affairs Valery Krasilnikov stated that in general immigrants commit only 1% of crimes in Tatarstan.[169]

Head of the Russian Federation FMS for Moscow region Oleg Molodievsky stated on June 20, that in Moscow region, immigrants mostly commit violations related to the use of fake documents — migration card, registration documents and work permits, health certificates. Crimes such as robberies constitute about 10% of all migrant crimes.[170] On July 23, head of the Moscow Internal Affairs Anatoly Yakunin stated that city visitors committed about a sixth of all crimes in Moscow; and only 7% of all crimes are committed by the notorious immigrants from other countries.[171]

"Vedomsti" newspaper published articles on July 18 and August 8, where court statistics were used to show that the general crime rate among immigrants is no higher than the "Russian average" and claims of high crime rate among immigrants is manipulation of statistics and mixing data on migrants and natives of the North Caucasus.[172]

On November 28, it was reported that during the 9 months of 2013 immigrants committed 2,431 offenses, which completely destroys the myth about an extremely high crime rate among immigrants.[173]

- Social assistance for immigrants.

The Law "On the Legal Status of Foreign Citizens" regulates the application of medical and social services to foreign nationals during his/her stay on the Russian territory. Under this Law and Paragraph 3 of the "Provision for the guarantee of housing, financial and medical assistance for foreign nationals and stateless persons during the period of their stay in the Russian Federation," the main burden of providing medical and social care for foreign nationals is borne by the receiving party. However if a foreign national concluded an employment or a civil service contract (employment), he/she shall have certain rights and obligations of an employee, including the right to employment and appropriate work conditions, guaranteed payment, complete and reliable information about health and safety, compensation for damage caused in connection with the performance of duties, etc.

Foreign national must have the compulsory health insurance to receive medical care (except for first aid and emergency care, which is provided free of charge).

In 2013, certain measures were taken to improve the adaptation of immigrants in Russia. First of all, this concerns the establishment of adaptation centres (Volgograd, January 25,[174] Moscow — April 26,[175] Tambov and Orenburg — September[176]) and organisation of Russian language and adaptation courses (with ROC's support) (Vladikavkaz, Penza, Pyatigorsk, Krasnodar, Rostov-on-Don, Stavropol, Tomsk, Ulyanovsk, Khabarovsk, Yuzhno-Sakhalinsk[177]).

On January 5, it was reported that a newspaper aimed at immigrants was launched in Ryazan, called "Migrant." The newspaper is published by inter-regional association "We are diverse and we are together." Publishers hope that "Migrant" will help adapt migrant workers, create harmony in interreligious organisations and prevent violations in the field of migration.[178]

On February 8, a consultancy for migrant workers in St. Petersburg — "St. Petersburg House of Nationalities" was established, aimed at visitors from other Russian regions and foreign nationals. House of Nationalities will provide reliable information — addresses and phone numbers of government authorities and NGOs working in the sphere of national and immigration policy. The consultancy will also advise on issues related to work migration.[179]

On February 19, it was reported, that employees of the Sochi reception network "Migration and right" have released a brochure "Memo for foreign citizens arriving in Russia for employment without a visa." According to its authors, the new brochure will help migrant workers adapt to Russian laws.[180]

On April 17, Deputy Mayor of Moscow on Social Development Leonid Pechatnikov stated, that the Voluntary Social Insurance Fund for immigrants would be launched in 2014. According to him, it is expected that employers will transfer around 2 billion roubles to the fund. "We will create a separate account; its finances will be directed to compensating the expenses of Moscow's budget on immigrants' healthcare and their education."[181]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

Anti-immigrant sentiments in Russia remained at a high level in 2013 (particularly in large cities, such as St. Petersburg and Moscow). The number of people who support violence as a solution to immigration problem also grew.

According to a survey conducted by Levada Centre, published on July 3, only 41% of Russians agree to different extents that work of immigrants benefit the society. 51% disagreed with this statement. 69% agreed that there is too high a presence of immigrants in the area. 57% agreed with an assumption that their friends and relatives are pre-

pared to do the jobs currently performed by immigrants. When asked about granting residence permit to immigrants who served in the army, 35% agreed and 54% disagreed. 37% were in favour of granting residence permits for children of immigrants who graduated from Russian schools, 50% were against. 73% supported the idea of introducing a Russian language exam for immigrants, while 84% spoke in favour of a tight visa regime with Central Asia and North Caucasus. 65% were in favour of restricting people from other regions (implying North Caucasus) to visit, live or work in their region. (Since September 2012, this figure grew by 8%)

At the same time, judging by opinion polls, the general public has formed an extremely negative image of immigrants. Answering a question about the qualities inherent to migrants, respondents identified lack of knowledge of the Russian language (53%), little/no qualifications (42%), an unkempt, repulsive appearance (35%), imposition and demonstration of their culture and customs (28%), bad manners, indelicacy (19%). No more than 5% of respondents identified positive qualities of immigrants. The only exception was the mention of their high working capacity and responsibility at low wages — 27% of respondents. [182]

According to Russian Public Opinion Research Centre, Russians still see immigration as a negative: increased crime rate (65% believe that immigrants exacerbate this problem), high labour competition (56%). Presence of foreign immigrants in majority of industries is seen as a negative as well. Respondents are most critical of immigrants working in local authorities and governments (86%), law enforcement (84%), education (81%), medical services (76%). The same can be said about immigrants in the food industry (70%), public transport (68%) and retail (53%). Respondents are more approving of immigrants in utilities sector, services sector (47%) and construction (46%).

According to the survey conducted by Suberjob.ru and published on September 9, six years ago immigration was considered beneficial to the Russian economy by 17%, currently — almost three times less (6%). The number of Russians accusing immigrants of competing on the labour market and "taking" jobs of the locals has increased from 29% to 36%, while the number of people who consider immigration as a source for new ideas and cultural development has decreased from 15% to 6%. Previously one in ten people hoped that immigrants would help solve demographic problems, however only 4% of respondents are currently of the same opinion. Furthermore, previously almost half of Russians (49%) trusted that immigrants would make up for labour deficits in unskilled and low-paid jobs, now only 28% believe so.

Understanding this trend, politicians exploited the topic of "immigrant overpopulation" during their election campaigns, thus only ag-

gravating anti-immigrant sentiments. As mentioned before, media did not help the situation.

According to a survey conducted by the "Politech" Social Technologies Agency, commissioned by the Public Chamber of the Russian Federation (December 10), almost 60% of Moscow and St. Petersburg residents supported mass actions against immigrants that took place in Biryulevo. 24% of Moscow residents and 15% of St. Petersburg residents expressed their readiness to join the new actions against foreigners. At the same time, almost half of respondents were not concerned with the fact that nationalists were involved in Biryulevo pogroms. 42% and 40% of Moscow and St. Petersburg residents respectively were opposed to these actions (only 20% among the youth).

Nationalist social activists' inspections of immigrant hostels to identify illegal migrants were supported by more than half of Moscow and St. Petersburg residents. Slightly less support was given to the so-called "Russian cleanses," which were carried out by nationalist movements in St. Petersburg — 48% and 49% in Moscow and St. Petersburg respectively. (85% among the youth).[183]

Migrantophobia is reflected in a high level of general xenophobia in Russia.

On March 21, it became known, that according to the opinion poll, conducted by the World Economic Forum in 2011–2012, Russia took the third place in the list of countries population of which is unfriendly towards foreigners. Worse attitude was demonstrated only by the population of Bolivia and Venezuela.[184]

Levada Centre survey of November 5 identified a list of nationalities towards whom Russian population has the worst attitude. Most Russians would want to limit the number of Caucasians — 54% (which is a high growth compared to 2009–2012, where these figures were 38–42%). The second place was shared by Chinese and Central Asians — 45% (compared to 37% and 35% respectively in 2012). They were followed by Roma and Vietnamese (32%). 8% would want to limit the number of Jews (such figure remained constant since 2009) and 5% would want to introduce strict residence requirements for Ukrainians.

14% of respondents believed that the number of non-Russians living in Russia should be limited, and only 11% argued that no restrictions should be imposed at all (over the past 11 years, this indicator had decreased from 21%).[185]

Hysteria around Biryulevo (see below) caused increased support of the idea "Russia for Russians." 23% believed that this slogan should have been implemented a long time ago, and 43% believed that this should be done "to a reasonable extent." Only 19% of respondets were critical of this idea (lowest figure since 2002). 71% of respondents expressed support for the slogan "Stop feeding the Caucasus."[186] Xeno-

phobic sentiments are most widespread among residents of Moscow and St. Petersburg.

These sentiments are also reflected in attitudes towards nationalist parties. Although, it must be noted that only 10% consider themselves nationalist.[187] On the other hand, 51% of Russian youth are neutral towards nationalism, 46% of respondents (55% in Moscow) would elect head of region by his/her ethnicity. 6% would vote for a Russian nationalist party; however, 44% would elect a party that would defend the interests of people of a particular nationality — 46% Russian (in metropolitan areas — 49%), 42% titular nationalities in Siberian republics, 39% — North Caucasus, 35% — Volga. 53% of Russians would vote for an Orthodox party and around 45% of Orthodox peoples of Povolozhye and Siberia. 1.1% would elect an Islamic party and 44%-49% in republics with widespread Islam, (Chechnya and Ingushetia — 68%).[188]

Other figures indicate that a significant part of the population, though not considering themselves nationalist, share some of their moderate-nationalist views — not related to direct confrontation with other nations. Majority of these people live in large cities, where they most often encounter immigrants.

However, there is still a significant number of those who does not support nationalists. A survey conducted in relations to the "Russian March" and published on November 12, indicated that 38% of Russians do not support such events, but consider them acceptable (these are usually residence of million-population cities and small towns — 43% and 44% respectively). 29% of respondents are critical of the Russian March (these are mostly residence of medium-sized cities and villages — 35% and 36%). Only 13% of people would take part in such action in their home town. The main argument of those who support such actions is the need to express their opinion (41%) and negative attitude towards the large number of immigrants (38%).[189]

Surveys conducted in 2013 showed that support of nationalist slogans had steadily decreased, though it still remains at a high level. "Politech" agency and Institute of Ethnology and Anthropology of the Russian Academy of Sciences published a survey on September 19, which indicated that 37% of Russians believe they are in a diminished position. In large cities (Moscow and Moscow Oblast, St. Petersburg and Leningrad Oblast) this figure is 46%. In North Caucasus this figure is 42%, in Siberia and Povolozhye — 30%.

However, the idea to grant ethnic Russians a special status was supported by just 29% (including 33% in capital regions, 29% in provinces, 25% — in Siberian republics, 22% — in North Caucasus and 17% in Povolozhye).[190]

These figures indicate that despite large support for nationalist views, they do not constitute a majority in the Russian society.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
–/×	Social assistance for immigrants	2.5	2.5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	–2.5	–2.5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

The media continues to be the main source of calls for interethnic and interreligious enmity in Russia. A significant role is played by Russian internet, filled with xenophobia and calls for violence.

Most popular extreme right websites are "Right News," "Right News Agency," "Russian Information Agency," "Russian Observer," "Russian Platform," "Russian Imperial Movement," "National Resistance," "Velesova Sloboda," "RAC Forum" and rusnat.org. In 2013, website "Sputnik and Pogrom" significantly grew in popularity, founded by nationalist E. Prosvirin.

Some topics penetrate into mainstream media. In 2013, most popular topics in mass media were anti-immigration, anti-Caucasus (including Islamophobia), anti-Semitism and homophobia.

When it comes to *migrantophobia*, the following myths were most popular in the Russian media: immigrants' inability to adapt, export of their money abroad, labour competition with the core population, "tolerance threshold" after which the adaptation of immigrants would be impossible and, of course, the supposed high crime rate among immigrants.

Anti-Caucasian sentiments were mostly focused in two topics — "Caucasian crime" and "Caucasian parasitism" (refers to grants re-

ceived by the North Caucasian republics). Islamophobia, in turn, focuses on equating all Muslims to radical Islamists.

For example, even ROC's webpages published the words of Patriarch of Moscow and All Russia Kirill, who stated on December 20th, that there are "tens of thousands" radical Islamists among the Moscow Muslims and accused them of provoking interethnic conflicts in order to "increase Islamophobia and thus attract more members in their organisation." At the same time, the hysteria around the construction of mosques, in Patriarch's opinion, is caused by the fear of radical Islamist recruiters operating in their vicinity. [191]

Anti-Semitism in the Russian media is usually served up in a conspiratorial way. Jews are blamed for 1917 and 1991 revolutions, the "Russian Holocaust" (thus nationalists call the repressions of the Soviet regime) and statements that Jews controlled Russia in the 1990s (or even currently). [192]

Homophobia usually exploits fear of paedophilia, which is equated to any kind of homosexuality. The aforementioned amendments to the Code of Administrative Offences that deal with propaganda of homosexuality among minors are often misused. Media in 2013 was actively broadcasting any NGOs, government or religious activists protesting against homosexuality. The loudest in this regard were religious activists of Tatarstan, who urged not to visit Elton John's concert because he is homosexual, [193] as well as certain NGOs advocating for the return of a "Sodomy Article" in the Criminal Code [194] and homophobic remarks of certain media personalities.

For example, on December 8, a popular actor and Orthodox activist Ivan Okhlobystin met with his fans in Novosibirsk. When he was asked about his attitude towards homosexuals and their parades, Okhlobystin replied that he would burn them alive in ovens and deprive of voters' rights. [195] A month later, January 2014, he addressed a letter to President Putin, where he proposed to introduce the old Soviet "Sodomy Article" to the Criminal Code. Consequently, he was forced to resign from an IT company Euroset, where he worked as a Creative Director, in the face of a possible boycott from the company's Western partners, such as Apple.

In 2013, there were unusual cases of incitement of hatred. For example, on December 11, head of the Missionary Department of the Tomsk diocese of the Russian Orthodox Church, Maxim Stepanenko published an article online, where he proposed to "revive" the word "w***e," and thus officially call women raising children outside marriage. According to Stepanenko, this word can also be used to describe those who are in a civil union, and boys raised by single mothers have a tendency towards homosexuality. [196] Priest's demarche was condemned by the Russian Orthodox Church.

To an audience that does not use Internet and mass media, these calls are realised in the form of graffiti or slogans at public actions.

On the night of January 30–31, leaflets saying, "No to Islamisation of Ryazan" and "Get out from our land" were posted near a Muslim house of prayer in Shlakovy (Ryazan Oblast).[197]

On April 3, inscriptions "Fornication = sin," "Gelman, we will come," "Gelman, you're dead" appeared on the wall of "Tkachi" centre in St. Petersburg, where an exhibition "Icons" was held — curated by M. Gelman. The threats were signed "Cossacks."[198] On October 20, nationalists organised a rally in St. Petersburg, chanting "Down, Down, Down with the Jewish sytem," "Down with the black."[199] On October 10, unknown vandals drew a swastika on the Jewish Cultural centre in Syktyvkar and wrote, "Death to Jews."[200]

Deputy of the Pskov Legislative Assembly from LDPR spoke on the "Russian March" on November 4. Deputy Biktashev attacked Yabloko Party with anti-Semitic rhetoric, "I'd like to say to Yabloko party — do you want the same events here as in your historical homeland? Where on the one side you have the Hezbollah, and the other Palestine Liberation Organisation. Yabloko party, do you want this?! I cannot understand this. It was the Russians, whom you, Yabloko party, call fascists, who saved you from Auschwitz furnaces. You will never get what you want to achieve!"[201]

There were also direct calls to national uprising. Speaking at a second session of the Philosophical and Humanitarian Provincial Club "Saratov-Russia 21st Century," Ataman of the Saratov Astrakhan Cossack troops Aleksandr Revin stated that national revolution in Russia is a possibility. "Revolution is encouraged by the incompetent national policy, which prompts national minorities to be increasingly aggressive," he stated. Foreman of the Astrakhan Cossack troops Chesnokov stated that the 90s experience "encourages us to engage in self-efficacy (teach the youth to march, dig, shoot) and group along ethnic lines."[202]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Xenophobic literature is regularly published in Russia (most of all — anti-Semitic*). There are several publishers who make these books part of their business plan. The largest of these is "Algorithm" publishing house, followed by "Russian Truth," "Institute of Russian Civilisation" (mainly engaged in reprinting early 20th century works), "Book World" and "Mitrakov." The latter is specialised in publishing anti-Semitic works of the self-proclaimed "academic" Levashov.

One of such books, anti-Semitic opus of an Orthodox historian Yuri Mikhailov called "The Moral Image of History," was purchased by St.

Petersburg administration. On February 14, Governor of St. Petersburg Georgy Poldavchenko speaking to deputies of the city Legislative Assembly stated, that purchase of xenophobic literature by city administration was caused by the request of various religious and social organisations to transfer them copies of said book. [203]

"Algorithm" caused a huge scandal when it published a book by Joseph Goebbels — Hitler's closest ally and chief propagandist — "Michael: A German Fate Through the Pages of a Diary." [204] The book was immediately entered into the federal list of extremist materials.

The most comprehensive set of xenophobic literature could be found at book fairs in the All-Russian Exhibition Centre in March and April 2013, where all five aforementioned publishers were present. Among numerous books, were "The Fundamentals of Scientific Anti-Semitism" by S. Balandinym, "Near is at the Doors" by S. Nilus (republished in 2013), "Protocols of the Elders of Zion," "The Priests and Victims of the Holocaust" by S. Kunyaev, Yu. Graf's "On the Eve of a Global Catastrophe" and others. [205]

This literature is also sold in respectable bookstores. On January 21, it was reported that online bookstore OZON.ru sells a book by an anti-Semite A. Nechvolodov — "Emperor Nicholas II and Jews." It was placed in the "ethnography, ethnology, anthropology" section and has a rather benevolent annotation. [206]

In October, A. Bormatov's feature film "Near-Football" was released, aestheticizing xenophobic violence and presenting extreme right football fans as heroes. [207]

Russia has a number of extreme right musical bands. Most popular among them is a band called "Kolovrat." Their concerts are usually semi-underground. The only exception is the "Russian March" in Moscow, which is held annually in various cities on November 4th — the National Unity Day.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

One of the largest Russian parliamentary parties that actively uses xenophobia as an integral part of its ideology is LDPR, led by Vladimir Zhirinovsky (most serious political actors used xenophobia and migrantophobia in their propaganda, including the liberal Yabloko Party). Although, since LDPR is a "one-man party," most xenophobic rhetoric is also related to Zhirinovsky's statements.

Among the officially registered nationalist parties, there is the "Russian All-National Union," "Great Fatherland" party (anti-West Stalinists) and V. Milov's Democratic Choice party, which combines liberal values with nationalism.

Majority of radical nationalist parties established in 2012, could not pass registration despite the liberalisation of political party rules, though some parties deliberately avoided it.

One of the largest Russian nationalist organisations is the Ethno-Political Association "Russians," established from the banned Movement Against Illegal Immigration and the Slavic Union. Founders of "Russians" tried to register a Party of Nationalists in 2012, however for various reasons this project was not completed and the two brands exist in parallel. New Force party also remains unregistered (founded by MGIMO Professor V. Solovyov), along with the National Democratic Party (K. Krylov and V. Kralin), National Socialist Initiative (based in St. Petersburg and headed by D. Bobrov), "Restrukt" movement (M. Martsinkevich, recently arrested for inciting ethnic hatred), Black Hundred group (A. Shtilmark), "Union of Russian Nation" (A. Turik).

Besides these organisations (mostly based in Moscow and St. Petersburg), there are many smaller groups, largely represented on the Internet — some with loud brands, such as the Russian National Union (RNE), which is a neo-Nazi organisation that was popular in mid-90s.

Of the regional organisations, Northern Frontier (Republic of Komi) is most noteworthy.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

Russian National Union, declares its opposition to the rights and freedoms "that are contrary to our moral values, embodied in the Russian Orthodox tradition" — referring to LGBT rights and other "mockery of Russian sanctities and insults to religious feelings of our people." The

Union advocates for privileges for the Russian Orthodox Church, while considering atheism as "propaganda for abandoning your traditions." The main social function of women, according to the Russian National Union, is childbirth. In terms of domestic policy, RNU demands elimination of national republics.[208]

Democratic Choice prioritises migrantophobia. "Open Doors for immigrants from Central Asia and Caucasus do not solve labour deficits, but cause dumping on the unskilled labour market, poverty and crime. Open borders with our southern neighbours is the main barrier for a visa-free regime between Russia and the European Union," party's programme states — advocating for introducing a visa regime with Caucasus and Central Asia.[209] The party also supports restriction of immigration of Russian citizens from North Caucasus, "forgetting" that they have the full right to free movement within Russian Federation.[210]

Programme of the "Russians" movement proposed to check everyone who stayed after the USSR collapse for their legal status, and grant citizenship to the children of mixed marriages and foreign nationals, only via a special commission. They also propose to introduce a property and age limit for marriages between Russian citizens and foreign nationals, and confiscate "property illegally obtained by immigrants," introduce official segregation of immigrants, and introduce foreign nationality as an aggravating circumstance in a crime. "Russians" movement also proposed to make illegal immigration a criminal, rather than administrative, offence and set up a punishment of 10 years of compulsory labour.[211]

The programme of this movement contains a racist definition of a Russian — "Russian is a person, at least one parent of whom is an ethnic Russian and a second parent — belongs to a European nation, but is perceived by others and considers himself as Russian. Children of mixed marriages with non-European elements can be considered Russians under a defined quota and after a positive assessment of a special commission." To provide for "national justice," it was proposed to introduce a national-proportional representation at all levels of the government.[212] In areas where Muslims are a religious minority, it was proposed to introduce a monatorium on the construction of new minarets and mosques.[213] Political Council of the "Russians" Movement adopted a statement on August 11, where Russia was equated to Khazaria (according to nationalist mythology, Khazaria was ruled by Jews, who oppressed all other peoples).[214]

The National Democratic Party proposes a "zero-tolerance policy towards the natives from problematic territories in terms of crime rate" — i.e. immigrants from Caucasus and Central Asia — thus introducing a presumption of guilt. They also advocated for lower subsidies

to the republics of North Caucasus and bringing back the Stavropol Region and the Southern Federal District. A notable place in NDP's programme is given to migrantophobia. The party proposes to introduce a special tax for employing immigrants, which changes depending on the industry and immigrant's qualifications. Support for national cultures NDP intends to link with the amount of tax on personal income paid by members of this nation and who clearly indicate their wish to support their respective languages. Thus, members of poor nations will be in diminished positions.[215]

"New Force" also proposes combating "excess and uncontrolled labour immigration from the CIS" as a measure to tackle unemployment in Russia. "New Force" proposes a visa regime with the "drug-producing and drug-trafficking states" (apparently referring to Caucasus and Central Asia) and restricting the money transfers abroad. They also plan to check all people who became Russian citizens since 2000.[216]

National Socialist Initiative, in its "Racial Doctrine," posits the inequality of races, assigning the white race a "special creative spirit," which others are deprived of. "Racial idea is a supreme idea of the National Socialism," their doctrine states.[217]

"The Black Hundred" ("Chernaya Sotnya"), advocates for "introducing articles to the Criminal Code that prescribe severe punishment for homosexuality," as well as for "membership in masonic lodges, secret and satanic societies," desecration of national and religious values and restricting the non-traditional religious organisations.[218]

Several statements of nationalist leaders are given below (Vladimir Zhirinovsky's statements were mentioned above).

Leader of the "Russians" Movement, V. Kralin, stated on July 11th that "under the right and completely legal work of police, investigation and prosecution would take just a week to uncover that there is no Chechen family that has not been involved in a crime at some point." According to him, the Caucasians should "repent, bow and thank."[219]

In an interview with "Snob" magazine, another leader of "Russians" A. Potkin stated that to improve interethnic relations, "We need to make sure that not too many uncontrolled and useless immigrants come to the regions and irritate local residents. In some republics, Russians are second-class citizens and are forced to leave, leaving corrupt clan-based structures in power, which prevent development of the regions and crowd out the active youth to Russian Oblasts."[220]

NDP published a statement supporting "Biryulevo demands" — to introduce a visa regime with the Caucasus and Central Asia.[221] On October 14, "Russians" and members of NDP held a roundtable dedicated to Biryulevo events. They talked about the supposed "overpopulation of immigrants" in the district and authorities that supposedly protected

native Russians. Leader of the unregistered party K. Krylov demagogically called Biryulevo pogroms an "anti-criminal civil action."[222]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

The cooperation between Russian nationalists and liberals continued in 2013, as part of the non-systemic opposition. An example of this cooperation was Aleksei Navalny's xenophobic rhetoric, who is kept by liberals as a possible "counterweight" to Vladimir Putin.

Leader of the non-systemic liberal opposition Boris Nemtsov described this situation on July 22, in his blog post on "Echo of Moscow." Under the title, "About Navalny without reflection," Nemtsov admitted that Navalny "was drifting towards the nationalists." Nemtsov continued, "He does not have to please everyone, but we don't have another instrument to unwrap the country from its criminal existence." He reassured his comrades, "If he changes his channel — we'll find another 'Navalny'."[223] The same was said by a human rights activist S. Davidis, democratic activist T. Eidelman and satiric V. Shenderovich.

Nationalists used Navalny as a battering ram. On June 12, nationalist N. Holmogorova wrote about him in her blog, "The fact that moderate nationalism changed from a media scarecrow into a virtual mainstream is much to his credit. Just for that, nationalists have reason to have a good attitude towards him."[224] In August, Navalny was supported by leaders of nationalist organisations A. Potkin (Belov) and V. Kralin (Tor), who stated, "He is helping us to bring Russian nationalist from the marginal field, making it acceptable and attractive to the majority of Russian citizens.[225]

Radical nationalists supported Navalny during his Moscow Mayoral campaign. On June 29, the website of EPO "Russians" published an article calling upon nationalists to work in Navalny's headquarters, as a candidate for Mayor of Moscow. "The more adequate nationalists, ready to work and ready to make sure that this candidate wins the elections, surround Navalny, the less opponents of Russian people will there be, whichever ideology they may be."[226]

On July 18, NDP issued a statement, supporting Navalny as an ally. According to them, Navalny's programme "corresponds to the current tasks of the Russian National Democratic Movement."[227]

Meanwhile, Navalny's xenophobic (particularly migrantophobic) rhetoric found its audience among the liberals. Soon, this rhetoric was adopted by several liberal leaders — B. Nemtsov and E. Albats.

Nationalists actively used their involvement in the Coordinating Council of the Opposition (CSO) to legitimise and glamorise their ideology. With Navalny's support, a number of openly xenophobic docu-

ments were adopted. On January 20, the Constitutional Court, by nationalists' submission, adopted a draft resolution in defence of a nationalist M. Kalinichenko, recognising him a political prisoner, and a draft resolution on political prisoners which demanded the repeal of paragraphs 282, 282.1, 282.2 and 280 of the Criminal Code (incitement of ethnic, religious hatred and extremism) and the law on liability for the demonstration of symbols of extremist organisations. Moreover, it proposed to recognise as a political prisoner "any prisoner in whose case there was a political or religious component, which was expressed in the motivation of prisoner's actions, actions themselves, or the reasons that prompted the Russian authorities to send him to prison or apply the compulsory medical treatment." Obviously basing on the information of nationalist, the Court estimated the number of "victims of political repression" in 2–2.5 thousand.[228]

On February 10, Coordination Council of the Opposition (CCO) adopted a statement that demanded the introduction of the visa regime with the countries of Central Asia. The statement claimed that migrant workers are not integrating into Russian society and migrants themselves are allegedly undermining the labour market and become adherents of radical Islam. It was also claimed, that the migration from Central Asia is the main reason why the EU does not introduce a visa-free regime with Russia. Besides the Curia of nationalists, in favour of this openly xenophobic resolution voted the Liberals G. Alburov, V. Ashurkov, D. Gudkov, A. Dolgih, A. Illarionov, V. Kara-Mirza, G. Kasparov, A. Navalny, V. Naganov, B. Nemtsov, A. Piontkovsky, L. Sobol, E. Chirikova, I. Yashin, and "leftists" A. Nikolayev, A. Palchaev and A. Pivovarov.[229]

A statement of the Coordinating Council of Opposition, adopted on February 16, stated demands that were clearly pushed through by the nationalists — release of "political prisoners," "abolition of political investigations system" (referring to Centres for countering extremism).[230]

In general, CSO was rapidly drifting towards nationalism and liberal leaders were prepared to sacrifice their principles "for the sake of unity." N. Holmogorova, on February 15, triumphantly wrote that nationalists are "playing a concertmaster in the CC, if only because they are working more actively than anyone else," and CC itself, "slowly, awkwardly, laboriously, but is still accepting a fairly nationalist agenda and direction."[231]

Termination of this body in autumn 2013 put an end to this process. Despite the fact that nationalists were also burdened by this cooperation (as V. Kralin wrote in his blog on May 5, "Tomorrow on Bolotnaya Square... Well, without Shenderovich — who else would represent the general majority... It seems that going to the rally I will have to overcome gag reflexes and plug my ears. They make me sick — and being

under Putin is unbearable. We have to go — it's sickening, but we must"[232]), they preferred to work together, understanding that liberals play the role of a "cover" in the non-systemic opposition, and therefore they must be kept on board. One of the "Russians" movement leaders, V. Potkin, wrote, "Otherwise, at the first opportunity, we, nationalists, and leftists — would be simply shot and thrown into a ditch, under the applause of the 'world community'. Just like in 1993."[233]

This drift confused some liberals and human rights activists. E. Ikhlov wrote on February 14, "The Coordinating Council of the Opposition showed itself as essentially a Russian nationalist movement."[234]

Individual activists of the liberal movement expressed strong protest against "flirting with nationalists." On June 27, at the meeting of RPR-Parnas, which was supposed to nominate Navalny as a candidate for Mayor of Moscow, co-chairman of the party Vladimir Ryzhkov spoke strongly against this candidacy, stating that, as a liberal, he cannot support a person sympathising with Russian nationalism.[235] Nevertheless, colleagues did not listen to their leader and Navalny was put forward as a candidate from this party. On June 29, deputy of the Legislative Assembly of St. Petersburg B. Vishnevsky wrote on his Facebook page, demanding the Coordinating Council to exclude the radical nationalist N. Bondarik from its ranks. "This fascist — is one of the members of your "Council." You are sitting with him at the same table. You consider himself an equal. You are silent, when he talks like a fascist, acts as a fascist. And don't tell me that, well, he was elected — you yourselves have set up the "nationalist quota" in your "Council." I appeal to those of you whom I respect. There are such people. Either expel this fascist from your ranks — or leave yourselves. Otherwise, I will have the full right to call you his associates. And that's not just me."[236]

On August 24, democratic activist K. Borovoi wrote on "Echo of Moscow" that the only thing that Navalny did is "make fascist participation in the elections acceptable. And naturally, or rather — unnaturally, the fascist received support of democratic party leaders."[237]

Co-chair of RPR-Parnas party V. Ryzhkov gave an interview to *charter97.org*, where he described Navalny. "Officially, he talks about migrants and visas, but thugs hear a different tune. He tells them one thing, they hear another — that immigrants are bad and should be beaten. The danger of this immigrant rhetoric is that there is a switch. That is, you tell them "A", and they say "B" for you. You say that illegal immigration needs to be stopped, but they say that we shouldn't wait for visas — they should be beaten right now." He noted that Navalny had essentially violated the agreement concluded with RPR-Parnas about his candidacy from this party, when he made migrantophobia a large part of his campaign.[238]

However, disappointment in Navalny soon followed after his appeal to go on a "Russian March." He himself decided not to go, stating that he is afraid of being photographed against the planted "Nazi-saluting school-kids" and the use of these materials by the state propaganda.[239] Writer Boris Akunin stated that he is disappointed in his former ally, because he is still ill with "nationalist nonsense." Deputy Chief Editor of *MK* Aider Mudzhabaev called Navalny's statement a "quick political death."

On the other hand, Alexei Navalny was supported by journalist E. Albats, who stated that people who go on "Russian Marches" — "they are our citizens, and it's necessary to learn to talk and convince these activists, rather than discuss "high things." Navalny, as a politician, is prepared to work with a crowd of desperate participants of the Russian March."[240]

To expand their audience, nationalist took part in liberal protest actions, thus conquering yet another opposition platform. They participated in various actions (ecological, sports, protests against infill development, rallies supporting education and science, and small-medium enterprise). In some cases, they managed to turn these actions into their own.[241]

Members of the "Russians" movement took part in an oppositional "March against executioners" on June 12. They distributed 3,000 leaflets and raised 12,700 rubles in donations for "political prisoners."[242] According to a survey by Levada Centre, nationalists made up for about 8% of the march participants.[243]

Nevertheless, the growth of nationalist influence in the civil society did not convert into votes. Regional elections on September 8, showed that parties supporting nationalism gathered negligible votes and did not pass their candidates. The only exception was the "Homeland" (Rodina) party, which received 6.18% votes in Arkhangelsk Oblast.[244] In other cases, nationalists were supported by just 1–2%.

However, in Moscow Alexei Navalny (actively using migrantophobic rhetoric) managed to achieve 27% of votes in Mayoral elections, which indicates high support for xenophobic slogans in large cities — the capital most of all. Although, some argue that Navalny actually repulsed many voters with his xenophobia.

As was already mentioned in Section 6, xenophobic sentiments are fairly strong in the Russian society, but openly nationalist parties are not popular thus far and do not receive a large amount of voter support. In all likelihood, the main cause here is radicalism of the former and the latter's understanding of the dangers of nationalist forces' accession to power in a multi-ethnic country. The government was also extremely active in promoting interethnic peace and harmony. Therefore, the influence of nationalist forces on the civil society can be considered limited as of 2013.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Nationalists are present in some local legislative bodies, but they are few in numbers and do not have any real influence.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Given the popularity of migrantophobia and homophobia among some parts of the society, nationalist rhetoric is adopted by several members of parliamentary parties, senior officials and so on.

However, events in 2013 were limited by rhetoric alone.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–2.5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–2.5	0
	Total for the section 8	–17.5	–12.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

Unlike previous year, 2013 had a number of unsanctioned nationalist actions, majority of which culminated in clashes with the police. On January 26, nationalists from the party "New Force" attempted to hold a rally in Nevinnomyssk under the slogans of separation of Stavropol Territory from the North Caucasus and a tightening of migration into the

region from the Caucasus republics. However, police stopped the rally before it began, detaining 87 people, including eight Ukrainian nationalists. In addition, police warned local school and university students about the undesirability of attending the rally, while universities warned their students about possible fines and expulsions.[245]

Organisation "Russian patriotic club" attempted to hold a rally against the construction of the mosque in Novokuznetsk (Kemerovo Oblast on March 3 and 17), under Islamophobic slogans. Both attempts were firmly thwarted by police. After the first rally, head of the club A. Bychev promised to make every effort to ensure that his organisation becomes "an unsurmountable barrier for the construction of mosques."[246] According to press reports, the first rally gathered 100 people, however the second attempt was much less numerous. Nationalists chanted "Russia for Russians," "Down with mosques" and "Glory to Russia" and inquired police officers about their ethnicity and opinion on mosques.[247]

On April 13, OMON (riot police) dispersed unauthorised nationalist rallies under the programme "Day of Russian Wrath," which was aimed against "ethnic crime" in Moscow and Rostov-on-Don.[248]

On August 9, an unsanctioned "people's gathering against ethnic crime" was held in St. Petersburg, which gathered 200 people. The "gathering" was dispersed by the police.[249]

On August 27, it was reported that two young men deployed a swastika flag in Anadyr (Chukotka).[250]

On September 1, another unsanctioned gathering was held in St. Petersburg, demanding "immediate deportation of all illegals from St. Petersburg."[251]

On October 15, nationalists tried to hold an unauthorised action in southern Moscow, called "Our response to Kurban-Bayram." However, it did not enjoy great popularity. The procession itself gathered 200 people, but was soon dispersed by the police. Members of the action were shattering vehicle windows at a subway station and chanted, "One for all and all for one" and "Russians — go." Around a dozen nationalists then gathered at a local council, where they continued chanting migrantophobic slogans. Police arrested 276 people near the subway, 30% of whom were minors.[252]

On October 20, around 100 nationalists staged a march in St. Petersburg — starting in Marsovo Pole (St. Petersburg's "Hyde Park") and heading towards Apraksin Yard market and threw rocks and smoke bombs. Police intervened and detained 90 people.[253] The March was preceded by a rally, where the activists stood under yellow-white Russian nationalist flags and chanted, "Down-down-down with the Jewish regime," "Glory to the Slav nation," "Russia without Putin," "Down with the blacks."[254]

Several unauthorised processions (in Vladimir, Kemerovo, Krasnodar, Novokuznetsk Novorossiysk, Pyatigorsk, Rosmtove-on-Don, Smolensk, Taganrog, Chita, Yuzhno-Sakhalinsk) were held on November 4, as part of the "Russian Marches" that were prohibited in some cities. In Vladimir, Kemerovo, Novokuznetsk and Novorossiysk processions were dispersed by police and marchers — arrested.

On December 30, nationalists tried to hold a "people's gathering" in Volgograd, to exploit the recent terrorist attacks in order to strengthen their positions. However, the gathering was dispersed by police and several dozen people were arrested.[255]

Similar actions were also held by radical Islamists. On April 28, a convoy of vehicles with Islamic symbols of Hizb-ut-Tahrir were stopped in Kizlyar's checkpoint. Drivers refused to hide the flags and present documents and tried to resist the law enforcement. As a result, the whole motorcade of 25 people were taken to a police department.[256]

In general, these were small actions of a few dozen, sometimes 100–200, people that did not have an impact on the overall atmosphere in the country.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

The most ambitions both in scope and in number of participants were events included in the nationalist calendar, such as the "Russian march" on November 4, "Russian May Day" and "Day of Heroes" in late February — early March.

On March 2–3, nationalists held rallies and pickets dedicated to the so-called Day of Heroes. Officially, it was dedicated to the memory of Pskov paratroopers, who died in 2000 fighting Chechen Islamists, however, in reality, it turned into actions demanding the release of the convicted on charges of plotting a military coup — colonels Kvachkov and Khabarov — as well as other "political prisoners." On March 2, a traditional flower-laying ceremony was held at the monument to Pskov paratroopers in Moscow. Participants of the ceremony then joined the rally in support of Kvachkov and Khabarov, which was held under the slogans, "Kvachkov freedom! Khabarov freedom! Freedom for all political prisoners and prisoners of war!" The action gathered around 200 people — members of the "Russians" movement and the NDP.[257] Similar actions were held in 25 cities.

On May 1, nationalists held their "Russian May Day" events — attempting to win over this popular holiday. The largest demonstration (estimates vary from 500 to 2,000 participants) was held in Moscow and organised by the Ethno-Political Organisation "Russians" (other nationalist organisations were involved as well, including Union of Orthodox Banner Bearers, Party of Nationalists, "Restrukt" movement and

Russian Moore movement). Demonstrators held banners, reading, "Moscow — Russian City," "Sport, Nation, Socialism" and chanted, "Peace, Labour, May! Gastarbeiter — go away!" "Russians get Russian Moscow, cancel two-eight-two!", "National Socialism — is order," and others.

The procession culminated in a rally, where A. Potkin, D. Demushkin and Roman Zheleznov (Zukhel) gave speeches. Later, activists organised a concert of extreme right musical bands (Yulia Andreeva, Rune Whispers and Kolovrat).

Members of the Russian Coalition held imperial flags and portraits of Nikolas II and banners "Russian Order on the Russian Land," "Who does not smoke and drink — breathes steadily and hits hard," "Freedom to political prisoners" and chanted "Freedom for Kvachkov," "Freedom for Khabarov," "Freedom for Borovikov," "Freedom for Strigin!" (nationalists sentenced to prison sentences or arrested on criminal or extremist charges)

May Day events were held in 19 other cities.

The largest nationalist public event was the "Russian March" held on November 4th. The most numerous march was held in Lyublino, southeast Moscow, gathering 5 to 8 thousand people according to various estimates. Nationalists themselves reported that the march gathered more than 30,000 demonstrators, then reducing this number to 20–25 thousand. Demonstrators chanted — "In Russia — Russian power,"[258] "White Race — Pure Race,"[259] "Yesterday Biryulevo, today all of Moscow," "Moscow is not Caucasus, Allah is a faggot," "Today mosque — tomorrow jihad," "Cancel 282[260]," "Who doesn't jump is a chock."[261]

The National Democratic Party held a banner, "We demand a visa regime with Central Asia" and shouted "What do we want? Visa regime," "Illegal immigrant... foreign occupant."[262]

National Bolsheviks held a banner, "For Biryulevo, take and win," shouting, "Today Biryulevo — Tomorrow all of Moscow."[263]

A parallel Russian march was organised by the Russian Action Coalition in northwest Moscow, gathering about 500 people.[264] Here, the police detained five nationalists.[265]

In total, these marches were held in various forms (processions, rallies, gatherings, marathons) in 70 cities. In five other towns, these actions were dispersed. On the one hand, we observe a significant growth in the number of cities involved in these marches. However, quantity does not convert into quality — in large cities, these marches are no longer effective in recruiting new supporters and the number of participants remains the same or decreases. The growth is achieved in smaller towns, where marches gather several dozen people.

Besides these "calendar events," Russian nationalists held 71 other actions, ranging from pickets to demonstrations.

The main subject of public actions was migrantophobia, struggle against "sects" and attempts to inflate the "ethnic crime" problem.

Several public actions were held by non-Russian nationalists and Islamists. On February 8, a rally was held in Makhachkala; one of the demands was lifting the ban on headscarves.[266] On April 5, Union of Tatar Youth "Azatlyk" organised a rally in Kazan, supporting former Colonel Zaki Zainullin, who is accused of extremism for his article "Russia through Tatar's eyes."[267] During the Universiade in Kazan (July 6–17), Islamic fundamentalists launched a propaganda campaign among the many guests of Tatarstan capital, raising money "for jihad."[268] On July 19 — a year after a bomb was planted in Ildus Faizov's car, former Mufti of Tatarstan, and his deputy, Valiulla Yakupov, was shot at his own house — people wearing Hizb-ut-Tahrir t-shirts appeared at the central street of Kazan.[269]

In early October, individual rallies were held in St. Petersburg, supporting Hizb-ut-Tahrir.[270] On October 12, Tatar nationalists held a "Day of Memory and Mourning of the Tatar People," dedicated to Ivan Grozny's conquest of Kazan in 1552. The rally gathered around 100 people. During the rally, leader of "Azaltyk" Nail Nabiullin used the government ban to inflame the situation. "Look, we, Tatars, were sent to remember the capture of Kazan, our Holocaust, to the same place Where Ivan Grozny sent our ancestors 461 years ago — the ghetto!"

Banners of the demonstrators read, "Free Tatarstan," "Free Idel-Ural." The action culminated in a procession towards a "Marjani" mosque, accompanied by shouts "Azaltyk! Allah Akbar."[271] On October 15, rallies were held in Derbent and Khasavyurt, supporting the Muslim Brotherhood — which is banned in Russia and most Arab world.[272]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Such manifestations were extremely rare and were mostly related to regional "Russian Marches." In Vladivostok, Russian March gathering attracted several dozen people, including Yuri Kuchin — deputy of Vladivostok City Council.[273] In Omsk, Russian March was led by State Duma deputy from LDPR, Yan Zelinski.[274] Rally in Pskov involved a speech by a regional deputy from LDPR P. Biktashev.[275] The march in Novosibirsk ended with speeches of A. Lyudko (city council deputy from "Homeland" party) and head of the Novosibirsk Regional State Housing Inspectorate I. Lobarev.[276]

- Presence of "football xenophobia" and racism amongst sports fans.

Similar to most countries with high level of xenophobia, Russia has a problem of racism among football fans. This is true for fans of the less popular teams as well as large football clubs.

On April 1 in Krasnodar, after the football match "Krasnodar" — "Anzhi, about 70 people had attacked the fans of a Dagestani football club "Anzhi" screaming "Russia for Russians." One of the victims of the fight was taken to a hospital with a concussion. [277] On April 18, a similar attack was made against the fans of "Terek" in Rostov-on-Don by the fans of the "Rostov" FC. At least two people were severely beaten. Police decided not to intervene. [278] On April 24, it was reported that the Control and Disciplinary Committee ordered the Moscow football club "Torpedo" to play one football match without spectators, for the racist outburst of their fans during their game against "Salyut." [279]

On May 26, before and after a football match of a Dagestani club "Anzhi" and a Krasnodar FC "Kuban," held in Krasnodar, two attacks against "Anzhi" fans were made by the fans of "Kuban" FC. In the first incident, number of victims is unknown, but apparently amounted to about 10 people. In the second clash, three people suffered. [280] On June 12 in Domodedovo, at the football match Metallist FC vs Luch FC, ultra-right-wing fans of "Metallist" unfolded an upside-down and crossed out banner of "United Russia" party, as well as posters depicting runes, a Celtic cross and the slogan "World Wide White Pride." [281]

On August 2, three Rostov FC fans were wounded in a clash with Anzhi FC fans in Makhachkala. [282] On August 23, three North Caucasus natives attacked Dinamo FC fans in Moscow. Two fans, 17 and 18 years old received stab wounds. [283]

On October 3, at a European League game between Anzhi FC and Tottenham FC in Ramensky, local fans were insulting and chanting nationalist slogans against the Anzhi team. [284]

On October 23, during a game between CSKA and the British Manchester City in Arena Khimki stadium, fans of the former team shouted racist insults at the Manchester City captain Yaya Toure. [285] On October 28, fans of Kuban FC burned the flag of Dagestan, during a match versus Anzhi in Krasnodar. [286] On October 30, at 1/16 finals of the Russian Cup (Spartak FC vs Shinnik FC) in Yaroslavl, Spartak fans displayed a flag of Nazi Germany. [287]

In June 2013, Russia adopted the international resolution against racial discrimination in professional football. According to the adopted rules, football clubs could be downgraded to lower divisions or suspended from competition for serious racist incidents. Teams will also be punished by deduction of points. Minor incidents will be punished by fines or warnings. Another unpleasant punishment will include games under empty tribunes. Head of the Russian Football Union Nikolai Tolstikh stated that documents of the Union will be also amended to include punishment for racist incidents. [288]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	–5
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–10	–20

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

According to the monitoring conducted in 2013, cases of vandalism at cemeteries have dramatically fallen — 6 incidents (3.5% of all cases of vandalisms and threats). On the other hand, there was a significant amount of vandalism against Orthodox churches, worship crosses, etc. — 39 incidents (23%), 11 cases of desecration of mosques (sometimes — still under construction) (6.5%) and 6 cases of vandalism against synagogues and Jewish community centres (3.5%). There were two cases of vandalism against Russian protestants (1.2%), 1 — against Jehovah's Witnesses and neo-Pagans (0.6%). Thus, desecration of religious buildings constitutes for a third of all reported cases of xenophobic vandalism and threats.

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

In 2013, monitoring recorded more than ten attempts of the so-called Kondopoga political technique — turning a regular incident into an ethnic conflict, when one of the parties involved was a non-Russian, and organising mass unrest on ethnic or religious grounds.

On February 9, nationalists tried to hold a "people's gathering" in Stavropol, demanding the authorities solve the ethnic crime issue. This action followed after a fight in a nightclub, where one of the involved

was Russian and the other — from Ingushetia. However, the gathering was suppressed by police. According to various reports, police detained from 20 to 76 people. Deputy Chief of Police in Stavropol Vasily Litvinov stated, "To speak of ethnic background is out of place. Ethnic identity has not been announced by any party. Any resident of the region could have found himself in such situation."[289]

In early march, nationalists tried to unleash another "Kondopoga" in Novaya Usman (Voronezh Oblast). Activists of the nationalist "Minin and Pozharsky People's Militia" intervened into a conflict between two coffee shops and tried to dismantle a fence around one of them, before police intervened. Explaining their action, they said that the coffee shop in question was a "migrant hotbed" and "immigrant entrepreneurs wreak havoc on the indigenous population."[290]

On May 3, a rally was organised in Tver by the activists of "People's Gathering" and bikers was taking place. The topic of the action was the investigation into a fight in a local nightclub, which the protestors classified as Azerbaijanis attacking Russians. Demonstrators demanded reclassification of the incident into Article 282. In an open letter, signed by rally participants, claimed that Azerbaijanis are bribing the authorities to avoid punishment.[291] Azerbaijanis held a response action on May 5. They shouted slogans and waved national flags, attempting to block the street with their vehicles. The action was soon foiled by police.[292] It soon came to light that the fight in a nightclub was not interethnic in nature, since Russians were among both parties involved.[293]

In June, the city of Udomlya, Tver Oblast, almost became a new platform for "Kondopoga." The events started with a fight between locals and North Caucasus natives in late May. Nationalists attempted to organise a "people's gathering" against the "domination of migrants," and invited their colleagues from St. Petersburg under the pretext of "Russian Day of Wrath." In the end, the "gathering" attracted several hundreds of people. Police detained St. Petersburg nationalist leader N. Bondarik and his allies from Udomlya.[294]

A major ethnic clash occurred in the town of Pugachev (Saratov Oblast), where a 20-year-old Ruslan Marzhanov was murdered by a 16-year-old Chechen Ali Nazorov on July 6. On the next day, friends and relatives of the victim gathered in the centre of the town — according to police reports, around 200 people — to clash with friends and relatives of the accused. Police managed to prevent the conflict, but the crowd moved to the area of Chechen settlement, where a massive fight ensued. To prevent further bloodshed, police stood in a "live wall" between hundreds of angered mob. According to witness reports, police unloaded their guns in the air, used non-lethal weapons, and managed to disperse the brawl. Several people were arrested.[295]

Local officials attempted to calm the protesters down, but they were drowned out by chants, "Evict!". Mass riots were avoided largely due to the victim's father, who said, "Good people, please do not tarnish my son's soul with more blood. We don't need any war, we don't need to evict anyone. We need to shut down these pubs and quit drinking."

A while later, however, the crowd chanting the same slogan had almost stormed the city administration, while the initiative group was holding talks with the City Mayor Sidorov. The mob then moved to the nearby village, Turgenevsky, where the Chechens allegedly fled. They were suppressed by police. They then attempted to block the Federal highway (Volgograd — Samara). Part of the protesters also planned to attack the "Mechta" coffee shop — owned by a Caucasian entrepreneur; however, this action was also suppressed by police.[296] On the same day — July 8 — Governor of Saratov Oblast Valery Radaev met with representatives of the protesters. They demanded an open investigation of the incident.[297] After negotiations, the following decisions were made: organise ID checks of local Chechen natives, update the district public council under the police, and organise raids to ensure the compliance with the Saratov Oblast law on the sale of alcohol at night. It was also decided to organise voluntary Cossack brigades and involve Cossacks in patrols. The Federal Highway was unblocked.[298]

On the night of July 8th, "Halal" restaurant was burned down.[299] On the same day, around 1,000 Pugachev residents tried to block the highway once again, before police intervened. Later the protesters met with Vice Governor Denis Fadeev, Deputy Regional Prosecutor Oleg Svetovoi and Minister Boris Shinchuk.[300] Large police force was brought to the city, including OMON and SWAT. The city entrance was guarded by internal affairs officers; transport passing in both directions was inspected and vehicle number plates and drivers' details were recorded. Further attempts to incite strife in the city were unsuccessful. By mid-July tensions in Pugachev have calmed down.

A series of raids aimed at street merchants in Moscow and St. Petersburg followed after the announcement of a government campaign on "decriminalisation of markets." On July 27–29, nationalists from an online community "Slav Power" staged a "Russian Cleansing" in St. Petersburg, overturning fruit and vegetable stalls.[301] In three days, extreme right activists smashed over a dozen stalls near "Pionerskaya," "Prospekt Prosveshcheniya," "Staraya Derevnya," "Ozerki," "Sennaya," "Chernaya Rechka" subway stations.[302] On August 4, members of the "Russians" movement, led by Nikolai Bondarik (member of the Coordination Council of the Opposition), tried to stage "Russian Cleanses" near Vodny Stadion subway station. However, OMON managed to protect local merchants from extreme right provocations. Adult participants, including Yuri Sharapovalov and Aleksandr Amelin, have been

detained by police. Their younger followers have dispersed themselves. In St. Petersburg, nationalists managed to conduct their actions in several market points.[303]

On August 18, nationalists wearing "I am Russian" T-shirts conducted illegal document checks of merchants near Sennaya Square in St. Petersburg.[304] On August 21, nationalists attempted at another "Russian Cleansing" in St. Petersburg, hiding behind the documents of a Society for the Protection of Consumer Rights, "Petrograd."[305]

On October 20, unidentified persons intimidated foreign merchants of the "Severny" market in Chelyabinsk.[306]

Most resonating xenophobic riots took place in Western Biryulevo district of Moscow, which followed after an Azerbaijani national murdered a local resident. "People's gathering" shortly followed on October 12, attracting 200 people who demanded an honest investigation into the incident. Unfortunately, the authorities have withdrawn from the conflict, which led to its radicalisation. On October 13, the new "gathering" of 1,000 people, including football fans and nationalist activists, quickly escalated into a riot in Biryuza shopping centre and raid of the local wholesale base, which supposedly housed criminal immigrants.[307]

During the riots, a number of stores have been destroyed in Biryuza; the gates and refrigerators in the vegetable wholesale base were also damaged. Near Biryulevo-Tovarnaya train station, rioters damaged three vehicles and watermelon stalls.[308] Moscow police personnel was placed under high alert. Head of the Ministry of Internal Affairs Vladimir Kolokoltsev imposed a "Volcano" plan. As a result, first Deputy Minister of Internal Affairs Aleksandr Gorovoy arrived in Biryulevo.[309] The riots resulted in 23 victims — including six police officers — and 380 arrests.[310]

On the night of October 26, locals of Chamzinka, Republic of Mordovia, clashed with Tajikistan and Uzbekistan natives. Around 150 people broke into a migrant workers' hostel at the Chamzinskaya poultry farm. Having knocked out the security guard, attackers began beating immigrants with bats and destroying furniture. They threw Asian workers on the streets of the regional centre and continued beating them. The reason for the attack was alleged flirting with the local women.[311]

The last Kondopoga took place in Arzamas (Nizhegorodsk Oblast), following a murder of 26-year-old A. Slakaev on December 6th. A rumour that a group of Armenians was involved in Russian man's murder started circulating around the city and on December 7th, a group of 50 locals gathered on the main square. Protesters demanded to shut down all non-Russian retail points and proceeded to attacked two Armenian coffee shops. Both establishments were taken under police protection. On December 9, a second gathering took place in Arzamas —

this time assembling several hundreds of people. Protesters demanded to "clean" the city of "immigrants" (referring to all non-Russians in general). Soon thereafter, groups of aggressive young men walked through the city in a "Russian March," protesting against foreign merchants. The mob shouted nationalists slogans, "Russia for Russians," "Russians — Go" and staged pogroms. Young men shattered shop windows and damaged coffee shops and kiosks that, in their opinion, were not "local." Witnesses report that pogroms of retail outlets were accompanied by looting. As a result, additional police forces were sent to the city, managing to detain dozens of people. Regional Ministry of Internal Affairs reported that majority of arrested were intoxicated.[312] All establishments owned by "Southerners" were shut down and 15 Armenian families moved from the city.[313]

A large clash between Ingushetian and Ossetian football fans took place during a match Angusht (Nazran) versus Alaniya (Valdikavkaz) on October 23.[314]

On October 16, it was reported that nationalist leader N. Bondarik tried to provoke Muslim pogroms in St. Petersburg, by staging a Muslim attack on a 16-year-old teenager — one of Bondarik's supporters.[315] On October 18, police prevented a large conflict in Lyubertsi (Moscow Oblast), arresting 78 people, mostly minors, intending on "beating immigrants."[316] On November 26, nationalists tried to provoke a fight with antifascists at Syktyvkar concert, but were unsuccessful.[317]

- Cases of violence, including murder on racial, ethnic and religious grounds.

Monitoring conducted by World Without Nazism in 2013 revealed 184 attacks resulting in 34 deaths and at least 246 wounded. Moscow had the most incidents (9 killed, at least 73 wounded), followed by Dagestan (8 killed, 9 wounded), Lipetsk (4 killed and 9 wounded), St. Petersburg (4 killed, 60 wounded), the Sverdlovsk Region (2 killed, 16 wounded), Volgograd Region (1 killed, 1 wounded) Kamchatka (1 killed), the Krasnoyarsk Territory (1 killed), the Republic of Buryatia (1 killed), CBD (1 killed), Tyumen Region (1 killed), the Irkutsk Region (1 killed), Krasnodar (15 wounded), the Voronezh Region (8 cases), Kaluga region (6 victims), Ryazan region (4 of them), Perm (3 wounded), the Chelyabinsk region (3 wounded), Khanty-Mansiysk (3 wounded), Vologda Region (2 wounded), the Republic of Komi (2 victims), the Republic of Tatarstan (2 wounded), Kirov region (2 wounded), Rostov region (2 wounded), Ulyanovsk region (2 wounded), Tyumen Region (1 wounded), Stavropol Territory (2 wounded, Novosibirsk Region (2 wounded) Vladimir and Omsk region (2 wounded), Astrakhan region (1 wounded), Kostroma region (1 wounded), the Republic of Mordovia (1 wounded), the Samara re-

gion (1 wounded), Khabarovsk (3 wounded), Ivanovo Region (1 wounded), Tambov Region (1 wounded), Saratov Region (1 wounded), the Republic of Karelia, Transbaikalia territory, Kaliningrad Oblast (1 wounded).

In terms of ethnicity, most victims were Uzbekistan natives (9 killed, 43 wounded), followed by Dagestani (4 killed, 23 wounded), Kyrgyz (4 killed, 7 injured), Tajiks (1 killed, 13 injured), Moldavians (1 killed), Buryats (3 wounded), Jews (3 wounded), Russian (3 wounded), Azerbaijanis (3 wounded), Africans (2 wounded), Chechens (2 wounded), Ents (1 wounded), Arabs (1 wounded), Armenians (1 wounded), Tuva (1 wounded), Ingush (1 wounded), Chinese (1 wounded). Nationality of 135 victims could not be determined. Over the same period in 2012, there were 41 killed and 183 wounded, in 2011 — 29 killed and 123 wounded.

Thus, we observe a negative trend in such violence since 2012. Besides racial violence, there were also attacks on LGBT members (36 — 2 dead and at least 32 wounded) and antifascists (3 attacks, 5 wounded).

- Nationalist or religious terrorist attacks.

In 2013, a number of terrorist attacks motivated by xenophobia were recorded by the monitoring. Most of these actions were organised by radical Islamists. On January 15, a judge of the Supreme Court of Dagestan — Magomed Magomedov, who worked with cases of members of Islamist underground, was killed in Makhachkala.[318] January 17 in Nefteyugansk, a mosque minister was brutally beaten by a Salafi parishioner.[319]

On March 3 in Karabudakhkentsky District of Dagestan, unknown subject have murdered a madrassa (religious school) teacher, a 40-year-old Magomed Biyarslanov.[320] On the night of June 22, three unknowns in Kahabroso settlement of Untsukulsky district (Dagestan) launched an armed invasion in the house of Imam Magomed Abdulaev. Imam's wife and son received injuries of varying degrees. One of the attackers was killed.[321]

On July 25, an assassination attempt was made on a Derbent rabbi O. Isakov.[322] On August 3, imam Ilyas Ilyasov was murdered in Makhachkala. His driver was hospitalised.[323] On September 15, unidentified persons murdered a Kizlyar resident and religious activist Abdulla Gappaev.[324]

On November 16, Islamist militants launched homemade rockets at one of the largest enterprises in Tatarstan — the Nizhnekamsky Petrochemical Plant (according to other reports, the target was Sobolekovo station, where chemical tanks are positioned). However, the charges did not explode.[325]

Some terrorist attacks had anti-immigration or homophobic undertones. On April 12, a motel used to house migrant workers was set on fire. Three people were hospitalised with severe burns. Second and third floors of the motel were partially burned.[326] On the night of July 1, unidentified assailants threw Molotov Cocktails at a Lipetsk house — residents of Uzbekistani migrant workers. Three people were killed and four were hospitalised.[327] On December 25, unknown perpetrators threw stones at a house in Matyrsky village (near Lipetsk), shattering all windows.[328]

On November 8 and 10, unidentified person called an LGBT organisation "Vykhod" ("Exit") in St. Petersburg, threatening to blow their building up.[329] On November 21 — before LGBT film festival "Side by Side" — police received a message about a bomb on the premises of the event. In 10 days, the film festival was "mined" 5 times.[330] On November 25, unknown persons sprayed tear gas in a Moscow gay-club "Central Station."[331]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	–5	–5
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5	–5
	Total for the section 10	–25	–25

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

There are several anti-Nazi non-governmental organisations in Russia, however, there is no single *consolidated* antifascist or anti-racist movement.

Some antifascist actions were related to anarchists (Autonomous Movement) and certain small left-wing parties. Some musical bands associate themselves with the antifascist movements (hard rock and punk). Furthermore, there are online antifascist boards, including "Red Skinheads," who sometimes organise street attacks on "bons" (skinhead Nazis). There are also antifascist football fans, who are unhappy with extreme right actions during football games. The antifascist movement, or "Antifa," is primarily based in Moscow and St. Petersburg, where their numbers reach 500 to 1,500 people, according to various estimates.

In 2012, "Russia Without Nazism" — a Russian branch of the International Human Rights Movement "World Without Nazism" — was officially registered. Movement conducts monitoring reports on radical nationalism in Russia and organises educational projects.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On January 19, in several Russian cities antifascist events have been held to commemorate Stanislav Markelov and Anastasia Baburova, an attorney and a journalist murdered by nationalists in 2009 in Moscow.

In Moscow, this event gathered from 500 to 1,000 people, according to various estimates.[332] A day before that, on January 18, antifascists have hung a banner in memory of S. Markelov and A. Baburova's death on the Great stone bridge.[333] In Ekaterinburg, the rally was attended by about 50 people.[334] In Murmansk, individual antfascist rallies were held.[335]

On November 4 — National Unity Day, which is traditionally used by nationalists to hold their demonstrations — a rally against nationalism and xenophobia was held in Irkutsk. The event was organised by anarchists and antifascists under the slogan, "We are all immigrants." Irkutsk anarchists and antifascists chanted, "Our fatherland is the whole humanity," "Workers — United." The action gathered 25 people.[336]

On November 2, St. Petersburg held its tenth march against hate. Under the slogan, "For Russia Without Pogroms," the procession marched from the Exchange on the Vasilivsky Island to the Sakharov Square. Human Rights Commissioner Aleksandr Shishlov spoke at the following rally, calling this year's march particularly relevant. "We see aggressive and intolerant sentiments growing in our society. For many, it is much easier to seek explanation for their problems on the side. Accuse those who looks different, thinks different." The march against hate gathered more than 300 people.[337]

On November 13, a traditional commemorative action dedicated to Timur Kacharava took place in St. Petersburg. Around thirty people

gathered on the place of his death, near "Bukvoed" store at Vosstaniya Square, to commemorate the antifascist who died 8 years ago.[338]

On December 10 — the International Human Rights Day — Moscow, Krasnoyarsk, Nizhny Novgorod, Penza, Tambov, Ufa and Elista had rallies "Against Hate," organised by Yabloko party.[339]

On December 14, antifascist concert took place in Samara's Honky Tonk club.[340]

- Presence of anti-racist and anti-fascist civic initiatives.

On April 6, Yabloko (Apple) party and the Union of Liberals and Democrats for Europe held a conference in Moscow, "Migration: international experience and Russian problems," where a number of measures were proposed to streamline and legalise labour migration.[341]

On August 21, human rights activists appealed to Russian intellectual elites, urging them to "intervene with all available means to supress the anti-immigrant hysteria that increases with each passing day." "Our society is drawn into such a deep abyss of hatred, out of which there is only one exit — a civil war. The situation in the country is explosive, a single match would be enough, and this "match" is interethnic relations — the most flammable material."[342]

On November 4, human rights activists and Yabloko party organised a Forum — "Unity in Russia is in solidarity of citizens. Against xenophobia and nationalism." The forum in Moscow established a Committee of Joint Struggle Against Xenophobia, which consists of Yabloko party, Moscow Helsinki Group, Migration XXI Century foundation, Informational-Analytical Centre "Sova," Journalists Union, Forum of Migrants Organisations and "Civil Assistance" Committee.[343]

In December 2013, a number of join Christian-Muslim initiatives were held to combat vandalism against religious buildings. On December 2, Tatarstan ROC archdiocese and Spiritual Administration of Muslims in Tatarstan issued a joint statement, expressing concern with multiple arsons of cult objects. "Currently, many countries and regions of the Russian Federation are facing dangerous challenges of the time, which are often religious in nature... Vandalism against religious objects is a direct insult to religious feelings, and the perpetrators deserve wide public condemnation." According to the statement, vandalism against Orthodox temples and Muslim mosques — is a provocation aiming to disrupt the friendly religious relations that have been established many centuries ago between Orthodox Christians, Muslims and other religious in Povolozhye.[344] On the next day, the statement was supported by the Spiritual Administration of Muslims in Saratov.[345] On December 12, Spiritual Administration of Muslims in Tatarstan reported that patrons and ordinary Muslims raised money after "acts of vandalism that destroyed several Orthodox temples in the republic."[346]

On December 16, former cleric of the Holy Spirit Cathedral in Saratov, Andrei Evstigneev, was transferred to serve in another church in a remote area of the city after he was accused of anti-Semitism.[347] On December 24, Tomsk Diocesan Council of the Russian Orthodox Church dismissed the head of the Missionary Department Maxim Stepanenko, who spoke derogatory of single mothers and called their children — potential gays and maniacs.[348]

In 2013, there were also a number of initiatives aimed against homophobia, such as the LGBT film festival "Side By Side," which also involved roundtables on LGBT issues. In February, "Afisha" magazine published a "gay-edition," which listed 30 gays living in Russia. Shortly before "Afisha," "Bolshoy Gorod," The New Times and Slon made their own special projects dedicated to LGBT community.[349]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

  Such cases were not recorded in 2013.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such cases were not recorded in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such cases were not recorded in 2013.

- Historical revisionism, Holocaust denial.

There was a fairly significant level of Holocaust denial in 2013. Russian-language blog "Holocaust Revisionism" (http://holocaustrevisionism.blogspot.ru/) became the centre of Holocaust-denying articles. There was also "Holocaust Skeptic" blog, which posted 98 articles in 2013 (http://holocaustskeptic.blogspot.ru/), aimed at denying Nazi crimes against the Jewish population in the occupied territory during the Second World War. Finally, there was the Revisionist Library website (https://sites.google.com/site/revisionistlibrary).

In 2013, three articles by Jürgen Graf appeared on the Russian-speaking internet (Veles Sloboda portal and Holocaust Revisionism blog). In one of them, published on February 17 (under the pseudonym F. Brunker) and titled "Why do Jewish fascists need a myth about the Holocaust?", Mr Graf repeated a popular among the "denier" thesis that Holocaust victims "actually" emigrated or assimilated in USSR, changing their names to "Slavic."[350]

On June 29, REX news agency published an article "Can we now give the exact figures of Holocaust victims," where a political scientist Lev Vershinin stated that the 6 million figure "came from Nuremberg, where nobody sought objectivity" and that it had no scientific basis. The "actual" number of victims, according to Vershinin, was 3–4.5 million — a figure that he got by reducing the number of Auschwitz victims from 4 million to 1. Vershinin, while not denying the Holocaust directly, repeated the thesis that six million victims is a "political-ideological mantra," which is supposedly maintained by "professional Jews" by "turning a tragedy into a honeypot."[351]

Jürgen Graf was also cited in O. Platonov's book "The Age of Stalin" (published in 2013), which stated that the number of Jewish victims in the Holocaust was 0.5 million. It was also demagogically stated that this figure is 44 times less than the number of Russians killed in the war, and that it was the Russian people who suffered the most during the Second World War.[352]

Nationalist P. Budzilovich, whose article was published on rusidea.org in September 2013, also decided to downplay the number of Holocaust victims to several hundred thousand people.[353]

Another popular nationalist trope in this regard involves accusing Jews of turning the Holocaust into a new religion and thus gaining privileges in the world. On June 5, RosInfoNet published an article by I. Al-

bakov, "Holocaust Profits," which stated that payments to Holocaust victims "smack of Nazism," as they are made in favour of just the Jews and no other nation that suffered during the war.[354] The same was written in articles by I. Shamir, published on May 18 and July 5 in "Komsomolskaya Pravda." Shamir also accused Jews of valuing their losses during the war higher than the Russian victims.[355] Similar sentiments were found in O. Platonov's book "The Age of Stalin."

The scandal around the decision of Rostov-on-Don authorities to remove a plaque about mass Jewish executions from a Holocaust memorial continued in 2013. On April 18, the city commission on memorials and names of socially significant locations refused to allocate land near the memorial for a commemorative sign to Holocaust victims, referring to "formal reasons" and recommended appealing to the Rostov Ministry of Culture.[356] Rostov administration also prohibited the March of the Living — dedicated to mass executions of Jews in August 1942.[357]

However, on December 10, it was reported that a compromise had been reached. The new sign that will appear by March/April 2014 will have the following text: "Here, in Zmievskaya Balka, in August 1942, Nazi occupiers executed more than 27 thousand Rostov-on-Don civilians and Soviet prisoners of war. Among the murdered were many nationalities. Zmievskaya Balka is the location of the largest Nazi executions of Jews in the Russian Federation during the Great Patriotic War."[358] Accoridng to some source, the compromise was achieved after the intervention of higher-ranking authorities.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–2.5	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–7.5	–5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

Monitoring did not record such cases in 2013. However, on March 20, Smolensk Regional Court overturned the sentence imposed by the lower court on a deputy of Smolensk city council A. Ershov, who publicly insulted the young Nazi prisoners. [359]

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Monitoring did not record such cases in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Monitoring did not record such cases in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Russia is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, as well as all major international

agreements and human rights conventions against racial and other forms of discrimination.

Russia has not acceded to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or the European Convention on Action against Trafficking in Human Beings. The European Charter on Regional or Minority Languages has been signed, but not ratified.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

On November 21, November 21 the 3rd Committee of the UN General Assembly adopted a traditional resolution on combating glorification of Nazis, which was initiated by Russia. The resolution contains clear recommendation that governments should ban any commemorative celebration of Waffen SS and its crimes against humanity. [360]

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

On June 20, head of the parliamentary committee on CIS and relations with compatriots Lonid Slutsky called the Latvian ban on the use of Soviet symbols on May 9th (Victory Day) "discriminatory and blasphemous." He said, "This is a violation of memory of the fallen in the fight against fascism and a discrimination of WW2 veterans, of whom not many still live." Deputy noted that Russia has repeatedly raised the question about the inadmissibility of the fascist ideology, attempts to revise history and diminishing the role of Soviet people in World War Two. [361]

Human Rights Commissioner under the Russian Foreign Ministry Konstantin Dolgov spoke at the regional conference of Russian compatriots in Tallinn. He stated that the USA and European Union "are perfectly comfortable with the problem of mass non-citizenship in Latvia and Estonia." "Situation where a significant part of the population have no fundamental political and socio-economic rights cannot be considered acceptable from any point of view," Dolgov stressed.

He noted that this mainly concerns the discrimination of Russian-speaking people. "Governments of these countries ignore both the number of the Russian-speaking population and their compact settlement, pretending not to hear the multiple concerns about their language policies made by international organisations, such as the UN, Council of Europe and OSCE."

Konstantin Dolgov also touched on the glorification of Nazism and pro-Nazi collaborationists in the Baltics. "We cannot but worry about

the tendency of Baltic States to glorify the Nazis and their local allies. This is a powerful factor of intentional injection of extremist sentiments, nationalism, xenophobia, anti-Semitism, as well as racial and religious intolerance. Annual marches of SS legionnaires in Riga or 20th Division Waffen SS gatherings in Estonia are shaming Europe and insulting the memory of those who fell protecting the world from Nazism."[362]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
×	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	5	5
×	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	5	5
	Total for the section 14	15	15

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

In 2013, Russia has slightly worsened its position in the ranking of radical nationalism compared to the previous year (11th place). This is largely due to the activation of nationalist and neo-Nazi groups and parties that, compared to previous period, were holding various unauthorised public actions — sometimes even involving regional officials. Radical nationalists were also actively provoking interethnic conflicts, using the so-called Kondopoga technique of presenting everyday incidents as ethnic crime.

In many ways this resulted from the de-marginalisation of radicals after their coalition with the Liberal opposition in 2011. By agreeing to the inclusion of nationalists in the Coordinating Council of the Opposition, democrats essentially provided them with a platform and turned their participation in the political process into a normal occurrence in

many people's minds. A significant role was played by certain politicians of parliamentary and non-parliamentary parties, who adopted nationalist rhetoric to appease their more radical voters and contributed further to migrantophobia.

However, despite these facts, nationalist influence on the civil society and the government has decreased, indicating that the society is tired of radical slogans. Russian community is used to stability and, even under widespread xenophobic sentiments, is reluctant to aggravate the situation.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Minorities in Russia are protected first of all by the Constitution, the Criminal Code and the Law "On Countering Extremist Activities" (2002).

Nevertheless, Russian legislative base on protecting minorities needs further development — primarily in terms of anti-discrimination legislation, which the country virtually lacks. The definition of "discrimination" is only contained in the Criminal Code and revealed not through its specific forms, but as the violation of civil rights and freedoms. At the same time, according to international legal acts, violation of rights and freedoms can be the purpose or the result, but not a form of discrimination. The legislature also does not explain what constitutes for "violation of rights," does not define forms of discrimination, differences between direct and indirect discrimination, victimisation, and does not prohibit discrimination by private individuals or public authorities, or discrimination on the basis of citizenship. A whole number of important legislative instruments do not contain any bans on discrimination. There are basically no normative acts that prevent unofficial discrimination on the labour market, housing, education, healthcare, etc.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Russia observes all above-listed norms and recommendations. After the 2007–2008 Putin-Medvedev reforms (introduction of new qualifications in the Criminal Code and establishment of anti-extremism centres), the law enforcement has paid more attention to interethnic relations. A number of nationalist organisations were banned and the Federal List of Extremist Materials is continuously updated. Despite the

pressure of Russian nationalists and certain State Duma deputies, the government is not abolishing Article 282 of the Criminal Code, which punishes the "incitement of racial, national and religious enmity." Several most notorious racist organisations have been banned and the fight against online racism has been launched.

At the same time, there have been instances of selective application of anti-racist laws. For example, xenophobic and inflammatory statements of governors, leaders of political parties or popular Stata Duma members have never been subject to litigation.

Another drawback of the Russian legal system in terms of struggle against racism, radical nationalism and xenophobia is, first of all — its focus on elimination of consequences, rather than prevention of causes. In other words, police measures have priority over educational measures.

Second, the most crucial terms ("extremism," "xenophobia," "racism," "direct" and "indirect discrimination," etc.) are still lacking a clear definition in Russian legislation, which opens the possibility for abuse and unlawful application of the corresponding legislative norms.

Third, Russia lacks a specialised body to combat racism, xenophobia and anti-Semitism.

Fourth, criminal statistics in Russia leave a lot to be desired — there were many cases of manipulation, which means objective information on hate crime is unavailable to the public.

Fifth, there are not targeted studies into racism and discriminatory practices, with a few rare exceptions.

Sixth, these problems are not included in school or university curriculums.

Despite law enforcement's commitment to combat racism and xenophobia online, the effectiveness of this practice remains low. Internet in 2013 was full of texts and statements that provoke and incite hatred to "others."

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Formally, there are no such differences in Russian legislation. In practice, however, such cases are common, particularly in large cities and national republics, where citizens of the titular nation have de facto more opportunities than ethnic minorities.

- *Legislation enshrining inequality of minorities.*

There is no such legislation in Russia.

- *Rulemaking in protection of minorities.*

Russian Constitution protects the rights of minorities. Russian laws also sufficiently guarantee their protection. Russia's main problem is

not in legislation, but in its execution, which is fraught with reluctance and selectivity. Although, some laws also suffer from unclear wording, which leads to misuse and unlawful applications.

- *Legislation and law enforcement practices concerning migrants.*

Immigration legislation remained underdeveloped in 2013, which also creates opportunities for its misuse by the law enforcement and employers. Law enforcement practices leave a lot to be desired as well — immigrants are still subjected to discrimination in employment, housing, healthcare and education.

However, certain steps to streamline immigration, facilitate adaptation of immigrants and improve their healthcare have been made.

On the other hand, a number of regional and federal politicians are actively using anti-immigration rhetoric, following sentiments of their voters. This results in restrictions to entry, bans to employment in retail (since a foreign merchant is the most popular nationalist scarecrow), proposals to establish closed camps for immigrants and increase the number of formal reasons for deportation. The country lacks a systematic mechanism on preventing xenophobia, radical nationalism and various forms of racial discrimination.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Surveys conducted in 2013 indicate growth in xenophobia towards minorities. Defects in migration and national policies and lack of attention to national ideology has led to proliferation of migrantophobia in Russia. Nationalist ideas actively filled the ideological vacuum. In 2013, this led to the growth in hate crime and a whole range of negative trends in the society:

First, it is de-marginalisation of nationalists, some of whom have officially registered and will be able to participate in future elections. A significant role in this was played by the liberal opposition, which provided them with seats in the Coordination Council of the Opposition — a platform which they used to promote their views.

Second, in 2013 nationalists have successfully used both legal and illegal means in their political work. These included unsanctioned public actions (rallies and demonstrations) and provocation of mass riots on ethnic grounds, using the so-called Kondopoga technique, when an everyday incident is presented as ethnic or religious crime.

Third, xenophobia within Russian society has reached the level where nationalist ideology dictates the political agenda of prominent

politicians. Almost all candidates in Moscow Mayoral elections (autumn 2013) have used migrantophobic rhetoric in their campaigns. The same happened in other large cities during regional elections. A number of regional politicians participated in authorised nationalist public actions, which has not happened for several years. Seeking to use nationalist sentiments of the electorate, politicians are generating nationalist ideas themselves, which often take the most heinous forms after elections. For example — the introduction of an informal "curfew" towards the Meskhetian Turks and ban on their visit to entertainment establishments in one of the southern regions, which could not occur without the knowledge and tacit approval of local authorities.

A similar situation arose around the LGBT community. The adoption of the generally neutral amendments to the Code of Administrative Offences, aimed at prohibiting propaganda of homosexuality among minors (similar acts exist in a number of countries, including 8 states in America) have led to a surge of homophobia in the society — largely due to media propaganda. These sentiments force politicians to follow their own trend and misuse legislative norms at local level by prohibiting protest actions, dismissing LGBT members from official jobs (in education, for example), and so on.

These cases, backed by underdeveloped anti-discrimination legislation, lead to diminished opportunities to self-realisation of citizens, division of the society, exclusion of minorities from the political process and, ultimately, to the weakening of the state.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

Today, the level of xenophobia in Russia is extremely high, with phobias towards different groups of the population having various degrees of intensity. In terms of ethnicity, most xenophobic sentiments are aimed against Caucasus natives (Chechens in particular), followed by the Roma and Central Asian immigrants. Such sentiments are shared by Russians, Tatars, natives of Bashkiria, Komi and others. In this context, the idea of Islamic unity does not work. Xenophobia is facilitated by the struggle against "ethnic crime," cultivated in the media, which essentially leads to whole ethnic groups accused of "criminal behaviour."

In terms of religion, there is a growth of Islamophobia — largely related to fears of Wahhabi terrorist attacks. Xenophobia alienates the groups that suffer from it — causing their isolation, consolidation and Russophobia in response. Therefore, in recent years domestic conflicts have been easily escalating into interethnic clashes and demands to "evict immigrants."

In general, majority of Russians pejoratively identify a number of ethnic groups — Caucasus and Central Asia natives in particular, followed by Roma. Through efforts of some media outlets, these people, almost without exception, are perceived as criminals, drug traffickers, etc. just on the basis of their origin. As a result, a significant part of the population is ready for violent measures to evict the "undesirable" neighbours, which is evidenced by numerous cases of mass agitation and the use of "Kondopoga techniques."

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

Growth of xenophobia and extremism leads to an increase in isolationist sentiments and demands to restrict the inflow of migrant workers. However, some experts argue that given the current demographic situation, Russian economy will suffer without the involvement of migrant workers. Otherwise, numerous industries would be negatively affected (especially construction), which would, of course, reduce the standard of living. Furthermore, xenophobia already leads to outflow of labour force and the decline of whole industries — science, healthcare, education and culture — which happened partially due to Jewish emigration in 1980–1990s.

As of 2013, Russia occupies 61st place in the standard of living index of 142 countries.[363] However, should xenophobic sentiments continue to spread, the further decline of living standards is foreseeable, as two critical population groups emigrate — migrant workers engaged in unskilled labour and the skilled youth, many of whom are members of various minority groups.

- *Economic impacts and instability.*

Departure of the most active working population and reluctance to attract more migrant workers is dooming the country to stagnation and subsequent decline, fraught with decreased standards of living and social upheavals.

- *Decline in production growth, emigration of the labour force.*

General ageing of the population, reduction in domestic labour force and the outflow of skilled labour makes stable economic development impossible without involving foreign labour force. Despite the myth actively promoted by nationalists that Russian workers could replace immigrants given higher wages (and lower profits of employers), Russia

has already exhausted all possible labour reserves, and the current increased birth rate will not contribute to the labour force in 15–20 years. Therefore, xenophobes who advocate deportations are essentially destroying the country's economy, condemning it to a catastrophe.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

High level of xenophobia results in permanent conflicts on ethnic and religious grounds, because people infected with xenophobia tend to see ethnic or religious undertones in any everyday incident. This, in turn, could lead to mass mobilisation and escalation of conflicts.

In this environment, there are always political figures who are ready to use xenophobic sentiments to improve their popularity and pass into power. If they succeed, they will try to mobilise the public in search of an "enemy," which politicises the conflict and brings it to the level of socio-political confrontation, as it happened in the early 90s in many Soviet republics. Currently, this scenario is improbable, but risks will only increase if steps are not taken to lower the level of xenophobia.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

In the modern environment, the scenario given above could isolate the country from the international community and turn it into a pariah state. First, it will be unable to integrate into an international economic community and lose international investment. Second, it will lose important labour resources — foreign migrant workers. Third, it will lose touristic and educational appeal. Furthermore, relations with neighbouring states, whose citizens are subjected to discrimination and street violence, will deteriorate (in recent years, neighbouring CIS countries have repeatedly appealed to Russian administration expressing protests related to the deaths of their citizens at the hands of Russian racist gangs). So far, these processes are only expressed as general trends in Russian society, but as a worst-case scenario, these trends could grow into a massive international and socio-economic problem.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Experts recommend that Russia join the International Convention on the Protection of the Rights of All Migrant Workers and Members of

Their Families (of 18 December 1990). Russia should also ratify the International Labour Organisation's Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (Entry into force: 09 Dec 1978)

2. *General recommendations for adjustments to the legal framework*

Russia should finalise its anti-discrimination legislation by adding definitions of direct and indirect discrimination and an effective mechanism to prevent institutional racism. Furthermore, it is necessary to introduce clear and unambiguous definitions of "extremism," "xenophobia," "racism" and "discrimination" to prevent their incorrect or overly broad definition and application. Russia also needs to modernise its legislative base in terms of social support for temporary resident foreign nationals.

Changes should be made to Article 6.21 of the Code of Administrative Offences (CAO), which provides administrative liability for promoting "non-traditional sexual relations" among children, and the Law "on amendments to Article 148 of the Criminal Code of the Russian Federation and several legislative acts of the Russian Federation in order to combat insults to religious beliefs and feelings of citizens." Changes are necessary to eliminate the very possibility of misuse of this legislation in law enforcement practices.

CAO Art. 6.21 in particular, needs clear definitions of "distribution of information" and "imposition of information," while the law on protecting religious feelings needs to clearly define "philosophical symbolism" and which religions are "an integral part of Russian peoples' historical heritage." Furthermore, it is necessary to explain what constitutes for "public actions, expressing obvious disrespect for society and committed in order to insult religious feelings of believers."

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

First, it is necessary ensure citizens' strict compliance with the law, regardless of their social or political status. The law applies to everyone, including senior officials and State Duma deputies.

Second, without compromising prosecution of criminal offences motivated by racial, ethnic or religious hatred, it is necessary to shift focus from the elimination of consequences to prevention of causes. In other words, there is a need to educate tolerant attitudes towards "otherness," be that political, social, religious or cultural differences. Therefore, the youth must be educated in interethnic dialogue, including intolerance to racism.

Third, a Code of Ethics must be adopted for officials and State Duma deputies, which would prohibit xenophobic rhetoric and discriminatory practices.

Fourth, a similar Code must be adopted for the journalist community. This code should impose severe sanctions for its violation, including temporary or permanent suspension of license to practice.

Fifth, in addition to the assessment of programmes of political parties, leaders of parties undergoing registration should be assessed for xenophobic statements, publications and organisation of xenophobic public actions. Political figures who made their career on racism and xenophobia should not be allowed to participate in elections. Assessment for extremism should involve not linguistics and psychology specialists, but specialists with detailed knowledge of radical movements, their leaders and ideologies.

Finally, it is necessary to allocate work on national policy and struggle against xenophobia, radical nationalism and *discrimination* in various directions; create Ministry of Nationalities within the executive structure and a separate federal service that would engage in law enforcement in human rights field. This would increase the effectiveness of law enforcement.

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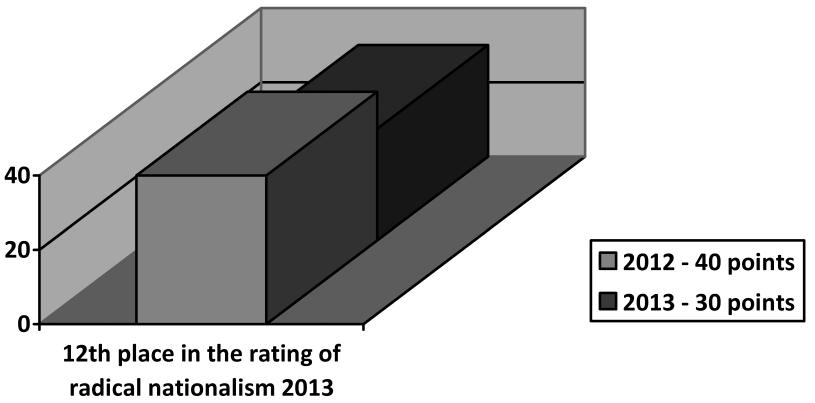
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–7.5	–7.5
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	12.5	12.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–2.5	–2.5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–17.5	–12.5
9	Extremist and radical nationalist public actions	–10	–20
10	Racist attacks, violence and terror	–25	–25
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–7.5	–5
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	15	15
	Total	–32.5	–35

ROMANIA


40
20
0
12th place in the rating of radical nationalism 2013
2012 - 40 points
2013 - 30 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in Romania in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Article 1 of the Constitution of Romania declares Romania a unitary and a national state by preventing the possibility of establishing national autonomy. Article 37 of the Constitution directly prohibits the activities of parties for creating such autonomies. And Article 148 prohibits the revision of provisions of the Constitution regarding the nationality, unity and inseparability of the Romanian state, territorial integrity and the official language. [1]

This does not mean that Romania does not recognize national minorities. Article 6 of the Constitution states: "the State recognizes and guarantees to persons belonging to national minorities the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity." In the Report of the Working Group on the Universal Periodic Review of the UN General Assembly on Romania, the country's delegation stated that Romania considers the protection of the culture and identity of national minorities as a key priority. Moreover, the Romanian authorities recognize the representation of national minorities in the parliament and in local government. [2] It is the lack of a legal way to change the unitary nature of the state, which indirectly is against the interests of the Hungarian minorities and their representative political parties.

Additionally, in February 2012, the Ministry of Labor and Social Protection of Romania adopted a by-law — the rules of providing social

assistance in accordance with the Act № 292 "On Social Assistance." According to the regulations the right to social benefits is denied to those who are not listed in the lists of taxpayers, as well as to anyone owning precious jewelry or more than 100 grams of gold, artwork, expensive china or crystal, furs and other valuables. Despite the denials of Romanian officials, this law is implicitly directed against the Roma, as most of them are not in the lists of taxpayers and gold ornaments are their essential attribute, are handed down to next generations, worn with pride and never sold. [3]

The new Civil Procedural Code, which came into force on the 15th of February 2013, limited the grounds on which the issue of eviction may be considered in court with of property or the expiration of the lease agreement. This hits the Roma, who usually do not have any documents regarding ownership. [4]

There are restrictions for religious confessions — to register they must be active for at least 12 years and unite at least 20,000 believers.

Public insults and slander towards a person or group of people on the basis of race, color, language, religion, nationality or national background, ethnicity is not prohibited by criminal law as insults or slander are not considered crimes according to Romanian laws. [5]

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

  Such legislation was not present in Romania during monitoring.

- Presence of legal norms and other regulations that legalize the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  Such legislation was not present in Romania during monitoring.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

According to the National Council for Combating Discrimination in 2013 it received 13 complaints about discrimination on the grounds of sexual orientation (in 2012 — 3, 2011 — 8), 38 complaints about discrimination based on language (43 and 10 complaints respectively) 11 complaints about religious discrimination (5 and 5), and 61 of complaints about discrimination based on ethnicity (49 and 33). The total of complaints connected to discrimination based on xenophobia accounted for about 15% of the total number of complaints about discrimination. [6]

The groups that suffer the most from discriminatory practices in Romania on the basis of xenophobia are basically two national minorities: Roma and Hungarians. In Romania, almost 2 million Roma (9% of

the population) reside. About 80% of them live in poverty; almost 60% live in isolated communities without access to basic public services. 23% of Roma households do not have access to clean water, live in unsanitary conditions, have no approved documents on the property (for non-Roma, this figure is 10 times less).[7] 24% of Roma men and 36% of Roma women are illiterate, 15% of young Roma did not attend school. According to surveys of the European Union Agency for Fundamental Rights 13% of Roma women stated that they felt discrimination when looking for work.[8] According to surveys conducted in 2013, 11% of Roma were unable to obtain necessary medical care (compared to 5% for non-Roma). According to a study published in the beginning of 2014 49.3% (according to other sources 55%) of Roma had no health insurance (with non-Roma, this figure amounted to 14.7%).[9] Discrimination in the labor market leads to the fact that the number of unemployed Roma in 2011 accounted for almost two-thirds of employable population, with an overall unemployment rate of 7.4%. Roma are almost never employed in the civil sector. A significant number of Roma do not have identity documents or birth certificates.[10]

Despite the availability of the order of the Minister of Education published in 2007, which banned segregation at schools, it is still present toward Roma children, when teachers group them in the back of the classroom or in separate classrooms from Romanian students, ignoring them during the learning process.[11] Because of funding cuts the number of kindergartens where Roma children were prepared for school was reduced. There was a dramatic reduction in the number of "school mediators" who helped Roma children adapt to school.[12]

Cases of forced evictions of Roma were also recorded. On April 29th 2013 several Roma families were evicted in Regina (Mures).[13] On the 5th of August 15 Roma families were forcibly evicted from the village of Craiova in Baia Mare. They were informed about the eviction only on the 1st of August. They were not provided with compensation. It was attempted to deny Roma the construction of new homes. The ban was lifted only after the intervention of local NGOs. While new houses were constructed the evicted had to spend from about two weeks to a month in the open. At the same time, they were not able to obtain the documents for new homes, paving the way for new evictions. This was a continuation of the events of 2012, when more than 500 Roma were deported to the territory of the abandoned chemical plant.

On September 27th and 11th October more than 100 Roma were evicted from their homes in Eforie Sud. At the same time, the local authorities did not wait for the end of the adjudication of complaints of forced evictions from the Roma. They have also not been given alternative accommodation; many were not able to save their possessions. Deportees were placed in a dilapidated school building.[14] At the same

on September 27th, the Deputy Mayor threatened them with murder if they did not come out of their houses. [15]

Despite the decision of the Supreme Cassation Court of Justice of Romania that evictions of Roma in Cluj-Napoca were illegitimate, the local mayor's office made no effort to remedy the situation and a half thousand Roma live next to the city dump. [16] The situation in Baia Mare and Piatra Neamt did not change. [17]

According to Roma NGOs, the police leadership prefers to cover the employees responsible for acts of violence against the Roma. [18] Authorities have not taken any significant steps to ensure that the principles of non-discrimination are supported by the police or research reasons why complaints against police officers that are not investigated. [19]

As for the Hungarians, they mostly complain about the inability to achieve autonomy and get jobs in civil service. Despite the fact that in Harghita and Covasna regions more than two-thirds of the population is Hungarian, the vast majority of senior positions in the administration is occupied by the Romanians. In particular, in Covasna more than 90% of judicial and prosecutorial officials are represented by Romanians. The same goes for police and tax authorities.

On February 2nd the new prefect of the Covasna County Dumitru Marinescu who was appointed by Bucharest government defiantly left the official ceremony in Shepshisentdërde (Romanian Sfântul Gheorghe) in the Covasna County. He demanded the removal of the so called "Székely flag" (the flag of the Hungarian minority) from the city hall. The actions of the prefect were taken as an insult by Romanian Hungarians. On February 7th Romanian prefect of the Hungarian Harghita County imposed a fine of 4 thousand Lei to the mayor of the town of Chikmadarash (Romanian Madarash) for posting the Hungarian national tri-color flag at the City Hall. The conflict, which is a clash of two nationalisms, was resolved at a meeting of the Romanian President Basesku and Hungarian Prime Minister V. Orbana at the summit of EU leaders in Brussels on the 8th of February. [20]

in October a teacher at a school in Covasna prohibited Hungarian students to wear ribbons, painted in the national colors of Hungary. After this incident, a group was created on Facebook, which included incitement for violence against Hungarians, while one of the students who wore ribbons was threatened with death. [21]

In the autumn of 2013 it became known that in the Mures County, where the Hungarian population makes up about 40%, public institutions have no signs in Hungarian language. The mayor of the county center of Targu Mures prohibited the Hungarian community to publicly celebrate two major Hungarian national holidays in autumn. [22]

In autumn it became known that there is a project regarding an administrative reform, in which areas populated by Hungarians should

be combined into one region with a fully Romanian region, which would reduce their share in the total population of the new region to 40%. It will primarily negatively affect electoral possibilities of Hungarian parties.

In early November the authorities banned the realization of a referendum in the county of Mures on the establishment of a Hungarian autonomy. [23]

On the other hand, in February it was announced that the Board of Harghita County demanded hiring a manager at the hospital that must possess the Hungarian language. In the center of the county — Miercurea Ciuc — here are no nameplates on public institutions in Romanian. The local newspaper in Sata Mare posted an ad about hiring a salesman in a jewelry store who must be "necessarily Hungary." The official website of the town Joseni (Gyergyóalfalu) only has a Hungarian-language version. [24]

It is also necessary to bear in mind that the Framework Convention for the Protection of National Minorities, signed by Romania, is subject to only those minorities which are included in the Council for National Minorities of the country. Council for National Minorities (CNM) was established by the Decree of the Government № 137/1993. CNM is intended to function as an advisory body to the Government of Romania without being a legal entity. The Board is composed of three representatives from each of the 19 organizations officially representing national minorities in Romania. Thus, officially recognized ethnic minorities are Armenians, Bulgarians, Croats, Greeks, Jews, Germans, Italians and Hungarians, Poles, Roma, Serbs, Russian Lipovans, Slovaks, Czechs, Turkic-Muslim Tatars (Crimean Tatars), Turks, Ukrainians, Macedonians and Ruthenians. [25]

Therefore Balkan-Roman people whose representatives live in Romania and whom the country's parliament declared as "Romanians" with the majority of votes on May 8th 2013 are not included in this group and that. But even before this decision these people were not recognized as national minorities in Romania. Thus, Aromanians, Istro-Romanians, Megleno-Romanians, Moldovans, Vlachs and others who speak their own languages, and in the vast majority of do not consider themselves as "Romanians" are not subject to the Framework Convention.

Also, all religious organizations other than the Romanian Orthodox Church are experiencing difficulties with the restitution of property confiscated during the communist regime. [26] Restitution of objects belonging to the Greek Catholic Church suffers delays. Of 6,723 claims for restitution to date 1,110 (16.51%) were looked into. Of these, only in about 190 cases Greek Catholics received buildings or compensation for them. [27]

Additionally, the authorities are working on monitoring and systematizing information about hate crimes. [28]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–2.5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and inflammatory statements of the government and the media

Most controversial are Roma-phobic statements made by politicians. On February 4th 2013 Chairman of the Union of Liberal Youth of Romania, A. Yu Rares Buglea expressed the need for coercive sterilization of Romani women after the first birth. The announcement came a few weeks after the scandal with the appearance on the site of right-wing organization "Autonomous Nationalists Timisoara" of a notice that the Gypsies taking FEMI sterilizing drugs will receive 300 lei from the organization. The declared aim of such an action — to reduce the number of Roma whose children "will be a burden to the Romanian society."[29]

On June 19th 2013 Romanian President Traian Basescu, speaking at the congress of women in business, expressed his dissatisfaction with the changing ethnic composition of the country, complaining that "Roma women can give birth to five children, and Romanian women — can't." Traian Basescu urged women to focus less on career and have more children. "In the end, it's a patriotic act!" — the president said

from the Congress tribune. He added that if current demographic trends continue, the population of Romania will be reduced to 15 million people by 2030." The composition of the population will change dramatically due to the fact that we have a very prolific Roma minority" — the president said.[30]

On September 20th the Secretary of the Ministry of Education of Romania Andras Kiraly said during a conference that he would never send his children to school with Roma.[31]

During evictions of Roma in Baia Mare the city mayor said that people living in the Roma settlement should "voluntarily leave the area, so as not to interfere with the important project of construction of the aqueduct, which cannot be implemented in practice because of the buildings illegally built on public land."[32]

However, the most xenophobic statements were made by government officials and politicians regarding the conflict between Romanians and the Hungarian minority, who are keen to gain autonomy. On July 4th President of the National Council of Hungarians in Transylvania, MEP from ethnic Hungarians residing in Romania Laszlo Tokes threatened that if the Romanian authorities will implement a plan for the division of the population of regions populated by Hungarians, the Hungarians will take to the streets.[33] On July 24th L. Tokes speaking at the annual summer university taking place in Baile Tusnad (Transylvania, Romania) said that in exchange for Hungarian territories lost as a result of the Treaty of Trianon in 1920, the Hungarians of Transylvania have the right to demand "limited self-identification" and a Transylvanian autonomy in Romania.[34] He also appealed to the Prime Minister of Hungary Viktor Orban with a call to take Transylvania under Hungarian protectorate following the example of South Tyrol in Italy.[35]

In response to these statements in a July 25th broadcast on TVR Romanian President Traian Basescu said: "I think there will never come a time when Hungary will express their opinion on what the administrative organization of Romania should be. Hungary has sufficient serious problems on its own. It should solve them. So, any statement of this kind is meaningless." Also, the Romanian president said that regionalization of Romania cannot be sacrificed in the interests of the minority. "We must find a solution. (...) In this country, 22 million people reside and only 1.5 million are Hungarians. Interests of the majority cannot be sacrificed, as well as the interests of the Hungarian minority should not be subordinated to the interests of politicians," — said the president of Romania.[36]

Romanian Prime Minister Victor Ponta said on July 31st that the statements made by Laszlo Tokes about need to establish a Hungarian protectorate over Transylvania are "not only irresponsible and offen-

sive, but also are actual criminal offenses." Ponta said that Romanian Justice should also look into applications expressed in Baile Tusnad. "It has to see whether these things happen in a country that respects itself, in a European country," — summed up the Romanian Prime Minister. [37]

In response, Tokes advised Ponte "to ask yourself of what sovereignty the country which he manages is, after he almost passed her over to the International Monetary Fund." Tokes added that "Transylvanians are tired of Transylvania being managed by Bucharest as some colony. [38]

At the same time, President Traian Basescu called Hungary a "hotbed of instability in the region." "I guarantee that Iwill not let an ethnic autonomous province to be re-established in Romania," — the president promised. [39]

In early December, on TV channels TVR3 and TVR Cluj demonstrated anti-Semitic Christmas carols performed by the ensemble "Transylvanian love" ("Dor transilvan") from the Romanian city of Cluj. In carols the word "Jew" was repeatedly used in a derogatory sense and kept wishing massacre of the Jews as a group, that doesn't honor the Christian faith. When the decision on the appointment of fines to channels for showing anti-Semitic Christmas carols, a member of the National Council for the audiovisuals in Romania opposed the sanctions, failing to see "violations in ensuring pluralism and respect for human rights" in the carols.

Employees TV channels said that the carols were chosen by the "Center for preservation and Development of Traditional Culture of Cluj," notifying the local mayor's office in advance. [40]

One can also note Moldavophobic statements. During his visit to Moldova on July 17th Basescu cheerfully welcomed the representatives of the Moldovan "New Right" party and promised unionists in Chisinau in adding Moldovan territory to the country. [41]

On December 24th 2013 the host of one of the programs on Romanian TV channel "B1 TV," controlled by Romanian President Traian Basescu, Radu Bunch called Moldovan female students studying in Romania "whores," and all Moldovans — "Gypsy-beggars," "half-educated drunkards." [42]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 30 of the Constitution reads: "Prohibited by law are slander of the country and the nation, calling for an aggressive war, national, racial, class-based or religious hatred, incitement to discrimination, territorial separatism or public violence."

Article 75 (1) (c) of the Criminal Code provides that committing of a crime on the grounds of race, nationality, ethnic origin, language, religion, gender, sexual orientation, opinion, political affiliation, believes, wealth, social origin, age, disability, etc. are treated as an aggravating circumstance. Article 247 of the Criminal Code bans civil servants from limiting the rights of others based on race, nationality, ethnic background, language, religion, gender, sexual orientation, political affiliation, economic status, age, disability, non-communicable chronic diseases or HIV/AIDS. Article 317 is devoted to punishing incitement to hatred and xenophobia. Article 381 to punishing crimes aimed at limiting religious freedom, Article 382 to punishing desecration of religious sites.

Anti-racism Act № 107/2006 (preceded by government decree № 31/2002) prohibits the operation of organizations of fascist, racist or xenophobic nature, participation in such organizations, the use of symbols of this kind, as well as the occultism surrounding personalities who were guilty of crimes against peace and humanity. The law also foresees criminal liability for the Holocaust deniers. By the end of monitoring this Article has not been used towards anyone.

On May 16th 2013 a law was passed regarding the measures needed to complete the process of restitution of property unlawfully acquired by the state during the communist regime in Romania.

- Presence and development of anti-discriminatory legislation.

At the heart of the Romanian anti-discrimination legislation is the Constitution of the country, which (Article 4) states that "Romania is a common and indivisible homeland of all its citizens, without distinction of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin." Article 6 of the Constitution of Romania recognizes the existence of persons belonging to national minorities, and at the same time recognizes and guarantees the right of

these persons to their identity (ethnic, cultural, linguistic and religious). "The protection measures taken by the State regarding the preservation, development and expression of identity of persons belonging to national minorities shall conform to the principles of equality and non-discrimination in relation to other Romanian citizens" — the document says. Article 32 guarantees the right of national minorities to learn their mother tongue and the right to be educated in that language.

Article 16 notes that citizens are equal before the law and public authorities, without privileges and without discrimination. Article 29 stresses the need for freedom of conscience.

In accordance with paragraph 2 of Article 59 of the Constitution of Romania organizations of citizens belonging to national minorities that do not collect a sufficient number of election votes for representation in Parliament have the right to one deputy seat each under the conditions stipulated by the electoral law. Citizens of a national minority may be represented by only one organization. But, on the other hand, there is no law on the status of national minorities or a clear definition of this concept in Romania.

In 2000 immediately after the adoption of the anti-discrimination EU Directive 2000/43/EU Croatia adopted the Decree of the Government № 137/2000 on the Prevention and Punishment of All Forms of Discrimination. Discrimination is described as harassment based on race, nationality, ethnic background, language, religion, social status, creed, gender, sexual orientation, belonging to a disadvantaged category, age, disability, refugee status or asylum seeker status. The law prohibits discrimination on the job, while studying, housing, healthcare services, etc.

Also Article 282 of the Criminal Code foresees criminal liability for government officials for discrimination against certain individuals.

Since 2011 the country has a modernized Law on Education that meets all EU standards and is ratified by Romania's international agreements. The law states that persons belonging to national minorities have the right to receive education in their native language at all levels of pre-university education. Schools or classes with education in the minority language are created at the request of parents or legal guardians, without any minimum quantity threshold.

Act № 61 of the 21st of March 2013, adopted in accordance with EU requirements, places a burden of proof on the defendant when dealing with cases of discrimination in the National Council for Combating Discrimination. The plaintiff only needs to submit evidence of discrimination.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

Romania officially adopted the major European and international rules and regulations that prohibit any kind of discrimination. EU anti-discrimination policy has not been fully implemented (2000/43/EU and 2000/78/EU of 29.06.2000 and 27.11.2000) in 2012, and only after the pressure of the EU in March 2013 the stalled process started to move.

The main bodies responsible for dealing with national minorities are the Department for Interethnic Relations and the Government Council for National Minorities. The National Agency for Roma, founded in 2004, coordinates the implementation of the state policy in respect to that part of the population. The strategy of state policy towards Roma focuses on six areas: education, employment, health, housing and small infrastructure, culture and social infrastructure. Particular attention is paid to such urgent problems as the fight against segregation of Roma children in schools and ensuring social housing for Roma. In Romania, the institute of "school mediators," which has proved its usefulness as a tool to monitor the situation and to avoid cases of dropping out, as well as ensuring school attendance among Roma pupils. In 2012 437 such intermediaries worked at county school inspectorates, the local government and county councils. In 2013, the number of intermediaries began to decline due to funding limitations of the program. The experimental program "Social housing for Roma communities," which is held by the National Housing Agency, includes a plan to build 300 units of social housing in 11 cities with the most convenient way for Roma to access education, health care and social services. [43]

The National Agency for Roma Affairs in cooperation with other ministries and representatives of civil society have developed a new national strategy for Roma for 2011–2020 in order to improve the level of education and skills of Roma, including expansion in employment, poverty reduction, prevention of social exclusion and discrimination against Roma in society, as well as improving their health and living conditions.

Regional offices of the Department of International Relations operate in the counties of Cluj, Constanta, Kharga, Mehedintsi, Suceava, Timis. [44]

In 2006 the National Council for Combating Discrimination was established. [45] NCCD is an independent public body under parliamentary control, which works in the field of anti-discrimination and is the guarantor of the observance and application of the principle of non-discrimination in accordance with national laws and international treaties to which Romania is a member. Discrimination is also combated by National Council for Mass Media (Consiliul Naţional. Audiovizualului — NSS), which has the right to apply sanctions against the media in the

case of violation of rules and regulations. In 2012 NSS introduced a system of sanctions in case of nationalist, anti-Semitic and racist statements in television and radio shows.[46] NCCD is attended by representatives of Hungarians and Roma. Their membership is compulsory. In 2013 the NCCD has made 103 decisions. In 66 cases fines were assigned, in the 29 warnings were issued, in 8 — recommendations. In 2012 there were 113 decisions, in 2011 — 94, so that the results of 2013 are a continuation of the overall trend.[47] Additionally NCCD has consulted 4,336 people.[48]

The fight against discrimination is an important topic for the Public Defender (AKA the Ombudsman).

On November 21st by decision of Prime Minister V. Ponty an Interinstitutional Committee was established to monitor and support the implementation of the new legislation. Its main task is to quickly offer all necessary steps to remedy any violations or delays. The Committee must hold regular meetings at least once every two months and extraordinary meetings if necessary.[49]

A specific problem is the compliance of section 7 of Article 32 of the Romanian Constitution, which states: "The State shall ensure freedom of religious education in respect to specific requirements of each cult. In public schools, religious education is organized and guaranteed by law."

In accordance with the Constitution, 18 recognized religions have the right to conduct the lesson of religion in public schools. The law entitles students to attend religion classes in school in accordance with their beliefs, regardless of their number.

Unfortunately, compliance is largely a formality. First of all, it concerns the problems of Roma. During the meetings with the representatives of the Romanian and international NGOs that have been held on 15th of February and 15th of October, the Ministry of Labor, the Ministry of Regional Development and Ministry of EU Funds acknowledged that forced evictions of Roma are a big problem in Romania and the state of the Roma unacceptable. However, these words were not followed by the adoption of appropriate legal instruments.[50]

In 2011, as part of its obligations under the "Framework of the EU for national Roma integration strategies up to 2020" Romania has developed a National Strategy for Roma Inclusion. However, as noted in the report of Amnesty International, published in February 2013, all these commitments "do not pass the region-specific actions."[51] On February 25th in an interview with the French media Romanian Prime Minister Victor Ponta has promised to work to improve the living conditions of the Roma, but added that this process will take "years."[52]

For these purposes, the National Agency for Roma is constantly criticized by human rights organizations. In the context of the difficult socio-economic situation in the country in conjunction with the clumsy and uncoordinated interaction of the Institute with other government agencies they realized a very limited number of projects that, according to the NGOs questioned the decision of the Roma issue in the short term.[53] Many programs have been cut due to the transfer of the relevant authority in the course of administrative "downward" reform, as the local authorities are not very keen to develop programs unpopular with conservative voters.

Minor improvements have been made to provide sufficient funding for the National Council for Combating Discrimination.

No steps were taken to the real implementation of the existing 2005 "Code of Ethics and Conduct for police officers" in the fight against xenophobia and discrimination. At the moment there is no independent structure that investigates crimes of police employees.[54]

- Struggle against hate crime (criminal cases against organizers and participants, guilty verdicts).

Romania is among the countries that do not lead monitoring and statistics on hate crimes in the country. Most of the crimes committed on the basis of hatred are not qualified properly by Romanian law enforcement agencies because of a lack of professional skills of police officers, or reluctance to formally recognize the problem of xenophobia in the country.

As can be seen, in this list there are no data about the police investigation of hate crimes. Information about the common practice of law enforcement agencies received to qualify such crimes as domestic, to refuse to register racist incidents and so on. Consequently, it can be concluded that the fight against such crimes being only partial.

Unfortunately, due to the lack of official statistics on crimes motivated by xenophobia, one can only talk about the sentence imposed on the NCCD. Among the mayors, mayors of Tirgu Mures and Baia Mare were fined for the construction of the wall in 2012, isolating a Roma settlement, Mayor of Miercurea Chuki for forced "Hungaryzation" of officials, the deputy-xenophobe Gigi Becali, the Association "Provita" for posting homophobic banners, college "Ionita Asan" in Caracal for practiced segregation of Roma students, the newspaper in Satu Mare, which published the Romano-phobic announcements.[55]

In addition, on May 28th, the Supreme Court of Cassation upheld the decision of Romanian National Council for Combating Discrimination from 2011 regarding misconduct of the City Hall of Cluj-Napoca regarding Roma eviction.[56]

On December 13th, the National Council for t Audiovisuals Romanian fined the Television Society of Romania for showing anti-Semitic carols on channels TVR3 and TVR Cluj: a fine of 50 thousand ROL was imposed on carols, which insulting people of Jewish ethnicity. [57]

On June 25th the European Court of Human Rights (ECHR) issued a decision regarding the case of Roma Hadrian Kobzarev, who was killed by police in 2006. The Court ordered Romania to pay 30,000 euros in compensation for moral damage. [58]

- Unlawful use of anti-extremist legislation.

Such facts have not been identified in 2013 during the course of monitoring.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	2.5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	17.5	15

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

In 2013 individual cases of anti-xenophobic rhetoric of the authorities were recorded.

On March 9th Romanian Prime Minister Victor Ponta told a Hungarian TV channel that he supports the decentralization of power and the subsequent provision on this basis, administrative, economic and cultural autonomy of the Romanian Hungarians. However, it was not

about creating a united Secuiesc region, as demanded by Hungarian politicians, and to grant autonomy to individual counties.[59]

On April 25th Victor Ponta issued a statement that the integration of the Roma in Romanian society is one of the key problems of the country.[60]

Romanian government minister Dan Sova, who had previously stated that there was no Holocaust in his country, on the 28th of January said that the visit to the museum of the Holocaust in the United States "will always be" with him. "I express the fullness of my sympathy for the victims of the Holocaust and to the families of those who have suffered at the hands of the Nazi regime and I feel obliged to direct my efforts to combat anti-Semitism" — he wrote in his letter to the Jewish community.[61]

Romanian Foreign Minister Titus Koreltsyanu in December condemned the anti-Semitic carols broadcast on television.[62]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	2.5	5
	Total for the section 4	2.5	5

5. Activities aimed at promoting tolerance and preventing extremism

In 2013, the Ministry of Regional Development and Public Administration initiated the study "Analysis of informal settlements in Romania — an analysis of the current situation in order to justify new rules and tools for intervention."[63] Implementation of several programs for Roma integration continued: a program on work of school mediators and medical intermediaries who use the Roma medical services program to vaccinate children, the program adaptation of Roma in the labor market (job fairs, retraining courses and subsidies for employers who hire Roma over 45 years of age). Authorities are carrying out a campaign to recruit members of ethnic minorities in the police, reserving space for them in various police academies. In 2012–2013 the police had taken 369,113 Hungarians and Roma.

Between 2006 and 2012, 936 police officers on the orders of the Ministry of Internal Affairs have been trained in the field of human rights; including preventing and combating all forms of discrimination.

Annually to finance programs and projects of minorities 16–18 million dollars are allocated. If in 2006 30 NGOs gave their support, in 2013 there were already 60.

In 2012/2013 academic year, 20 kindergartens and 12 preparatory schools had classes in Romani language. [64]

The Government of Romania is a member of the Task Force for International Cooperation on Holocaust Education, Remembrance, and Research. The Government continued to implement the recommendations of the International Commission on the Holocaust in Romania (Wiesel Commission) and to promote the study of the history of the Holocaust in school curricula. The history of the Holocaust has been included in the history courses in the 7th, 8th and 12th grades. The Government continued to support teacher training for history teachers on this subject in specialized training centers. In addition, the Ministry of Education has provided training materials and maintains a web site that is designed to provide guidance to teachers throughout the country. The Ministry is also the sponsor of the national and international seminars on the teaching of the history of the Holocaust. [65]

There are state-funded television programs in minority languages. Basically we are talking about programs in Hungarian and Romany languages, but the following also have their programs: Germans, Serbs, Turks, Ukrainians, Russian, Czechs and Slovaks, Bulgarians, Croats, Italians, Greeks, Armenians, Tatars. [66]

A number of projects were conducted by NCCD and the Department for Interethnic Relations. So, there is a seminar on "Law and Equality" from March to December, which involved students of seven of the best schools in Romania, selected on a competitive basis. About 500 students were informed and came into contact with issues of diversity.

The project "Equality and non-discrimination" informs and educates youth on non-discrimination. The project involved students from 55 schools across the country send in their essays, drawings, stories. NCCD's partner was the Christian "University of Dimitrie Cantemir." The project was the conference "Ways to promote non-discrimination and equal opportunities in the Romanian society." NCCD organized three summer schools for young professionals, teaching them about protection from discrimination. The courseswere attended by 500 people.

In 147 schools "Youth debates" have been held on various issues, among them promoting tolerance and combating discrimination.

In June in Bucharest a student conference "Multiculturalism and discrimination" was hosted, which was attended by 60 people. In September, a similar conference took place, which was attended by students of medical universities. In particular, it addressed the issue of respect for minorities and their right to health care. [67]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Romania has a dual role. On the one hand, it is the Donor country of immigration. According to some reports 2 million persons left the country. On the other — it is the "eastern gate" of the EU. As of 2009, there were about 60,000 legal migrants in Romania. Most of them are of Arab, Turkish, Chinese and Moldovan origin.[68] Therefore, the Romanian legislation covers both of these problems.

Article 17 of the Romanian Constitution stipulates that Romanian citizens abroad enjoy the patronage of the Romanian state. Article 18 says that those who live in the country of foreigners and stateless persons "have a shared patronage in respect of their persons and property, guaranteed by the Constitution and other laws."[69] According to Article 9 of the Citizenship Act, migrants can send requests for citizenship after five years in the country (or three years of being married to a citizen of Romania).[70] However, Articles 4–5 of the Citizenship Act, adopted in 1991, do not provide for automatic granting of citizenship to children born in Romania, if at least one of their parents has Romanian citizenship.[71]

Article 264 of the Criminal Code of Romania, includes passages regarding the punishment for the organization of illegal migration. It relies for the punishment of up to seven years in prison, if the organizer is a civil servant, or up to five years for all others.

Aiding and abetting illegal immigration shall be punished even if it was not intended for profit. Even helping illegal immigrants can be subject to a fine. Also to be fined are persons who give illegal immigrants housing for rent.[72]

The situation of migrants is regulated by Act № 194 as of 12th December 2002 and Foreigner Act № 122 "On Asylum," adopted in May 2006.[73]

According to Article 9 of the Act № 122 refugee status is granted in perpetuity, and temporary legal protection for a term not exceeding two years. Also, the resolution of the Government № 102/2005, as amended in 2011, in relation to the free movement on Romanian territory of citizens of the EU Member States, European Economic Area and Swiss nationals.[74]

In addition, the law № 248/2005 on the free movement of Romanian citizens allows national courts to limit exit from Romania for a period of up to three years, if the presence of a person in the country, due to the actions that he/she performs or should perform, can seriously damage the interests of Romania, or if it is justified by bilateral agreements joined by Romania. This applies to persons who have been deported from other EU countries.[75] This provision, in particular, complicates the work of human rights defenders — anti-fascists from other countries, who, for example, were denied entry into one of the Baltic countries; Estonia is in fact the only country with a "black list" of several dozen foreigners, including citizens of the EU.

According to the Law "On Asylum," refugee status and subsidiary protection in Romania are available for an indefinite period. Additional protection is granted to a foreigner if there are no grounds for granting refugee status, but dangerous to send such a foreigner to the country of his nationality. In case of the availability of reliable information about the dramatic improvement and stabilization of the situation in the country of origin of the refugee the decision to grant him refugee status may be revised. In 2013, "Asylum Law" allows the movement of single migrant teenagers.[76]

Since 2007 (after Romania's accession to the EU) legislation has included the ability to provide temporary protection in cases of mass influx of persons seeking protection. However, there were no disclosures of this type of protection in Romania in practice.

- Government's compliance with such legislation (law enforcement practice).

In general, immigration laws are complied with in Romania.

The Immigration Service of the Ministry of the Interior is in charge of the affairs of migrants. In Romania there are six refugee centers (in the cities of Bucharest, Galati, Radauti, Maramures, Timisoara and Giurgiu). In the centers applicants become registered, they related their private affairs and became acquainted with the recommendations in respect to their solutions. In the same motion acts the adviser who assists a foreigner in the procedure for consideration of his application, and if concerning refugee status — advise them on integration.

The centers not only provide a place to stay, but also carry out the mandatory and periodic medical examinations, residents are encouraged to participate in cultural events and visit free language courses. Even those who do not reside at the centers can use its services.

During the course of the procedure the applicant is paid the minimal financial assistance, which in fact, is less than the subsistence minimum.

Much attention is paid to the minor unaccompanied applicants. Such foreigners before the age of 16 are accommodated in special centers for Romanian children and on the age of 16 they are transferred to refugee centers with a mandatory establishment of a guardian.

- Discriminatory practices against migrants.

Such facts have not been identified in 2013 during the course of monitoring.

- Use of ethnic crime as justification for discrimination against immigrants.

Such facts have not been identified in 2013 during the course of monitoring.

- Social assistance for immigrants.

Questions of social assistance workers are regulated by the Foreigner Act, the Law on Asylum and the Social Assistance Act.

Article 79 of the Foreigner Act says that the Romanian state should provide conditions for the integration of foreigners who have been granted the right to live in Romania, in the economic, social and cultural life of the country. To ensure the integration of the Romanian language, courses in the history, culture, civilization, and the state of justice in Romania, legal training courses, provides information on the rights and responsibilities of migrants.[77]

For the integration of migrants is responsible a number of agencies (each aspect) — Ministry of Internal Affairs, Ministry of Education, Culture and Youth, the Ministry of Labor, Family and Equal Opportunities, Ministry of Health, etc. Coordination and monitoring of policies implemented MIA Immigration Service. Measures provided for by law in order to achieve integrate refer to facilitate access to the rights to employment, housing (with the provision of rental subsidies in the amount of 50% of its value), education, health care and social assistance, and implementation of the integration program — including the study of Romanian language.

Each individual program is for migrant integration. Provided for in the framework of its action must be submitted within six months after

the signing of the protocol on integration.[78] Article 18 of the Law on Asylum provides for the organization of special courses for refugee minors, the passage of which would allow them to integrate into the Romanian educational system. In addition, each worker must sign a protocol on integration.

Article 4 of the Law on Social Assistance guarantees its receipt, along with the Romanian citizens, legal aliens is having a temporary or permanent residence permit, as well as EU nationals.[79]

Local authorities are obliged to provide social housing to persons who were granted a form of protection in Romania and who are moving to the appropriate community, within available resources, and on the same conditions as Romanian citizens.[80]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

As in the past in Romania, there was a high level of xenophobia in 2013. Submitted surveys conducted in 2013 by the order of the NCCD, 67% of respondents believe that discrimination occurs "often" or "very often." 46% believe that discrimination will remain at the same level in the coming years. Only 11% believe that the level will decrease, and 28% believe it will increase.

According to the survey agency IRES in October-November 2013, discrimination is recognized as the most prominent problem of society by 59% of respondents (in 2011 these were 51%), 31% do not consider it a major problem. Thus we can speak about the growth of the level of discrimination in the minds of the inhabitants of Romania. The most discriminated groups in the opinion of the respondents are HIV-positive and the Roma (as believed by 67% of respondents), LGBT (50%).[81]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
–	Discriminatory practices against immigrants	–5	0
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	5	10

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In 2013, the monitoring has recorded cases of Roma-phobic, Hungary-phobic and anti-Semitic threats and incitement to hatred. On January 15th Romanian party "autonomous nationalists" announced that rewards of 300 lei will be given to each Roma woman who voluntarily undergoes sterilization in 2013. [82]

On February 8th at the building of the Hungarian Embassy in Bucharest a spontaneous demonstration was hosted, the participants of which were Romanians who used abusive Hungarian slogans: "If you do not know Romanian, get out of here," "Romania is my homeland, your's is Mongolia." [83]

On February 9th the walls of the Jewish cemetery of Timisoara, the third largest city in Romania, were painted with swastikas and "decorated" with slogans "Death to the Jews." [84]

Roma-phobic and Hungary-phobic slogans are regularly heard at the matches of FC "Steaua." [85]

Party "Great Romania" supports two online publications "Revista România Mare" and "Ziarul Tricolorul," who publishes statements of the party leader V. Tudora against his political opponents and minorities.

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

One cannot say that the ultra-popular literature is widespread in Romania. Exceptions are numerous books on the history of the country during the dictator Antonescu aimed at the glorification of the Romanian fascist 1930s—1940s (See below), as well as literature, non-fiction and feature films aimed at promoting the thesis "Bessarabia — Romanian land."

In Romania there are pure neo-Nazi rock bands of the Western European type, but many popular online recordings are devoted to the motion "Anti-Monel" (Monel — a kind of Roma music), the followers of which are hostile to the Roma. Formally, it is a competition of musical styles; in fact, this is a real propaganda of racist and ultra-nationalist ideas.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the center and in the localities).

The best known ultra-right party is the "Great Romania," founded in 1990 by Vadim Tudor.[86] Although since 2008, the party is not represented in the Romanian Parliament, it has a fraction of the two deputies in the European Parliament. In addition to Tudor, Gigi Becali became MEP in 2012. He is the owner of the "Steaua" club and is a direct xenophobe.

The party Totul Pentru Ţară (All for the Motherland) considers itself the successor of the Movement of the Legionaries/Iron Guard, the main fascist organization of interwar Romania, and actively uses "legionary" symbols (green shirt), rhetoric (radical nationalism) and gestures (Nazi greeting — "Nazi salute").

One of the most active political groups — an organization called "New Right" (Nou ă Dreapta — ND), existing since 2000 that is actively engaged in building international contacts, particularly with representatives of Moldova and Ukraine, also positioning itself as a successor to the "Legionnaires."

As the legacy of the "Iron Guard" proclaims itself the active "Movement of Legionnaires' in Bucharest, having their data center with a library on the front of which are plotted fascist symbols of the "Iron Guard."[87]

There is also a right-wing populist party called "New Republic." In areas heavily populated by the Hungarian minority acts the moderately nationalist Transylvanian Hungarian People's Party.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

"Great Romania" supports the restoration of its "historical borders" — i.e. with the absorption of Moldova and the rejection of the territory of Ukraine.[88] "New Republic" declares reverence for "the pantheon of Romanian soldiers who died in the war for independence and the two world wars" (i.e. to the soldiers and Antonescu regime, former ally of Hitler).

The site of the party "Great Romania" contains articles whose authors seek to "prove" that the Hungarians living in the Székely region and since 1940 have destroyed all traces of Romanian civilization, and earlier this land was exclusively inhabited by Romanians. Hungarians referred to as "the invading colonists" and expressed hope for the restoration "of the Romanian majority" in the province.[89]

Transylvanian Hungarian People's Party was in favor of the autonomy of the so-called Székely region and the main language status for the Hungarian language in the territory.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organizations.

Despite the fact that the radical nationalists are not represented in the "upper floors" of power, their ideas of Roma-phobia, Hungary-phobic support the idea of creating a "Great Romania," which has a huge impact on society.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Romanian radical nationalists are represented at the local level in several regions of Romania. At the municipal level they are also presented in the so-called Székely region by the moderately nationalist Transylvanian Hungarian People's Party, to get a seat in the municipal elections on June 10th 2012.[90]

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Elections in 2012 were unsuccessful for the Romanian nationalist parties, and to set up in 2011, the Party of the Hungarian nationalists was used — Transylvanian Hungarian People's Party.[91] Thus, the "Great Romania" party in December 2012 in the simultaneous elections to the upper (senate) and lower (Chamber of Deputies) House of the Parliament received 1.24% and 1.47%, and was not able to send any candidate.[92] The result of this defeat was the expulsion of K.Tudora from his own party in July 2013, where he was succeeded by George Funari.[93]

However, the ideas of the Romanian national radicals are used by politicians of the "big" parties. So, the idea of "Great Romania" has been

consistently implemented a number of years, followed by the mass distribution of Romanian passports in Moldova and Ukraine (according to 2013 the number of these passports reached 300,000). In early December, it was reported that 462 candidates participating in the parliamentary elections in Romania, signed the "Pact of Bessarabia," promoting the idea of providing for the early accession of the Republic of Moldova to Romania.

In August 2013 Traian Basescu and Romanian Foreign Minister Titus Corlatean participated in the "Summer University," dedicated to "the Romanians living on the border with the EU and NATO," active participants who were unionists of the Romanian-Moldovan organization Acţiunea-2012 ("Action 2012"). [94]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	–2.5
–/×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–2.5
	Total for the section 8	–22.5	–20

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

According to the monitoring in 2013 none of the activities of radical nationalists were prohibited by the authorities.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

On February 8th at the building of the Hungarian Embassy in Bucharest a spontaneous demonstration was hosted, the participants of which were Romanians who used abusive Hungarians slogans: "If you do not know Romanian, get out of here," "Romania is my homeland, yours is Mongolia."[95]

In late November, the movement "New Right" organized a march in memory of the leader of the "Iron Guard" K. Kodryanu, the fascist organization operating in the 1920s and 1940s near Bucharest. That very same "New Right" party organized paramilitary camps in the summer.[96]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  In 2013 no such facts were recorded by the monitoring.

- Presence of "football xenophobia" and racism amongst sports fans.

Football racism is widespread in Romania. The center of the football xenophobia for a number of years is the club "Steaua," whose owner is the MEP of "Great Romania" Gigi Bekkali. During the matches against FC "Rapid" that has a reputation as a "Roma" team Roma-phobic slogans were shouted and during the match with a team of Hungarian-Cluj — offers to Hungarians to get out of Romania. In this case, the sports authorities did not respond to these statements and actions.[97]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–10	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

On February 9th the walls of the Jewish cemetery of Timisoara, the third largest city in Romania, were painted with swastikas and "decorated" with slogans "Death to the Jews."[98]

On May 17th a monument to Holocaust victims in Tirgu Mures was desecrated.[99]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

Facts of ethnic clashes have not been recorded in Romania by monitoring in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

In the absence of any statistics on hate crimes, it is impossible to carry out a full analysis of the situation in this regard; there are only a few known facts of this kind. Since May 17th unknown assailant in Bucharest pushed Mircea Marian, a correspondent for the daily newspaper "Evenimentul Zilei" shouting "Jew!".[100]

In November 2013 in Cluj near one of the nightclubs a group of Roma consisting offrom three people have been insulted on ethnic grounds. Then one of the Roma went home for cold weapons (swords) and together with his friends attacked the offenders. One of the victims suffered serious injuries. The attackers were arrested.[101]

In general we can say with some certainty that the number of hatred violence in Romania has decreased in comparison with the previous periods.

- Nationalist or religious terrorist attacks.

Such cases were not recorded in the review period.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	0	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Cases of hate crimes	–5	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–10	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

Since 1993, the CRISS organization is operational. It protects and promotes the rights of Roma in Romania, providing legal assistance in the fight against racial discrimination. In addition to it there are about two dozen organizations in Romania that help the Roma combat xenophobia and discrimination. [102]

In Romania the D. Sorosa Fund is also "Open Society" active, its purpose being the promotion of creating a society, one of the main features of which would be tolerance. [103]

Monitoring of anti-Semitism is done by the Centre for Monitoring and Combating anti-Semitism. The Institute for the Study of the Holocaust in Romania named E. Vizelya as also being very active in informing the public about the Holocaust deniers. [104]

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

In the major cities of Transylvania on March 15th celebrations take place dedicated to the Hungarian national holiday — the Day of the Hungarian Revolution, during which demonstrators demand giving the Hungarian language official status in counties with a significant proportion of the Hungarian population. [105]

On June 18th representatives of Amnesty International and Roma activists have erected House of Cards in the center of Bucharest as a symbol of the vulnerability of people all over Romania, which are under threat of forced eviction from their homes. A report was sent to AI on the Roma in Romania. [106]

On October 27th the Székely — Hungarians living in Romania — held a massive rally in protest against the country's upcoming administrative reform, which they fear could substantially limit their rights. Residents came out to rally from Székely 14 cities in three counties — Kharga, Covasna and Mures.

The main event of the day was the "Great Székely march," which according to the organizers of the event, was attended by about 120,000 people. The human chain that was formed by Transylvanian marchers stretches for over 50 km. [107]

- Presence of anti-racist and anti-fascist civic initiatives.

The "Open Society" Fundand the World Bank funded assistance programs in Romania Roma to complete schooling — a program for the Roma Education Fund "School after school" and "Program of equal opportunities in education." [108]

In 2012 the European Roma Rights Center in collaboration with the "Open Society" launched a project in the field of health research and healthcare inequalities between Roma and non-Roma communities.

The project aims to assess inequalities regarding health care in Romania. It is based on a survey of 1,100 Roma and 800 non-Roma households. [109]

On February 18th in Bucharest, a museum opened dedicated to the Roma culture. According to its organizers, the need for it has matured due to the existence of a very biased opinion on the Roma and their culture in society. The museum does not only present to the visitor a number of artifacts related to the Roma culture, but also a lot of ideas and stories, illustrated through objects, installations and stories to stimulate debate at all levels of society. [110]

In August in Bucharest a festival of documentary films on human rights "One World — Romania" was hosted, which had more than 9,000 spectators. [111]

On October 16th Amnesty International together with representatives of the three Roma communities — in Baia Mare, Cluj-Napoca and Piatra Neamt, referred a petition to the Prime Minister's office with 25,000 signatures to take concrete steps towards the prohibition of forced evictions and to protect the right to adequate residence in the Romanian legislation. [112]

Due to the pressure of the Jewish community and Romanian human rights defenders, a radical nationalist and Antonescu regime admirer Luchyan Bolash withdrew his candidacy for the presidency of the Constitutional Court in December. [113]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	2.5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	12.5	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

In the Romanian media and communications materials are regularly published, that glorify the dictator Antonescu, representing him in charge of the state leader and as a patriot of his country. [114]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

In Bucharest, at the residence of the "Movement of Legionnaires" the "Iron Guard" flag is freely presented, and the building is decorated with fascistic symbols. In the city leaflets are freely distributed on behalf of the "Iron Guard." [115] The authorities do not prevent marches praising Codreanu, etc.

On June 16th, representatives of the Galati Border Police and the Ministry of Defence laid flowers in memory of the soldiers of the 11th infantry unit to the monument specially built in their honor, on which Antonescu's order is stamped which marked the beginning of the war against the Soviet Union, which led to massive destruction of innocent Jewish population. [116]

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

On July 16th, 2013 on the eve of his visit to Moldova, Romanian President Traian Basescu made a statement in which he justified the actions of Ion Antonescu, saying that if he were an ally of Hitler, he would have given the same order of the transition of the Prut River to "return" Bessarabia. [117, 118]

- Historical revisionism, Holocaust denial.

A few cases of Holocaust denial were recorded.

There is a recorded desire to lift responsibility for the Holocaust from the regime of Y. Antonescu. In the history books in the section about the Holocaust it is described as the Holocaust in general, without reference to the actions of Antonescu regime. [119] On February 15th at a meeting of the Romanian Academy of Sciences, Professor of the University of the German city of Aachen Vladimir Iliescu said that "in Romania there were persecutions against 100,000–120,000 Jews of Bessarabia and Bukovina, but there was no Holocaust." According to him, the Holocaust was only in Germany and Hungary, "where Jews were sent to Auschwitz." [120]

Politics High School teacher Ion Koya is also engaged in Holocaust denial, and has his own web site (http://www.ioncoja.ro). On the 5th of September Y. Koya wrote that "in Romania there were no "death camps," there is no trace of anti-Jewish Holocaust... There were death camps in Romania after 1945, in which the investigators were Jews." [121]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–20

13. Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such facts were not recorded during monitoring in 2013.

- Restrictions on human rights and anti-fascist organizations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such facts were not recorded during monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such facts were not recorded during monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

At the end of the reporting period, Romania has signed and ratified the International Convention on the Elimination of All Forms of Racial Discrimination (in 2003 an assumption was made that Ro-

mania will recognize the competence of the Committee on the Elimination of Racial Discrimination only when dealing with complaints about violations of individuals rather than collective rights), the Convention on Elimination of All forms of Discrimination against Women, the Framework Convention for the protection of National Minorities, the European Charter of Regional Languages and Minority Languages, the Additional Protocol to the Convention on cybercrime, concerning the criminalization of acts of racist and xenophobic nature committed through computer systems,[122] as well as the Protocol to paragraph 12 of the European Convention on Human Rights (ECHR).

- Accession to new international agreements and resolutions of various international organizations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the reporting period, Romania has not joined any new international treaties or resolutions of the UN or other international organizations to combat Nazism, racial discrimination, the protection of minorities, and so forth.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

During the review period there were no international initiatives and declarations on the fight against racism and discrimination in Romania.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Romania formally improved its position in the ranking of radical nationalism in comparison with 2012 (12th in comparison to 9th), which was due to a more rigid approach to the rights of migrants, improving xenophobic rhetoric of the country's leadership, more active work of legislative bodies, thereby reduction in the number of hate crimes, as well as the active work of the National Council for Combating Discrimination and the National Council for the media in 2013.

At the same time the problem of the Roma is on the same level primarily due to the continuing campaigns for their eviction from their homes, for which there are no permits, segregation in the education system, as well as abuse by the police. An acute problem of discrimination of the Hungarian minority still remains.

Despite the decline in popularity of right-wing parties, which is clearly manifested in the elections of 2012, nationalist and chauvinist ideas remain very popular in the Romanian society. It is also worth mentioning the maximum level of revisionism and the glorification of the Nazi past during Antonescu times.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Minority in Romania are protected from discrimination by individual articles of the Constitution, the anti-racism law № 107/2006, anti-discrimination Government Decree № 137/2000, the Education Act 2011 and the Penal Code. An important tool in the protection of minority rights, the National Council for Combating Discrimination (NCCD), was established in 2006. The country lacks a complete legislation on the protection of national minorities. Romania refuses to recognize their minorities of the Balkan-Romano group, considering them Romanians, which contradicts the identity of these people.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Romania has signed all major international agreements on the protection of minority rights, but the government, particularly in this field

often allows violations of the provisions of these documents, particularly with regard to the Roma minority — in education, employment, healthcare, tenancy, etc. Also there are violations against compact ethnic Hungarian minority settlements based on their linguistic rights.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

This differentiation primarily concerns linguistic rights of the Hungarian minority in Transylvania and socio-economic rights of the Roma.

- *Legislation enshrining inequality of minorities.*

Questions arise about the decision of the Ministry of Labor and Social Protection, adopted in February 2012, according to which the right to receive social benefits are denied to those Romanians who are not registered for tax purposes and hold a minimum amount of precious metals or other valuables. This ruling implicitly directed against the Roma minority, which for the most part meets all these characteristics.

The New Code of Civil Procedure, which was passed in 2013 actually discriminates Roma homeowners limiting the grounds on which the issue of eviction may be considered in court, i.r. only with the right to property or the expiration of the lease term (many Roma simply do not have any documents to that effect).

- *Rulemaking in protection of minorities.*

In accordance with the anti-discrimination standards of the EU, the Act № 61 of the 21st of March 2013 the burden of proof in cases of discrimination in the National Council for Combating Discrimination lies on the defendant. The plaintiff only needs to submit evidence of discrimination.

- *Freedom of speech violations.*

Romanian Constitution (Article 8, Article 30) guarantees freedom of speech and the press, and the government generally respected these rights in practice, however, there are legal prohibitions against "defamation of the country" and "abuse of power," including being proscribed in the Constitution (Article 30, paragraphs 7, 8) that could potentially restrict these rights. Therefore, although there are no legal restrictions on the exercise of freedom of the press, frequent complaints of officials from the ruling party suggest that the authorities can use certain sanctions, such as heavy fines for illegal restriction of this right.

- *Legislation and law enforcement practices concerning migrants.*

Romania has developed legislation on migration, as well as the various programs on the integration of migrants. The number of immi-

grants, compared with the number of Romanians — labor emigrants living abroad, minimally, so this problem is not significant for the country.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Romanian society is increasingly obsessed by xenophobic attitudes, and Romanians themselves are fully aware of it, judging by the results of opinion polls. Currently, along with a demonstration of commitment by the authorities to improve the situation of minorities in the local and regional level, we are seeing trends towards discrimination against Roma, Hungarians and non-Orthodox religious communities, as well as the facts of the glorification of the pro-Nazi regime of Ion Antonescu.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

In the Romanian society Roma-phobia, Hungary-phobic and anti-Semitism are widespread. On their part, representatives of minorities are gradually "voting with their feet" — we can note the mass departure of Roma and Hungarians abroad.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to the rating calculated by a popular institution Legatum Institute Romania the standard of living of the population is in 55th place. [123] Nevertheless, while it is impossible to say that the development of xenophobic tendencies is the cause of poor standard of living level of the population.

- *Economic impacts and instability.*

Romania's GDP in 2013 increased by 2% and the unemployment rate is 7%. Poverty in the population contributes to xenophobia against minorities, who are accused of all the ills. For example, the main complaint of the Roma is that they do not pay taxes, are not engaged in the production, but receive social benefits. In this case, the Roma are the most discriminated part of the population in employment.

- *Decline in production growth, emigration of the labor force.*

The rise of xenophobia in the Romanian society is, along with economic reasons, one of the main motives for the emigration of the working population. The number of Romanian Hungarians only for the period from 2002 to 2011 fell by 200,000 people and made more than 10% of Romanian citizens who went abroad for the entire post-socialist period. However, the bulk of emigrations are Roma. It formed the backbone of the flow of Roma immigrants which became the main headache of the French and Italian authorities in the period under review.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Romania, which, due to domestic political reasons has insufficient level of political stability and a number of unresolved economic problems may be in the foreseeable future in the face of yet another danger — xenophobia, the pressure on the minority and, as a consequence, to the general increase of intolerance and aggression in the country. The emergence on the political scene in Romania of a new, more radical nature of the Transylvanian Hungarian People's Party is the first signal to an even greater differentiation in society, and the split line dangerous place in the field of interethnic relations.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

At present, because of the growing xenophobia Romania seriously spoiled relations with almost all its neighbors. Moldova is scare by statements of some politicians claiming the "Anschluss." Ukraine (same as Moldova) with displeasure watches the mass distribution of Romanian passports to its citizens. The toughest situation in relations between Romania and Hungary, and Hungary resorted to the same tactics of the distribution of citizenship as Romania in the east. Currently Hungarian citizenship was already received by more than 200,000 Romanian Hungarians. Such a situation of confrontation between two nationalist regimes is fraught with further aggravation.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

As a country providing migrants to the European labor market, it is recommended for Romania to join the International Convention for

migrants and their families. In addition, Romania was the actual connection to the annual UN General Assembly resolution directed against the glorification of Nazism.

2. *General recommendations for adjustments to the legal framework*

At present, there is no single law in Romania on the status and rights of national minorities, in which there is an urgent need. Additionally Romania needs to amend the immigration laws that would allow immigrants to obtain citizenship for their children born in Romania. An important point is the introduction of amendments to the Constitution of the regional status of the Hungarian language. In addition, it is necessary to cancel the rules of social assistance, which allow one to leave without the support of the vast majority of the Roma people.

It is desirable to adopt a law (or a set of laws) protecting the rights of the Roma from the unexpected eviction without compensation.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Romania's should make efforts to break the negative trends in the Romanian society associated with the development of xenophobia and intolerance. To do this, it must take a number of steps:

- establish a national system of registration of incidents and hate crimes;
- make clear statistics of these accidents, including the percentage of solved cases;
- implement a registration system for persons who identify themselves as ethnic minorities, who have expressed an interest in the protection of the Framework Convention for the Protection of National Minorities and the European Charter for the protection of regional languages and minority languages;
- stop discriminatory practices against the Roma minority in the field of education, which requires the Department of Education to find ways for distribution of Roma children in public schools in Romania with the help of departmental vehicles;
- prevent segregation of Roma in this area;
- continue to implement the positive experience of the use of school mediators;
- revise school textbooks to eliminate xenophobic attitudes towards religious minorities;
- eliminate discriminatory practices against ethnic minorities in employment and for that to study the case of the so-called "positive discrimination" which is used in a number of EU countries;
- eliminate discriminatory practices against ethnic minorities in the healthcare sector. This requires to develop the services of in-

termediaries to provide medical services in an environment of Roma and to develop an appropriate vaccination program;
- ensure the participation of members of national minorities in the work of the government at the local level;
- actively enforce criminal laws against those who violate the anti-racist, anti-discrimination and anti-extremist norms.

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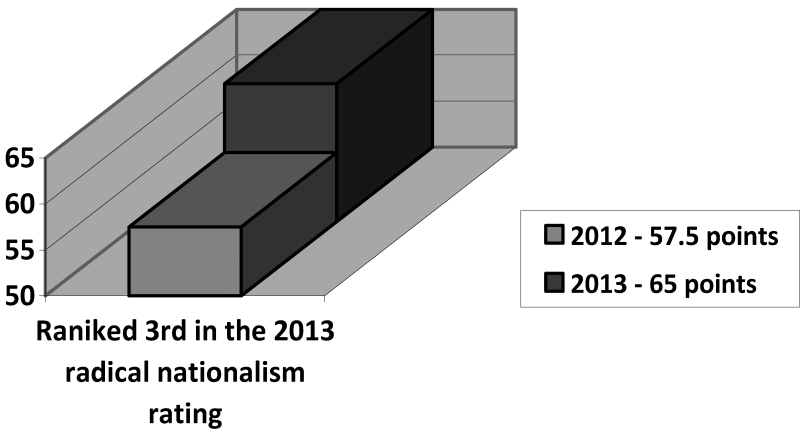
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	17.5	15
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	2.5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	5	10
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–22.5	–20
9	Extremist and radical nationalist public actions	–10	–10
10	Racist attacks, violence and terror	–10	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	12.5	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–20
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	5	5
	Total	–40	–30

UKRAINE


65
60
55
50
Raniked 3rd in the 2013 radical nationalism rating
2012 - 57.5 points
2013 - 65 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

In general, there is no discriminatory legislation in Ukraine. However, certain laws and regulations contain discriminatory provisions.

In December 2012, Ukraine adopted amendments to the Law "On the freedom of conscience and religious organisations." The law considerably complicates the registration of religious organisations, provides a wide range of government institutions with the authority to regulate activities of religious organisations (these institutions include — prosecution, ministry of culture, other ministries and state departments, local administrations and local self-governments). The law also governs the conduction of peaceful public activities of religious people and organisations, which directly contradicts Article 39 of the Constitution of Ukraine.

Furthermore, the law introduces a provision which states that coordination of foreign religious activities is governed by the central body on religious affairs — that is, the Ministry of Culture of Ukraine. Thus, the law introduces additional contradictions in the legal regulation of the activities of foreign spiritual teachers and students, priests, volunteers, etc.

On October 2, 2012, Verkhovna Rada (Parliament of Ukraine) adopted a bill "On the amendments to certain legislative acts (on the

protection of children's right to secure information space)." The bill criminalised *any* mention of homosexuality in a positive or neutral context. In 2013, the bill has not moved forward, although it has not been withdrawn from consideration. In addition, in April 2013 the profile committee approved deputy Vadim Kolesnichenko's (Party of Regions) bill, which proposed to introduce administrative fines and criminal responsibility for the "propaganda of homosexuality among minors."[1]

Several regional regulations can be pointed out for their discriminative nature against the Russian-speakers. On September 26, it was reported that deputies of the Ternopol City Council, where Svoboda party nationalists hold majority of seats, introduced a provision to the rules of city development that prohibited the use of any language except Ukrainian in the external design of stores, catering outlets and other establishments.[2] On December 26, the resolution of the Odessa Administrative Court of Appeal came into force, invalidating the decision of the Odessa City Council (of July 8, 2011), which equated Russian language to Ukrainian as "a language of education and upbringing."[3]

In 2013, a discriminatory bill aimed at restricting the use of Russian language has been introduced to the Verkhovna Rada. On January 15, deputies of the Verkhovna Rada of Ukraine, Vladimir Yavorivsky ("Batkivshchyna" faction), Maria Matios ("UDAR") and Irina Farion (Svoboda) registered a draft law № 1233 in the Verkhovna Rada, "On the Ukrainian language as language of state and the use of other languages in Ukraine." According to the bill, "any other language that is used in Ukraine, besides Ukrainian as the language of the titular nation and the language of other indigenous peoples of Ukraine, for the purpose of this law is a foreign language." With the new language bill, the opposition proposes oblige all government officials, as well as the president, deputies, judges, lawyers and notaries to take the Ukrainian language exam. In order for provisions of the new bill to be implemented in life, public deputies want to set up a special position — Commissioner for the Protection of the state language, minority languages and regional languages.[4]

This bill has not been considered in 2013, however in March 2014, the Verkhovna Rada Temporary Special Commission engaged in preparation of bills on the development and use of languages in Ukraine introduced this draft law to the list of documents used as a basis for the new bill on languages.[5]

Ukraine lacks a state expert committee on interethnic relations, which poses a serious problem. Ministry of Justice of Ukraine is still reluctant to introduce amendments to its own resolution (8.10.1998 № 53/5 ("On the approval of the Instruction to appoint and conduct

forensic examinations and expert investigations and scientific recommendations for the preparation and appointment of forensic examinations and expert investigations") which specifies expert organisations in various fields. Since it lacks the field of interethnic relations, any expert assessment on the presence (or absence) of incitement of ethnic hate cannot be considered an official examination. This significantly complicates the identification of manifestations of xenophobia and chauvinism.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

Legislation that restricts the voting rights on such grounds is absent in Ukraine.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

New normative acts have joined the ranks of local government resolutions adopted in 2012 that prohibited the celebration of May 9th[6] in the western regions of the country. On January 27, at the session of Bystretsk village council (Ivano-Frankivsk region) proposition of the Svoboda party to fly the red and black flag of the OUN-UPA [Ukrainian Insurgent Army] on national holidays was unanimously supported. UPA was known for its collaboration with Nazi Germany and its involvement in Jewish pogroms in Ukraine.[7]

On April 25, Lviv and Ivano-Frankovsk city councils adopted a decision on declaring May 8 and 9 days of mourning the victims of World War II and totalitarian regimes. According to the decree, the use of the USSR, communist and Nazi symbols is prohibited in the city on May 8–9. Instead, national flags with mourning bands should be hung annually, and no entertainment activities should be carried out.[8] Although, Lviv Regional Court suspended this decision within its city on May 7th.[9]

A more important decision was made on February 4th, when the Supreme Administrative Court of Ukraine refused to invalidate the decree, according to which the warriors of the Organisation of Ukrainian Nationalists (OUN) and the Ukrainian Insurgent Army (UPA) were declared fighters for independence of Ukraine. Nataliya Vitrenko's suit was dismissed on the grounds that the impugned orders do not apply to her personally, and her personal rights are not violated. Therefore, it was decided that she could not challenge the presidential decree.[10] Thus, glorification of OUN-UPA received support at the highest level.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

The Romani people are most subjected to discriminatory practices in Ukraine. According to a report by International Renaissance Foundation, Cherkashchyna Romaine Alliance and the Odessa Regional Roma Congress — "Law enforcement's compliance with the Roma rights" — one in two Roma is subjected to discrimination. A survey conducted by these organisations revealed that 83% of Roma feel law enforcement's negative attitude towards them; in addition, 51% of them considered it "hostile." They also note that in 2012, police officers have made random visits in more than half of Roma houses (51%), and 35% reported that these visits resulted in illegal searches. In 2012, 66% of Roma people were subjected to random searches on the street — mostly ID checks (82% of cases). 93% of Roma do not trust the internal affairs institutions.[11] Monitoring revealed that 35% of Roma know nothing about their rights and freedoms; 56% responded that they know them partially and only 9% responded that they are fully aware of their basic rights and freedoms as provided by the Constitution and international agreements.[12]

Speaking at the presentation of this report, representative of the Ukrainian Commissioner for Human Rights Aksana Filipishina said that Roma is a national minority that is completely unattended by the state. She noted that visits to the temporary sites of Transcarpathian and Odessa Roma indicate that their "children are unable to attend school due to discrimination," many of them lack documents, many are refused education under false pretexts, and so forth.[13]

A survey conducted by the Kiev International Sociology Institute in 110 Ukrainian cities (including Crimea) between September 6 and September 27, 2013, 11.7% cases of discrimination were related to ethnicity. In Crimea, the most discriminated group were not Crimean Tatars, but Moldovans, followed by Hungarians and Crimean Tatars in the third place.[14] The most common form of discrimination was denial of citizenship. On January 16, CoE Commissioner for Human Rights Nils Muiznieks, released information, according to which Ukraine has more than 40 thousand stateless persons, mostly Roma, or descendants of the Crimean Tatars.[15] Furthermore, the law on the rehabilitation of Crimean Tatars, which was supposed to compensate them for lost property, was not adopted as of 2013.

Leader of the Party of Hungarians in Ukraine Nikolai Kovach, in an interview published on March 27 stated, that Ukrainian authorities in 2012 have eliminated the so-called Hungarian electoral district in Transcarpathia, "scattering" the Hungarian voters over three districts,

where they are now a minority.[16] Furthermore, on March 1, deputies of Lviv City Council did not support the decision to allow the Jewish community to rent non-residential premises even though all other property issues were positively resolved.[17]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–2.5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
×	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–2.5	–5
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–12.5

2. Xenophobia and inflammatory statements of the government and the media

The main source of xenophobic statements in 2013 was the Svoboda party, which made numerous calls for violence and anti-Semitic, anti-Polish and anti-Russian statements. This rhetoric was most noticeable in the rhetoric of Verkhovna Rada deputy Irina Farion.

Commenting on the removal of names of Bandera and Shukhevych from the examination curriculum on January 23, MP from Svoboda Irina Farion stated that this decision "should be interpreted as a panic fear of freak like Tabachnik before the immortality of ideas of Shukhevych and Bandera."[18]

Roman Shukhevych served in Third Reich's armed units in 1941–1942. He was a deputy commander of Nachtigall and deputy commander of the 201st battalion of the security police under the rank of Wehrmacht Captain. In the 9 months spend in Belarus, the "Ukrainian Legion" (201st security battalion) executed more than 2,000 Soviet partisans. In 1944–1950, he headed the Home Team of UPA and the

OUN underground. According to Yad Vashem Jerusalem memorial complex, Shukhevych was also involved in Jewish massacres. Stepan Bandera was the leader of OUN-UPA, responsible for the mass murder of Jews during the Second World War.

On January 28, an appeal signed by Irina Farion appeared, accusing the authorities of "declaring a war on the language of the titular nation" in favour of "the language of a hostile state" (Russian).[19] On April 23 in Chernovtsi she openly stated about the need to continue the Bandera policy. "I'd like to thank the Poles for creating Bandera, if it were not for the Polish oppression — there would be no Organisation of Ukrainian Nationalists. If it were not for the two lawsuits against Stepan Bandera — a mythical spirit of Bandera would not have been born, before whom everyone stood up when he walked into the hall. UIA, OUN — is not just our legend, it is our real strength, and today — it is our inspiration. And whatever the Poles say, whatever decision they make — we will continue to implement our Bandera policies," she stated.[20]

On June 10, Farion stated that parents should resist the introduction of Russian as a second language from 5th grade. According to her, such initiative of Minister of Science and Education Dmitri Tabachnik is an "embodiment of the Russification strategy in Ukraine." "Tabachnik — is a shadow of 1937," she noted.[21] On September 9, Farion state that deputies of Verkhovna Rada who appealed to the Polish parliament to recognise the Volyn massacre should be recorded on the Pillars of Shame. "Next to their names, there should be their home address. Ukrainians have to know where these traitors live."[22]

On January 4, MP from Svoboda party, Igor Miroshnichenko, offered to expel from Ukraine to Israel, the People's Deputy of the Verkhovna Rada of VI convocation, writer Pavlo Movchan for the photo, where he was portrayed with the chief editor of the "Kiev Jew" Eleanor Groisman.[23] On January 18, Miroshnichenko refused to apologise for his remarks against an actress Mila Kunis, who he had previously described as "Jewess."[24]

On May 23, at a Verkhovna Rada session, Svoboda deputy Yu. Mikhalchishin offered his colleagues to stand up and commemorate the "real hero of Ukraine, Yevhen Konovalets (leader of OUN).[25]

On June 22 (the day when Nazi Germany attacked the Soviet Union), deputy Efremov asked his Verkhovna Rada colleagues to commemorate the fallen. As he was speaking, Deputy Yuri Mikhalchishin interrupted, saying that for Svoboda, 22 of June is far from commemorative date. "This is just a day when one of the episodes of that war began... For us, the war started not on June 22 1941, but in 1918, when the horde began the Ukrainian invasion. It ended not on May 9 1945, but just 22 years ago — August 24, when Ukrainians rein-

stated their independence!... If you want a new war — you will get it," he said.[26]

On February 15, Deputy of Verkhovna Rada from Svoboda, a famous actor Bogdan Benyuk supported the introduction of a "nationality" column in passports, explaining, "in all government bodies and public institutions, we should have the same proportion of Ukrainians as the percent currently living in Ukraine; and this can only be achieved by introducing a nationality column."[27] On March 22, Verkhovna Rada deputies from Svoboda Andrei Mokhnik and Leonty Martynyuk demanded a member of parliament Vladimir Rybak to provide information on MPs nationalities, arguing that Ukrainians and representatives of national minorities need to be informed whether there are their representatives among Ukrainian deputies.[28]

On March 13, the leader of Svoboda Oleg Tyagnibok, speaking near the Verkhovna Rada, in front of the protesters, TV cameras, Ukrainian security services and police officers, declared the beginning of "Ukrainian revolution" and called for a *massacre of dissidents*.[29] On November 18, speaking at the conciliatory council of the parliament, he said, "We also demand assurances at the legislative level — denial of Holodomor against the Ukrainian people must be criminalised." Tyagnibok ignored the fact that Holodomor (extermination by hunger) took place in not just Ukraine and was not ethnically motivated at all.[30] On November 19, Tyagnibok proposed that Ukrainian parliament demands monetary compensations from Moscow for the famine in the Ukrainian SSR in 1932–1933. "We must introduce strict criminal responsibility for the public denial of Holodomor as genocide of the Ukrainian nation. Today, we will officially demand apologies and compensation from Moscow, for the genocide of the Ukrainian people, for Holodomor of 1932–1933."[31]

The ruling Party of Regions also made several xenophobic statements in 2013. On January 27, it became known that the head of Volochisk district administration, Khmelnitsky region, I. Dobzhansky openly professes anti-Semitic views. Attempts of oppositional deputies to bring him to justice were unsuccessful.[32]

Verkhovna Rada Deputy from the Party of Regions Vadim Kolesnichenko, during a chat on the "Glavred" portal on May 20, said that the adoption of the anti-discrimination law would supposedly lead to "homosexual dictatorship" and assured that Party of Regions aims towards the UOC's decision that such law is unacceptable.[33] Secretary of Yalta City Council, member of the Party of Regions Sergey Ilash, speaking at a City Council session on May 23, called Gypsies and the homeless living in the city "animals."[34] Although, after a scandal broke out, Ilash publicly apologised, and assured that he was misunderstood.[35] On November 29, deputy of the Donetsk regional council from

the ruling Party of Regions Nikolai Zagoruiko responded to the statement that European values imply absence of LGBT discrimination, "I am a normal person in this respect. I come here — two gays nearby, I go to work — and my boss is gay. Then, I am being discriminated. Why do I need this?"[36]

Xenophobic articles in the media mostly involved anti-Semitism and homophobia, though some anti-Tatar sentiments were also present.

At uainfo.censor.net.ua website on January 27, an article was published "Auschwitz: Myths and Facts," which presented a set of clichés of Holocaust deniers seeking to "prove" that Auschwitz was not an extermination camp, and the gas chambers were a "myth."[37] On February 11, politiko.ua published an article with "bloody slander" against Jews (accusation of ritual use of Christian blood).[38] On March 26, the "Popular front for Salvation of Ukraine" website published an article by A. Sakhnyuk, which claimed, "half-thousand Jews are controlling the wealth of the 60% of Earth's population."[39] On December 10, Ukrainian Choice Movement published an article by E. Baranin, entitled "Jews, Jews, Jews all around," which stated that both the government and the opposition consist of just Jews and all "chief thieves in Ukraine are Jewish."[40]

On January 26, it became known that in the "Krym" ("Crimea") magazine, issued by Ministry of Resorts and Tourism of Crimea and distributed in trains and planes, the Crimean Tatars were called invaders and looters.[41]

On September 6, it was reported that soloist of the National Opera Ekaterina Abdullina called Ukrainian children "unhealthy cattle" on a social network. Realising her mistake, she apologised and said that she was misunderstood.[42]

During a public campaign against the EU Association Agreement, "Ukrainian Choice" actively exploited homophobic sentiments in the society, convicning Ukrainians that association with the European Union means same-sex marriage. Furthermore, organisation's website stated that one of conditions for the European integration is deportation of all European Roma to Ukraine.[43]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 24 of the Constitution of Ukraine prohibits any restriction of rights on the grounds of race, skin colour, religious beliefs, language and other characteristics. Ukraine's Criminal Code also contains Articles punishing manifestations of racism and aggressive nationalism. In general, however, anti-racist and anti-Nazi legislation is underdeveloped.

Unfortunately, after the abolition of the State Committee on Nationalities and Religions and the Presidential Council on Ethnic-National Policy, lack of a government institution against xenophobia has made the government fairly inactive in this field.

- Presence and development of anti-discriminatory legislation.

The fundamental anti-discrimination acts in Ukraine are the laws "On the Principles of State Language Policy" and "On the Principles of Preventing and Combating Discrimination in Ukraine," adopted in 2012.

The law on the principles of state language policy granted regions the right to empower certain languages with a "regional" status — i.e. equal to the official, Ukrainian language. This applies to all languages that, according to the population census, have at least 10% native speakers in the region ('region' refers to Oblast, Autonomous Republic of Crimea, district, city, town or village). If the language fulfils these criteria, it can be freely used in many fields instead of Ukrainian.

The law "on the principles of preventing and combating discrimination in Ukraine" defines discrimination as action on inaction directed at restricting or favouring an individual or group on the grounds of race, skin colour, sex, age, ethnic and social origin, political and religious beliefs, place of residence, marital or financial status, language and other characteristics, if they make the recognition and execution of equal human rights and freedoms impossible. Although, LGBT discrimination is excluded from this law. Verkhovna Rada did not adopt a bill to correct that despite a considerable pressure from the EU (adoption of the respective amendment was one of the conditions in the EU Association Agreement), fearing the conservative groups in the population. [44]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, the existing anti-discrimination legislation is complied with, though not without resistance of certain regional authorities. After the adoption of a new language law, various regions began implementing regional languages. In August 2012, Russian language was declared "regional" in Odessa, Zaporozhe, Donetsk, Luhansk, Dnepropetrovsk, Kherson, Kharkiv, and Nikolaev regions of Ukraine. Sevastopol City Council also made Russian a regional language. Hungarian language was declared regional in the city of Beregszasz (Berehove), as well as Vinogradsky and Berehove districts of Transcarpathia. Moldovan (Romanian) language was recognised as regional in Tarasivtsi village (Chernivtsi Region) and Belaya Tserkov village (Biserica Alba) Rahovsky, Transcarpathia.[45]

Several actions to improve the Roma status were also noticed. On April 8 — an International Roma Day, the president of Ukraine Viktor Yanukovych had approved a strategy of protection and integration of the Roma ethnic minority in Ukraine, for the period of up to 2020. According to the President, the strategy will help to prevent the discrimination against Roma, increase their educational level and improve their living conditions, as well as remove the obstacles associated with obtaining documents. In accordance with the Presidential strategy, the government was entrusted to develop a plan of concrete measures in a six-month period.[46]

On September 11, Cabinet of Ministers of Ukraine approved an action plan to implement a strategy of protection and integration of Roma into Ukrainian society before 2020. The plan provides employment and social protection strategies for Roma. Proposed activities should provide legal protection of the Roma population, raise their level of education, health, improve their living conditions and satisfy their cultural and informational needs.[47] On July 24, it was reported that Odessa Mayor Aleksey Kosturev created a work group, whose task would include implementation of the Roma protection and integration strategy. Chairman of the group, Vice-Mayor Maria Stotskaya urged to pay special attention to social protection and responsible approach to Roma issues. "We have to identify the most severe problems and outline their solutions. This work must be supported by concrete actions."[48]

On January 23, it was reported that the Ministry of Education of Ukraine withdrew the names of the OUN leader Stepan Bandera and Chief of the UIA Roman Shukhevych from the list of figures, you need to know to pass the exam on the history of Ukraine in 2013. Instead of Bandera and Shukhevych, exams will be mention the Red Commander

of the Civil War period (1917–1922) Nikolai Shchors and the Soviet party activist Yuri Pyatakov.[49]

On March 27, it became known that in three regions (Kiev, Kharkov and Odessa) a joint project of the state and UNHCR "Local integration of refugees" was implemented, which activated the works among the various central executive authorities on improving the work with asylum seekers and refugees.[50]

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

48 people were convicted for hate crime in 2013. 15 of them were sentenced to custodial sentences (4: several days of arrest; 4: 1–5 and 5–10 years of imprisonment; 3: 10–15 years of imprisonment). 33 people were sentenced to non-custodial sentences (1: restriction of freedom; 6: suspended sentence; 26: fined).

A relatively small number of convictions is largely due to the fact that law enforcement rarely prosecutes for xenophobic statements made online (in Russia, these cases constitute a significant part of criminal cases on hate crime). Furthermore, the state does not maintain violence and vandalism statistics. With rare exceptions, Ukrainian law enforcement does not adequately qualify racist violence and vandalism as hate crime. Lack of official statistics almost legitimises the practice of writing off hate crime as everyday incidents.[51]

Some of the most notable cases. On January 14, Zarechny district court of Sumy found four young men guilty of committing multiple acts of vandalism on the building of a Sumy charity "Khesed Khaim" in 2010–2011. They were also accused of arson of a student room in Sumy State University belonging to two African students (August 2011). Two were sentenced to 2 years imprisonment, one — 1 year and 8 months of imprisonment and one — 1 year of restriction of freedom.[52]

On January 29, Simferopol district court has pronounced a sentence to gravediggers who conducted night excavations on the site of mass executions of Jews and Krymchaks on the 10th kilometer of the Feodosia highway. For multiple offenses, they were sentenced to 3, 4 and 6 years in prison, as well as — paying a compensation of 10 thousand hryvnia to the injured party (representatives of Jewish organisations and Krymchaks).[53]

On April 3, Zhovtnevy District Court of Zaporozhye sentenced Anton Kharitonov, Sergey Demin and Yevgeny Fedorchenko, accused of bombing a Zaporozhye temple in July 2010, to a prison term — according to the local media. Kharitonov and Fedorchenko were sentenced to 15 years of imprisonment, Demin — to 14 years. The court also granted a civil claim for damage compensation to the church, amounting to 319 thousand hryvnia.[54]

21 nationalists were arrested during protests against a gay parade in late 2013.[55]

On August 6, Pechersky District Court of Kiev made a guilty verdict regarding the assault on a Vietnamese male.[56]

On September 24, Sevchenkovsky District Court of Lviv sentenced a Verkhovna Rada deputy from Svoboda party Irina Farion to pay moral damages (20,000 hryvnia) to a Communist Party deputy Aleksandr Zubchevsky "as a bearer of Russian language" who was insulted by Farion's remarks.[57]

On October 15, Shargorodsky District Court sentenced three young men who desecrated a Jewish cemetery in April 2013. The oldest vandal was 18 years old and received 3 years of suspended sentence. His accomplices — both minors — were under the age of criminal responsibility, but their parents were ordered to pay material damages and restore all monuments.[58]

On November 25, Dzershinsky District Court of Kharkiv sentenced Vitaly Kadnichansky, accused of violent attacks motivated by hate, to 10 years imprisonment.[59]

On August 1, Kiev Court of Appeal upheld the verdict of the Goloseevsky District Court against two nationalists, Sergei and Dmitri Pavlichenko, who murdered a judge.[60]

On February 20, it was reported that after numerous appeals of NGO "Ukrainian Independent Council of Jewish Women," the administration of regional Kiev police departments promised to keep the issue of Nazi and anti-Semitic graffiti under control.[61]

Instances of outright connivance of the law enforcement towards xenophobia were also recorded. Odessa police closed the case against a 23-year-old A.Kurenny, who posted a "Ukrainian Breivik" manifesto, citing "lack of evidence."[62] On July 11, Yalta police department was investigating scandalous anti-Roma statements of the city's mayor, Sergei Ilash, but did not find any incitement of interethnic hatred.[63]

- Unlawful use of anti-extremist legislation.

There were no cases of misuse of anti-extremist legislation in Ukraine during the monitored period.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	2.5	2.5
×	Presence and development of anti-discriminatory legislation	5	5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
–/×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	2.5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	15	15

4. Statements by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Government representatives and various politicians actively used anti-xenophobic rhetoric in 2013. Ukrainian President Viktor Yanukovych in an interview with *Komsomolskaya Pravda Ukraine*, published on January 4, said, "Ukraine is a country of tolerant people. The whole world became aware of this during the UEFA 2012. I can say with certainty — the state provides rights for Ukrainian citizens of all nationalities." The president cited statistics on "ethnic" and interracial crime for 2012, which showed that its rate is steadily declining. Domestic disputes, according to him, show more about everyday troubles rather than serious inter-ethnic problems. "At the heart of conflicts related to the Crimean Tatars is, above all, the issue of their resettlement and rehabilitation," President concluded. "Not everything works, often due to objective reasons, lack of resources."[64]

A speech posted on presidential website on January 27 and dedicated to Holocaust Memorial Day, said: "The tragedy of the Holocaust — is a lesson for all of humanity, a warning about the dangers of xenophobia, prejudice against the representatives of other nations and cultures." "We must be decisive in fighting any attempts to revive the totalitarian ideologies of intolerance on ethnic grounds."[65]

On April 23–24, Kiev hosted an international conference "Kiev Inter-Religious Forum 2013: Religion and its meaning in politics, modern state and government." Presidential Advisor Yuri Bogutsky read out Viktor Yanukovych's message — "By promoting tolerance, you are creating a foundation for establishing an equal dialogue, regardless of religion or ethnic affiliation, you are contributing to cleansing the world of evil, violence and intolerance."[66]

On June 25, the question of anti-Semitism in Ukraine was discussed at a meeting of President of Ukraine Viktor Yanukovych with N. Sharansky — the head of the Jewish Agency "Sochnut." "Babi Yar tragedy is an example of how a small spark of anti-Semitism could very quickly turn into a massive fire," Sharansky stated. President responded that he considers it a form of political extremism, and intends to conduct a special session of the Security Council on this matter in the nearest future. "We will do everything to make sure that sparks of anti-Semitism are extinguished."[67]

On August 8, President Viktor Yanukovych congratulated Muslims with Eid ul-Fitr, noting that the Islamic community in Ukraine is a model of tolerance and interreligious dialogue in a multi-confessional environment.[68]

On April 26, in response to the declaration of May 8–9 the Days of mourning of victims of World War II and totalitarian regimes, Ukrainian prime-minister Mykola Azarov posted on his Facebook page, that the regional councils of Western Ukraine are adopting "illegal" and "immoral" decisions regarding the Victory Day. "To call this great holiday — a day of mourning, is to insult the memory of antifascists, the allied soldiers, who essentially allowed these very deputies to enjoy peace and democracy."[69]

On April 30, Mykola Azarov called the Lviv and Ivano-Frankovsk deputies the heirs of Nazi ideology, stating — "Of course, they mourn. This is because they are the spiritual heirs of this hateful ideology. We will therefore do anything to prevent this disease of Nazism from spreading."[70]

"The duty of the state is provide the children of Roma their rights, including the right to education, and access to the services that the state provides to its citizens," said the Ombudsman for Children Rights Yuri Pavlenko, during an online conference on January 24. "They are the same as other children, and with respect to them there can be no discrimination and no restrictions," — he stated. Y. Pavlenko highlighted the Transcarpathian region, noting that for this region it is "one of the top topics in their work," — said Yuri Pavlenko. According to the Children's Ombudsman, these children need to be schooled, which is not easy because of the specifics of the social groups of Roma. It is also necessary to ensure that the child is not being abused, and that he was under the control of local authorities.[71]

On February 11, deputy of Verkhovna Rada from the Party of Regions faction Mikhail Chechetov criticised his colleague from Svoboda faction Irina Farion. "I went to school in a simple Yenakiieve. With me studied Georgians, Jews, Belarusians, Moldovans, Russians and Ukrainians. There was never a case of anyone trying to humiliate someone on a national basis. Now, however, at parliamentary level the representative of Svoboda Farion calls Jews "Yids." Think — calls them Yids! To what

extent can you humiliate people?" — Chechetov said. Politician once again stated that Ukraine should not have a titular nation.[72]

On February 25, deputy of Verkhovna Rada from the Party of Regions Anna German said that Svoboda party discredited the Ukrainian idea and created a repulsive image of Ukrainians in the eyes of the European community. "If there was a need to discredit the Ukrainian idea for Europe, to create a repulsive image of a Ukrainian anti-Semite, a radical, fighter, bully, then everything that Svoboda does now should have been done. This political force perfectly handled the task of creating a repulsive image of Ukrainians and Ukrainian idea for Europe and the West."[73]

Verkhovna Rada Deputy from the Party of Regions Vadim Kolesnichenko, during a chat on the "Glavred" portal on May 20, stated — "There is a Ukrainian nation and there is a Ukrainian people. The task of Ukrainian politicians is to make sure that we do not have separation on national grounds, language, religion and attitude towards history, so that the main measure of life in our country was provision and protection of all human rights, with no exceptions... If politicians that support neo-Nazi philosophy are supported by a part of population, then it means that this part of population are either sick with the "Brown Plague," or underestimates the threat that these "philosophers" pose in the collapse and destruction of Ukraine. Therefore, it is up to the sensible political forces to communicate with everyone, persuade through the power of words and increase our country's budget. Because recession and financial problems in Ukrainian families can become a breeding ground for neo-fascist or radical actions."[74]

Speaking at a Global Forum on countering anti-Semitism in Jerusalem in late May, president of the Ukrainian Jewish Committee, Verkhovna Rada Deputy Alexandr Feldman noted that the alliance of Svoboda with Liberals "legitimises xenophobic rhetoric and extremist practices in a public discourse" (more about this partnership, see below) and urged international organisations to pay "serious attention" to anti-Semitism in Ukraine, where a growth in xenophobic crimes was recorded.[75]

On June 22, deputies of Verkhovna Rada Eduard Gurovits (UDAR) and Vadim Kolesnichenko (Party of Regions) appeared on "Shuster Live" show on "Inter" channel, where they stated that Ukraine should accept that the so-called Volyn tragedy (Volyn Massacre)[76] had characteristics of genocide.[77]

On July 1st, 148 Verkhovna Rada deputies from the Party of Regions and the Communist Party appealed to the Polish parliament with a request to recognise the Volyn tragedy as genocide of Polish people by OUN-UPA. Among the signatories of the appeal are: Vadim Kolesnichenko, Nestor Shufrich, Communists Petro Symonenko, Aleksandr Golub, Aleksandr Zubchevsky. "The development of the Ukrainian-Polish friendship

is impossible if we consign to oblivion the memory of hundreds of thousands of innocent citizens — Belarusians, Poles, Jews, Roma, Russians, Ukrainians, all those who died in the Volyn Massacre.[78]

On August 1, it was reported that an independent deputy Oles Doniy, who positioned himself as a "radical opposition," accused his colleagues from Svoboda of anti-Semitism, racism and xenophobia. "It's necessary to raise the level of your political culture, regardless of the party you are aligned with. In my opinion, deputies who let themselves make racist, xenophobic or anti-Semitic statements have to think about this."[79]

On October 26, chairman of the Crimean Tatar Mejlis Mustafa Dzhemilev stated that preachers of unconventional Islamic movements are splitting the Crimean people. "Sects, unconventional for our people and introduced from the outside, including extremist and totalitarian, denying nationalities and preaching nonsense ideas of creating some kind of global Islamic caliphate, calling democratic values delusions of infidels, are dividing our people, discredit Islam and create interethnic and interreligious tensions.[80]

On January 4, leader of the political party Russkoye Edinstvo ("Russian Unity"), member of the Supreme Council of Crimea Sergey Aksenov, demanded from the government and law enforcement agencies to take strict measures against the radically minded Ukrainian nationalists. He said that the essence of "Svoboda's" nationalism is blind Russophobia and xenophobia, not strengthening the Ukrainian national idea."[81]

On January 27, the Holocaust Memorial Day, chairman of Kharkiv Regional State Administration Mihail Dobkin invited representatives of Svoboda to apologise for offending people of other nationalities. About this, he wrote on his page on Twitter "All of Europe celebrates the memory of Holocaust victims. Are the Svoboda leaders ready to apologise for offending people of other nationalities?"[82]

On February 19, mayor of Odessa Aleksey Kostusev spoke in favour of imposing an absolute ban on the Svoboda party. "Once, I turned my TV on and listened to Tyagnibok. I didn't immediately understand what it was. Thought it was some kind of historical programme and Hitler's speech was being shown. Things he was saying are absolutely unacceptable."[83] On April 18, Kostusev stated, that he will not allow nationalists walk around the city. "We will not allow fascists to take revenge, and we will not allow the terry nationalists walk around the city."[84]

Speaking at a press conference on October 22, Prime Minister of Crimea Anatoly Mogilev talked about the need to combat destabilising forces. "Currently, we have many activists who are trying to confuse the interethnic peace. Of course, we must react to this in some way... It is vital that the Crimean society does not tolerate these incitements of interethnic, inter-confessional, intercultural enmity."[85]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

There have only been a few government actions and initiatives aimed at combating xenophobia, mostly related to participations in various ceremonies and declarations.

On September 27, President of Ukraine Viktor Yanukovych laid flowers to a monument in Babi Yar historical memorial in Kiev. The ceremony was attended by Prime Minister Nikolai Nazarov, chairman of Verkhovna Rada Vladimir Rybak, SNBO Secretary Andrei Klyuev, chairman of the Kiev City Administration Aleksandr Popov, chairman of the Kiev Regional Administration Anatoly Prisyazhnyuk, and representatives of the civil and spiritual society. [86] Governor of Odessa Oblast Eduard Matveichuk and Mayor of Odessa Aleksei Kostusev took part in a commemorative rally dedicated to the international Holocaust Remembrance Day. [87]

On January 10, Verkhovna Rada of Ukraine established a party-independent International Antifascist Front, which was headed by a Party of Regions MP Vadim Kolesnichenko. [88]

On March 27, Verkhovna Rada established an association of deputies "For ethnic harmony and civil peace." Association's objectives were:

— Building a democratic rule in Ukraine, centred around a man and his rights without discriminating on racial, national, language, religious, etc. basis.

— The introduction of systemic monitoring of all draft legislative acts of Verkhovna Rada, preventing the adoption of the norms and rules that incite ethnic hatred, violate civil rights on the basis of race, nationality, language, faith, etc.

— Cooperation with international and European parliamentary, political and judicial structures in order to exchange information on the state of human rights, cases of the spread of xenophobic and neo-Nazi ideologies.

— Monitoring the status of the struggle with xenophobia, intolerance and discrimination in Ukraine and abroad, relevant actions of law enforcement and civil society institutions.

— Identification, recording and prosecution of individuals and organisations involved in incitement of ethnic hatred, violation of equal rights, spread of neo-Nazi and xenophobic ideologies.[89]

Over February — May, a legislative bodies in eastern and southern regions of Ukraine adopted several antifascist resolutions. On February 6, Presidium of the Supreme Council of the Autonomous Republic of Crimea adopted a statement on the establishment of anti-fascist front in the Crimea in support of a similar deputy association in the Verkhovna Rada.[90] On February 19, deputies of Odessa's city council had voted in favour of a draft resolution on measures for preventing manifestations of fascism and Nazism in Odessa.[91] On February 28, at a session of Luhansk Regional Council, Party of Regions and the Communist Party deputies endorsed a resolution regarding the "International antifascist front."[92]

On April 24, at the session of Odessa regional council, deputies made a decision "On the inadmissibility of manifestations of propaganda of violence, ethnic hatred, racial, religious enmity, use of Nazi symbols on the territory of the Odessa Oblast," prepared by the Party of Regions and the Communist Party of Ukraine. The regional council drew attention of the Security Service of Ukraine, as well as the Prosecutor's Office and the head department of the MIA in Odessa region, to the necessity of an urgent response to such violations by political parties, non-governmental organisations or individuals, in accordance to the law.[93] On May 21, deputies of Sevastopol City Council demanded to ban the activities of parties and organisations that profess national-fascist ideology, including the nationalist party Svoboda in this list.[94]

The ruling Party of Regions held a number of antifascist rallies in the country on May 16–18, as part of an all-Ukrainian action "Stop fascism." On May 16, chairman of Sevastopol City Administration Vladimir Yatsuba, speaking at the rally, reminded that the period of fascist regime in Germany was short-lived, and offered "Ukrainian Nazis" to poison themselves right away, just like Hitler, and not suffer. Leader of local communists Vasily Parkhomenko proposed to create an antifascist union in the city, consisting of various political forces, and direct a "combat" unit to the May 18th rally in Kiev, and adopt an antifascist appeal to the Verkhovna Rada at the next City Council session. In their resolution, members of the protest demanded to ban the Svoboda party in Ukraine.[95] Nationalist marches were also held in Sumy and Simferopol. The action culminated in a march and a rally in Kiev on May 18.[96] However, it turned out that the rally in Sevastopol was gathered by force, and the one in Odessa was paid. At the same time, activists of

the Odessa's Svoboda organisation were freely marching along in the column.[97] On October 22, it was reported that the Crimean government would conduct a campaign against interethnic and religious provocations. Promotion of intolerance towards the intolerant would cost the Council of Ministers 45 thousand hryvnia from the budget allocated for interethnic harmonisation.[98]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Ukraine is in an ambiguous situation. First of all, its outflow of migrants is higher than inflow. Up to 10–15% of the adult population leave the country as migrant workers every year (of them, around 1.5 million work in Russia). Tens of thousands annually leave for a permanent stay in Russia (around 50,000 in 2012) and Western countries (around 19,000 in 2013).[99] Labour migration plays an important part in Ukraine's economy. In 2013, the volume of private transfers from abroad equalled about 8.5 billion USD, which constituted 4.7% of Ukraine's GDP.[100] On the other hand, Ukraine serves as one of the largest corridors for immigrants from the "third world," seeking to enter the European Union. As of November 2013, Ukraine has 247,000 permanently residing foreign nationals and more than 71,000 foreign temporary residents. These are mostly citizens of the CIS countries.[101] Ukrainian Security Service (SBU) sometimes reports on various human trafficking channels to the EU through Ukraine. One such group was arrested in October, in the bordering region of Luhansk.[102]

Ukraine adopted laws regulating migration in the 1990s. These include the law "On refugees" (December 1993), "On the entry to Ukraine and exit from Ukraine of Ukrainian citizens" (January 1994), "On the legal status of foreign nationals" (February 1994). At the same time, Ukraine adopted various bylaws, normative acts and regulations,

which ensured implementation of these laws. In the early 2000s, these laws were updated and adopted in new editions.

The Constitution of Ukraine grants foreign nationals, refugees and stateless persons, the rights, freedoms and obligations equal to those of Ukrainian citizens (Article 26), including freedom of mobility, freedom of residence, the right to freely leave the territory of Ukraine (Article 33), as well as prohibiting any violation of rights on the grounds of race, skin colour, religious beliefs, language or any other characteristics (Article 24).

The Constitution also defines "deported peoples" in Section 10 — dedicated to the Autonomous Republic of Crimea. Paragraph 9, Article 138, states that Crimea has the authority to participate in the development and implementation of state programmes to return the deported peoples. Article 16 talks about the issues of ecological migrants, particularly persons who suffered from the Chernobyl incident.

In 2013, Ukraine's migration policy was guided by a 2011 *Conception of State Migration Policy*, signed by President Viktor Yanukovych. Previously, the country lacked a comprehensive document that would define the direction and principles of the state migration policy.

The Conception outlines comprehensive measures in migration policy aimed at combatting illegal immigration, regulating legal immigration and ensuring the rights of Ukrainian labour migrants abroad.

Certain measures were related to combating racism and xenophobia, as well as human trafficking and ensuring the rights of citizens who suffered from these criminal activities.

Several laws were amended in 2012:

- "On education" and "On higher education," which provided refugees and persons seeking additional protection with the right to education equal to Ukrainian citizens.
- "On social services," which guaranteed these persons, including disabled persons, the right to social assistance equal to Ukrainian citizens.
- "On free legal assistance," which guaranteed persons seeking refugee status the right to receive all kinds of legal assistance "until the decision on their refugee status or the status of a person requiring additional protection is established."[103]

Nevertheless, despite the relevance of the problem, Ukraine has been reluctant to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In these cases, authorities prefer to conclude bilateral agreements with specific countries. Thus, on February 5, 2013, Verkhovna Rada adopted a law to ratify the Agreement between Ukraine and the Republic of Poland on the social assistance of immigrants. This document regulates

the issues of the mandatory state national insurance. So far, Ukraine concluded such agreements with 8 countries, including Spain, Portugal and Bulgaria. Similar agreements with Israel, Serbia and Luxembourg are being negotiated.[104]

- Government's compliance with such legislation (law enforcement practice)

Ministries of Internal Affairs, Social Policy and Education have made a joint order № 850/536/1226, dated September 4, which approved the measures to supervise and control the execution of migration laws. These measures regulate the activity of central executive bodies regarding the state migration policy, national security and national interests of Ukraine in the field of migration, enforcement of migration laws, effective control over migration processes and combating illegal immigration. Annual reports will be submitted to the State Migration Service before December 10, outlining the conducted measures and outlining their results.[105]

Nevertheless, the law enforcement practice in 2013 left much to be desired. The most serious issue in the field of migration is corruption in all government agencies related to this field and lack of any system of protection of information. Law enforcement bodies were not investigating any cases of discrimination against immigrants.

There is no reliable data on the amount of illegal immigrants on the territory of Ukraine. Although, according to official data on the State Border Service, 1,317 illegal migrants were detained over 9 months of 2013. 678 of them have illegally crossed the border, 613 — violated residence regulations and 26 — committed other offences. Interestingly, the above-mentioned report does not provide the number of foreign nationals deported to their countries of origin and returned in accordance to readmission agreements.[106]

- Discriminatory practices against immigrants.

There is no official statistics on cases of discrimination in Ukraine. Therefore, officials often downplay this problem or state that they are unaware it existed at all. All data on such cases is gathered by non-governmental organisations. However, they are unable to see the full picture. People who have faced discrimination often do not report it to the authorities or the media. Since antidiscrimination laws are fairly new and underdeveloped, there are simply no mechanisms protecting people from discrimination in the country.

Immigrants often report extortion in paperwork, employment or business. Police extortion has almost become commonplace for migrant merchants at large markets (Odessa's "7tg Kilometre," Kharkiv "Barabashevo" and Kiev's "Troeshchinu").[107]

There are obvious issues with the detention of illegal immigrants in the relevant collection points. Of the two points of temporary stay for foreign nationals and stateless persons, only one was active in 2013 — in Zhuravichi (Volyn Oblast), which has the capacity for 165 people. Of the 4 temporary refugee centres, only one was active as well — in Mukachevo, with the capacity for 70 people. [108] Given the figures on illegal immigration in Ukraine shown in the previous section, these institutions are obviously insufficient to hold illegal migrants and refugees. However, these institutions do not provide data on the detention of foreign nationals and stateless persons.

- Use of ethnic crime as justification for discrimination against immigrants.

The number of people whom residents of Ukraine could consider as "aliens" is fairly law; these people are usually concentrated in large cities, where they do not draw significant attention. Therefore, attempts to use ethnic crime to incite large-scale migrantophobia were so far unsuccessful. Migrantophobia is easily replaced with Russophobia and anti-Semitism. Ukrainian Movement Against Illegal Immigration (migrantophobic in its nature) remains a marginal organisation.

- Social assistance for migrants.

Ukraine is a party to European Convention on the Legal Status of Migrant Workers, the Agreement on cooperation in the field of labour migration and social protection for migrant workers and the protocol to the said Agreement that regulates the border migration in the CIS, as well as the Convention on the Legal Status of Migrant Workers and Members of their Families of the Commonwealth of Independent States.

In addition, Ukraine is a party to 13 bilateral agreements on employment and social protection of migrant workers and 9 bilateral agreements on social security.

According to Ukrainian immigration laws, immigrants are provided with rights equal to Ukrainian citizens (except voting rights and conscription)

These are:

— The right to free medical care.

— The right to social protection equal to citizens of Ukraine. Foreign nationals even receive birth assistance, if they give birth in Ukraine.

— The right to low cost social and public services.

— The right to employment (for those who have a permanent residence permit)

— The right to engage in entrepreneurial activities, including simplified (subsidised) taxes — a system that was created to develop Ukrainian business, reduce unemployment and form the middle class.

Nevertheless, these rights do not extend to refugees, because — as mentioned above — Ukrainian employment laws does not provide for their legal employment and therefore, in accordance to the same legislation, majority of other social rights are also unavailable to them.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

In 2013, Ukrainian press published various articles intimidating readers with 6 million illegal immigrants "mainly from Asia" and the need to introduce a visa regime with Russia in order to stop this flow. Activists of Svoboda party in particular began developing this topic. On October 19, Ukrainian deputy from Svoboda party appeared on "Shuster Live" on Inter TV, where he discussed the situation around the murder in Biryulevo. He stated that if Ukraine wants to introduce a visa-free regime with Europe, it needs to introduce a visa regime with Russia to stop the illegal flow of immigrants. "The question of a visa-free regime between Ukraine and Europe is closed until the eastern borders are open," Igor Miroshnichenko said. [109] His colleagues B. Benyuk and A. Shevchenko submitted a bill № 3731, which introduces criminal responsibility of 6 months to 5 years imprisonment for foreign nationals or stateless persons who have illegally crossed the Ukrainian border. [110]

They are not the only ones engaged in intimidating the population with the "immigrant threat."

On October 5, deputy from UDAR and chairman of the parliamentary committee on human rights Valery Patskan spoke on TVi channel. He stated that Ukraine needs to tighten the control on the eastern borders to avoid any incidents and combat illegal immigration from Russia. [111] On October 20, 1+1 Channel's "Tizhden" programme showed a report on the supposed threat of substitution of Ukrainian emigrants with foreign immigrants. "Over the last 10 years, the level of tolerance of the Ukrainian society has decreased almost 4 times," professor of the Political and Ethnic-National Research Institute Sergey Rymarenko stated. Researchers outlined the so-called "high risk groups," which constituted of Roma among the permanent population and Afghani, Chechens and Arabs among immigrants. The report repeated the figure of 5 million of immigrants in Ukraine. [112]

On October 28, leader of the Ukrainian Choice Movement V. Medvedchuk published an article on KM.ru, which also contained "horror stories" about the 5 million immigrants — a million immigrants originating from "Africa, Turkey and China." The article claimed that in the process of preparing for the EU Association Agreement, Kiev was

pressured into a plan to liberalise the visa regime with Africa, China, Turkey and Arab countries, because the EU supposedly wants to direct migration from the Third World to the CIS territories.[113] On October 29, "Газета по-українськи" ("Ukrainian Newspaper") published an interview with a leader of the Movement Against Illegal Migration. Yaroslav Dunaev talked about the flows of migrants from Asia and Africa, who are supposedly engaged in "either retail trade or crime" and who could supposedly replace the Ukrainian population. He estimated that there are 0.5 million of such people.[114]

When it comes to xenophobic sentiments among Ukrainian population, a survey by Razumkov Centre, published on July 24, showed that 5.6% of Ukrainian citizens do not like being addressed in Russian. 1.2% dislike Ukrainian language, and 37.8% are of the opposite opinion. 15.4% like Russian language.[115]

According to ADL Global 100 index, based on sociological surveys conducted in 2013, 38% of Ukrainians harbour anti-Semitic attitudes in one way or another.[116]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	2.5	2.5

7. Incitement of ethnic and religious hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

Calls for racial violence is a fairly common occurrence in modern Ukrainian politics. For example, Svoboda party — which entered parliament after the 2012 elections — has made these calls part of its ar-

senal (including such famous slogans as “Communist to the gallows” and “Glory to Ukraine/nation — death to the enemies”).

On March 13, the leader of Svoboda Oleg Tyagnibok, speaking near the Verkhovna Rada, in front of the protesters, TV cameras, Ukrainian security services and police officers, declared the beginning of “Ukrainian revolution” and called for massacres of dissidents. [117]

These calls were most commonly related to violence over leftists, repeated at every large right-wing action. Most notable was the incitement to violence on December 4, from the Euro-Maidan podium — “Dear men! Are there men here? Are there men here?! Okay, got it... Brothers, I was told that somebody here is hanging out under red banners, near Kreshatik subway... I think men know what to do next.” [118]

After communists, most hate speech is aimed at Jews, LGBT and immigrants.

In 2013, there were several *anti-Semitic calls*. On March 3 and October 19, a memorial to the Holocaust victims was desecrated with graffiti, “Death to Jews” and “Burn in hell, scum.” [119]

On March 19 in Kiev, law enforcement officers found several leaflets at the pedestal of a monument of Sholom Alekhum (Rognedinskaya street). Leaflets depicted T. Shevchenko and quotes from his anti-Semitic poems: “Дайте ляха, дайте жида! Мало мені, мало! Дайте ляха, дайте крові наточити з поганих! Крові море... Мало крові.” [120] On March 27, graffiti saying “Izzy + Liza, pack your bags!” were found in Kiev. They were located near the house of an artist Matvei Weisberg, the Kiev art library, an office of a Jewish Fund charity on Piterskaya street, as well as near the Association of former ghetto and concentration camp prisoners. [121] On May 17, it was reported that several unknown Jewish citizens of Ukraine received anti-Semitic letters with the symbols of the Svoboda party. Director David Cherkassky, for example, received the following letter: “Dear Shmuel, you live in Ukraine and eat Ukrainian lard. We are very happy for you, while everything is quiet, but peace and quiet will not last long for you. So gather your belongings and get out of here before it’s too late.” Similar letter was also received by a deputy of Verkhovna Rada Boris Deich. [122] On June 19, anti-Semitic leaflets were found in downtown Donetsk, offering a popular TV host Savik Shuster to leave the country. [123]

In August, anti-Semitic graffiti was found under Castle Hill in Lviv, where the letter “o” in “Shalom” was replaced with an aluminium can and a straw, which read “Cyclone B.” [124] On October 9, in Izmail (Odessa Oblast) unidentified persons posted a sheet of paper on a memorial plaque dedicated to Holocaust victims. The paper read, “Jews have no place in our country.” [125]

On November 22, it was reported that a Ukrainian website hosted a game called “Nationalist Simulator — protect Ukraine,” where the

player would protect his homeland from its enemies — Russians, Americans, Communists and Jews. Egged on by occasional chants of "Kill, kill!" in English and an unrelenting stream of invective in Ukrainian, players move a small Ukrainian flag icon armed with an AK-47 and fire on successive waves of targets.

The objective of the game is to shoot the rainbow flags, Russian flags, American flags, red balls and Jews, who are represented by orange circles adorned with yarmulkes and sidelocks. [126]

On December 7, Svoboda party's leaflets once again appeared in Kiev metro, containing calls to violence against Jews and to expel them "from the streets of our country." [127]

Some hate speech was directed at the LGBT community. On May 25 in Kiev, about 500 near-Orthodox activists gathered near the gay-pride parade, and deployed posters saying — "Stop legitimising perversion," "Ukraine, protect your children," "Perverts, get out from Kiev streets" "Gay parade — road to hell" "Against the gay-parade of degenerates" "Parents, save your children from homo-maso-paedophiles." [128] On July 2, similar slogans were deployed in a demonstration near the Verkhovna Rada, protesting against the law № 2342, which upheld LGBT rights. [129]

Immigrants were, of course, also subject to persecutions. On January 2, a 23-year-old Odessa resident Aleksandr Kurenny published a manifesto of a "Ukrainian Breivik," which was supposed to "force the society to talk about the immigrant problem" and for this purpose "targeted one of the student halls housing many foreigners." [130]

Nationalists also held a number of public actions. On March 3, activists of Svoboda in Odessa held a march against illegal immigration, which was participated by about a hundred people. They marched through the city's streets under the slogans: "Illegals, go home!", "Remember, foreigner, the master here — is a Ukrainian," "Stop migration — save the nation!", "Ukraine — above all!" [131] They also claimed that "a large wave of coloured migration" brings death to "us, as biological species." "Africans, Asians and people from the Caucasus" were called "trash." [132]

Furthermore, in late March, supporters of Svoboda marched in Uzhgorod and Beregovo chanting, "Hungarians are pigs!", "Hungarians, get out of Carpathians!", "Death to Magyars!". [133]

In August, a graffiti reading "Stop Islam" was found in Kiev. Between the two words, vandals drew a polar bear holding a rocket launcher armed with pigs instead of rockets. [134]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Xenophobic literature is freely sold in Ukraine, including books arriving from Russia. Furthermore, there is a large amount of Russian and Ukrainian-language websites promoting xenophobia.

For example, you can always buy Mein Kampf at the Independence Square (Maidan) in Kiev. There, you can also purchase books such as, "Ukrainian Galicia Division (Kiev-Toronto, 1994), P.Shtepa "Moskovstvo," M. Shestopal "Jews in Ukraine," Istarkhov "Blow of the Russian Gods," M. Kirilyuk "Jewish Dictatorship" (Poltava) and others. According to a political scientist Vladimir Kornilov, a book exhibition that was held in the House of Ukraine in September, was almost packed with Nazi literature. In November, Nicholas de Lange published his book "Judaism — the oldest religion in the world" in Ukraine. His book contained paragraphs demonising the Israeli state and placing the responsibility for the Holocaust on its own victims.

Extreme right and neo-Nazi rock concerts are also fairly common in Ukraine. It is worth pointing out popular bands such as "Komu Vniz," "Sokira Peruna" and "Ten Solntsa."

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)

The largest ultra-nationalist organisation in Ukraine is the All-Ukrainian Union Svoboda, which received 10.44% of votes in Verkhovna Rada elections and has significant influence in the western regional committees. Svoboda organises summer camps, which aim to "bring up a nationalist from a regular Ukrainian. A lot of attention is paid to the physical education of the youth. Particular focus is made on disciplines such as various martial arts, shooting sports, and mountain climbing. Camp members receive first aid training, survival and orientation. Besides physical training, much attention is paid to the spiritual education of these young men. This includes the national-liberation movements of the 20th centuries."[135]

Despite the fact that Svoboda's ideology is based on strict nationalism and anti-Semitism, Svoboda tried to glamorise its image. In an interview published on January 17 in the Israeli "Daily Forum," Svoboda's leader Oleg Tyagnibok stated that his party is just "pro-Ukrainian." "Everything else is just insinuations, distortion of the factions and desire to draw Svoboda into scandals," he stressed.[136] On August 20, it was reported that Svoboda's gazette published an advert, casting a member of the Jewish community into the party. "In view of certain events, our party received a kind of anti-Semitic reputation," Tyagnibok explained. "We find it more difficult to cooperate with European politicians. Therefore, to improve our image, we decided to introduce a full-time position in our party for a person of Jewish descent. To take this position, the applicant must fulfil the following 3 conditions: have Jewish ancestry on his mother's side, have a clearly Jewish surname and crazy love for Ukraine."[137]

One of the oldest organisations with historical roots, is the Ukrainian Nationalist Assembly — Ukrainian People's Self-Defence (UNA-UNSO). There is also the Civic Initiative "Pravoe Delo" (Just Cause), Union Trizub" (Trident) and the nationalist Brotherhood, led by D. Korchinevsky. One of the most aggressive organisations is the extreme right "Patriot of Ukraine," which also organises military camps for its supporters.

On Novemebr 26–27, activists of several radical groups — Bandera's Trident, Social-National Assembly/Patriot of Ukraine (SNA/PU), Ukrainian National Assembly (UNA), "Bely Molot," as well as various football fan clubs, formed an informal association called the *Right Sector*, which became an umbrella organisation for radical nationalists.

2013 was marked by an increased activity of the radical Islamist groups. Hizb-ut-Tahrir — a party banned in many countries — was active in Crimea, declaring a struggle to build a global Caliphate. June 6, supporters of Hizb ut-Tahrir held a rally in Simferopol, dedicated to 89th anniversary of the abolition of the Caliphate in Turkey — a state governed by Sharia law.[138] At a conference in Simferopol held on October 7, representatives of this party stated that their party is responsible for Muslims and Islam in Crimea.[139] In October 2013, it was reported that Hizb-ut-Tahrir, along with the Muslim Brotherhood, are actively operating in Nikolaev Oblast, South Ukraine.[140]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

As a parliamentary party, Svoboda has to maintain a certain decorum. Its programme contains calls to develop Ukrainian culture and identity. In practice, however, the party interprets it as a call to assimilation of ethnic minorities and discrimination against their culture. In

this regard, it is worth citing the aforementioned statements of Irina Farion. Svoboda made regular calls to harassment of various minorities part of its daily political agitation. The party demands nationally proportionate representation in government institutions (thereby implying that there are too many non-Ukrainians in these institutions), and advocates the introduction of an "ethnicity" clause in passports.

While Svoboda, as a parliamentary party and member of the coalition of the democratic opposition, cannot openly state their radical ideological positions, other — smaller non-parliamentary groups — can. For example, UNA-UNSO programme clearly contains an ideology based on "Ukraine for Ukrainians" concept, where ethnicity plays a key role. OUN members and their father/leader Stepan Bandera protest against "Russia's imperial nationalism," "Polish chauvinism," "against the domination of alien ideas and ideals."

Ukrainian nationalists aim to create a Ukrainian nation-state, which they interpret as a state built around the traditions of a titular nation (classic European model). Part of them define "nation" as just ethnicity.

Bandera Trident ("Trizub im. Stepana Bandery") — founding organisation of the Right Sector — is headed by D. Yarosh, who currently also heads the Right Sector. Its programme contains such tasks as combatting homosexuality, drug abuse, and atheism. This organisation prioritises nation's rights over human rights. [141]

White Hammer ("Bely Molot") is another founding organisation of the Right Sector, distinguished by its extremely radical ideology, which is built on blatant anti-Semitism and racism. This group was outraged with the Jewish communities participating in "Euromaidan" (protest movement in Ukraine). As a result, disregarding orders from the leaders of Euromaidan, they made several attacks on members of the Jewish community. They stopped only after leaders of the protest movement, including Right Sector leader, interfered. Yarosh was already building his relations with the USA and EU and asked them to temporarily ("until the triumph of the revolution") stop persecuting members of the Jewish community. [142]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

There has been an active distribution of radical nationalist ideas within the united opposition throughout 2013, conducted largely by the parties mentioned in the previous subsection. This opposition, after the infamous events in February 2014 consequently came to power.

Having entered a parliamentary coalition opposition in 2012, Svoboda party started dictating its will to other parties in the coalition. Opposition started demanding the release of nationalists arrested for hate

crime as "political prisoners," ban Russian language as primary, and so on. For example, on May 23, at a Verkhovna Rada session, Svoboda deputy Yuri Mikhalchishin offered his colleagues to stand up and commemorate the "real hero of Ukraine, Yevhen Konovalets" (leader of OUN). Nationalists from Svoboda and all members of Batkivshina stood up and sung Ukrainian hymn.[143]

Nationalists' influence over the opposition was most evidenced in late November, when the Euromaidan (Euro Square) movement began (in February 2014, it ended with Viktor Yanukovych overthrown). OUN-UPA flags and slogans from the Second World War, borrowed by Svoboda, were very common at the square. Youth was jumping to warm themselves up, accompanied by the slogan, "Who's not jumping is a Moskal (Russian)."[144] Leaders of Maidan did not protest against a nationalist speech of Diana Kamlyuk on November 23, who read out her poems of racist and anti-Semitic content.[145]

Violence against the left-wing political opponents, who also tried to participate in the Maidan, was also not criticised.

After parliamentary elections in 2012, members of the Liberal Democratic oppositional parties Batkivshina and UDAR began protecting and glamorising their new allies in Svoboda party. This process continued in 2013. Thus, on January 8, one of Batkivshina party leaders, Alexander Turchinov, said that he is very pleased the opposition found such a powerful ally as Svoboda in the parliament, because together, as they say, "you can even beat your own father."[146]

On February 16, it became known, that a former Prime Minister Yulia Timoshenko, who is currently in detention, in an interview with a French magazine Politique Internationale urged to ignore the accusations of xenophobia against AU Svoboda, demagogically stating that Svoboda gained its popularity "because of current government's policies — policies that are being conducted despite the interests of Ukrainian nation: closing Ukrainian schools, rewriting history, disregard for the Ukrainian language." In addition, she said that, in her opinion, Svoboda will prove to the world that "the false accusations that have spread about it — are no more than a dirty propaganda."[147]

One of the leaders of the Jewish community, chairman of the Association of Jewish Organisations (Vaad), Joseph Zisels, made several statements in protection of Svoboda party's image. Speaking in Kiev on November 12, at a roundtable "Right-wing radicalism in modern Ukraine: Between power and society," Zisels stated that he won't whitewash Svoboda, but according to him, Svoboda's anti-Semitism and xenophobia is greatly exaggerated by certain structures of executive power and their allies, including national minorities.[148] In December 2013, Ziles called on Ukraine's elite, including Jewish intelligentsia, to "hold their breath" and support nationalists. "Today, opposition has

one enemy — the power; and even though I don't really like the opposition, I like the government even less. When a democratic government comes — we will deal with our extremists."[149]

On December 13, a number of Jewish activists, former political prisoners and the head of Crimean Tatar Mejlis, published an open letter to the democratic community. The letter stated that opposition's principles are "rejection of the use of force and the division of the Ukrainian nation on any grounds." Attempts to identify radical nationalist activity at Euromaidan were described as Russia's "campaign to discredit Ukraine, the Ukrainian people and Ukrainian national movement, along with the modern democratic opposition."[150]

Expert from the Association of Jewish Organisation and Communities (Vaad) V. Likhachev wrote in early December, "To me it is obvious that tolerance towards the opposition, towards blatant extreme nationalists, is unacceptable. No opposition can have a sufficient reason to stand alongside neo-Nazis. Not just because it is amoral, or dangerous, but because the extreme right, despite its mobilisation, activity, and even discipline, cannot be helpful to a common cause."[151] Nevertheless, the opposition eventually decided to cooperate, hoping to deal with nationalists "later." This trend is not unique to Ukraine — in Russia, liberals preferred to unite with nationalists in the interests of a "common struggle against Putin."

Certain circles' dislike of Yanukovych's regime has made it more tolerant to nationalist violence and xenophobia. An example of such indulgence is the parliamentary by-election victory of Leonid Datsenko — an open anti-Semite, who received 63.51% votes in one of the Kiev districts.[152]

Svoboda also tried to infiltrate schools. In 2012, party assisted in writing an alternative history textbook, which focused on OUN-UPA's "feats." On October 31, a second edition of the textbook was presented, whose co-author I. Fedik, stated, "Currently, this book is popular in all schools of Lviv, but I wish it was popular in every Ukrainian school."[153]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Svoboda party has a strong influence in the regional legislative bodies of western Ukraine, essentially controlling regional councils of Lviv, Ternopol and Ivano-Frankivsk after the 2009–2010 elections. Municipal authorities in these regions are also under their control.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Svoboda gained 10.44% of votes in the 2012 parliamentary elections and formed its own faction in Verkhovna Rada of Ukraine. Svo-

boda's incorporation in the united parliamentary opposition along with Liberal Democrat parties opposing Yanukovych's corrupt regime, as well as the spread of radical nationalist ideology over Batkivshina and UDAR factions has disoriented an average voter, de-marginalised and even glamourized radical nationalists. Subsequent events showed that nationalist influence on the general situation has increased so much, that many government officials began sympathising with their ideals and moving to the opposition.

Nevertheless, in 2013, it could be concluded that nationalists still had limited influence over the central government bodies.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–2.5	–2.5
	Total for the section 8	–22.5	–22.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

On January 13 in Chernivtsi, a clash took place between law enforcers and activists of All-Ukrainian Union Svoboda, who tried to hold a rally at the central building of Chernivtsi National University, where soon an official meeting of the Ministers of Foreign Affairs of Ukraine and Russia was to be held.[154]

On March 3, activists of Svoboda in Odessa held an unsanctioned march against illegal immigration, which was participated by about a

hundred people. They marched through the city's streets under the slogans "Illegals, go home," "Stop migration — save the nation" and others. [155]

On May 25 in Kiev, nationalists and near-Orthodox activists attacked members of the gay-pride parade, chanting homophobic slogans. [156]

On August 25 — Ukrainian Independence Day — several hundreds of oppositional activists from Svoboda, UDAR and Batkivshina marched in Odessa, despite a ban imposed by court. Activists chanted, "Свобода приде — порядок наведе" ("Svoboda will come and bring order"). [157]

Svoboda activists also attacked government officials, who denied their public events. For example, on March 4, On March 4, deputy of Verkhovna Rada from the Svoboda faction Mikhail Golovko inflicted injuries to the Deputy of Ternopol regional administration Petr Goch, in response to the refusal of conducting a Svoboda meeting on administration's premises. [158]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

During 2013, Ukraine had over 60 public actions involving nationalists. Majority of those were organised by Svoboda party. Several of them are listed below:

On January 1, Kyiv city organisation of Svoboda held a torch march in honour of the 104th anniversary of Stepan Bandera's birth. The column was moving with the slogans: "Bandera, Shukhevych — our heroes, they were fighting for you and me!", "UIA — national recognition!" "To heroes of UIA — glory! To Ukrainians — a strong state!" "Power to the nation!" and others. Marches, rallies, competitions and other actions dedicated to Bandera's birthday also took place in Lugansk, Zaporozhye, Kharkov, Poltava, Odessa, Melitopol, Dneprodzerzhinsk, Kirovograd, Sumy, Zhytomyr, Ternopil, Rivne, Lviv, Lutsk and other cities. [159]

On March 15, nationalists held an anti-Hungarian march in in Uzhgorod, where a declaration of a Carpathian Ukraine (pupped state that existed in 1938–1939) was being prepared. Nationalists chanted, "Hungarians are dogs!". [160] In late March, supporters of Svoboda marched in Uzhgorod and Beregovo chanting, "Hungarians are pigs!", "Hungarians, get out of Carpathians!", "Death to Magyars!". [161]

On March 27, Ukrainian nationalists were able to easily conduct a procession under the flag of the SS division "Galicia" in downtown Odessa. About 500 Ukrainian nationalists and football fans marched the central streets of Odessa under the flags of SS battalion "Nachtigall" and UIA. They burned fireworks, chanted "Moskal on knifes!", "Com-

munist — to Gilyak," "Thank you people of Donbass for a fag President."[162]

On April 29 in Lviv, a march was held dedicated to the 70-year anniversary of the SS division "Galicia," which fought against Soviet troops during the Great Patriotic War. More than a thousand of marchers, holding banners depicting "Galicia's" emblem, marched through the city.[163]

On May 18, a national protest action of oppositional political forces "Rise, Ukraine!" gathered more than 30 thousand people. Protesters chanted national slogans — "Glory to Ukraine — glory to heroes!" (by heroes they meant members of the Organisation of Ukrainian Nationalists — Ukrainian Insurgent Army of WW2 period), "Glory to the nation — death to the enemies!" "Away with Moscow occupants! Away with Moscow lackeys![164]

On June 15, a festival was held in Lviv village of Zashkiv, dedicated to 122nd birthday of the creator of the Organisation of Ukrainian Nationalists Yevhen Konovalets. The event was participated by representatives of Svoboda.[165]

On October 14, a large-scale rally was held to mark the 71st anniversary of the Ukrainian Insurgent Army and celebrate Protection of the Mother of God (Orthodox feast). The event was organised by Svoboda party. Thousands of people marched through the central streets of Kiev with Ukrainian and red-black flags, chanting, "Ukraine above all," "Bandera — our hero," "Communist to the gallows," and others.[166]

On November 15, football fans and Svoboda supporters held a march in downtown Kiev, demanding permission to use OUN-UPA symbols in stadiums. Activists held two large portraits of Stepan Bandera and Evhen Konovalets and chanted, "Bandera and Shukhevych — our heroes," "Glory to Ukraine! Glory to heroes," "Freedom for Paulichenko," "UPA — national recognition." The largest banner quoted lyrics from a song that used to be popular among the Ukrainian Insurgent Army (UPA).[167]

Ukrainian Islamists also held their public actions. The largest one was organised on June 6th in Simferopol, where supporters of Hizb ut-Tahrir held a rally in Simferopol, dedicated to 89th anniversary of the abolition of the Caliphate in Turkey — a state governed by Sharia law. Participants of the action "One ummah — one flag," which gathered about 1.5 thousand people, also held Prophet Muhammad banners, as a symbol of the fact that Muslims must fight for the creation of a new Global Caliphate. Speakers were accusing the West of the oppression of Muslims and double standards. According to them, the desire to create a state living under Sharia law does not count as extremism. The participants were holding slogans: "89 years without

a Caliphate — a great tragedy for the Ummah," "Islam — A Guide to Life," "Only the Caliphate protects our religion and our Prophet," "We — are Muslims, our ideology — is Islam, our constitution — is Koran." [168]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Majority of the above-mentioned actions held by Svoboda party, particularly in the regions, were attended by either Verkhovna Rada deputies or members of regional councils aligned with this party. Often, these actions were accompanied by violence. For example, On May 22, Svoboda activists broke into a meeting room of the Kiev City Hall, because the security did not let a Svoboda deputy assistant inside. [169]

On October 28, Svoboda deputies, led by the head of their parliamentary faction Oleg Tyagnibok, broke into the Ministry of Internal Affairs of Ukraine, demanding a meeting with Minister Vitaly Zakharchenko. [170]

After the Euromaidan movement was initiated, Svoboda deputies participated in almost all violent actions. On November 24, members of Svoboda and Patriot of Ukraine, alongside Oleg Tyagnibok and Arseny Yatsenyuk and other MPs, stormed the Ukrainian government building. [171]

On November 30, radical activists from the Right Sector trained all willing to learn tactics of violent confrontation with the law enforcement, including the development of group activities and the use of available tools as weapons. Thus began the formation of the so-called Maidan Self-Defence. These actions were supported by leaders of the parliamentary opposition.

On December 1, a mass demonstration was held in Kiev, involving oppositional deputies of various levels. Nationalists occupied the Kiev City State Administration and the House of Trade Unions. On December 8, led by Svoboda MP E. Leonov, activists destroyed a Lenin memorial in Kiev. [172]

- Presence of "football xenophobia" and racism amongst sports fans.

Football racism became fairly widespread in Ukraine, in 2013. Fans of Karpaty FC (Lviv) are considered to be most radically-minded. Although, according to some reports, certain football players have been influenced by nationalist ideas alongside their fans. However, it would be incorrect to claim that nationalism is inherent to just this football club.

On February 14, during a football game in the National Olympic Complex in Kiev, fans of Dinamo FC (Kiev) displayed multiple banners with neo-Nazi symbols and threw up their hands in a Nazi salute on the 88th minute (88 is a 'sacred' number for neo-Nazis, corresponding to letters HH — i.e. Heil Hitler). UEFA sanctioned Dinamo FC for this incident, ordering it to hold its next two games behind closed doors.[173]

On March 8, the day before a football match between "Karpaty" (Lviv) and "Chernomorets" (Odessa), stickers were pasted in Lviv, presenting "Chernomorets" as a "Jewish team." The sticker read "Death to the Jews!". Another sticker depicted a hand, saying "Banderstadt" (Bandera state) was slapping a Jew on the nose. This was accompanied by a subtitle "Anti-Jew."[174]

On March 26, fans of Karpaty FC (Lviv) displayed neo-Nazi symbols during its game with Zarya FC (Luhansk). Ukrainian Football Federation ordered Karpaty FC to hold its next game versus Dniepr (Dnipropetrovsk) under empty tribunes and pay a fine of 150 thousand hryvnia (19,000 USD).[175]

On April 14, during a football match between the Odessa's "Chernomorets" and Dnepropetrovsk's "Dnepr," a football player Roman Zozulya, upon scoring a goal called "Chernomorets" fans "f..ing Jews."[176]

On September 8, a group of football fans in Kiev, attacked their British counterparts who arrived to watch a game between England and Ukraine. Three persons were injured and hospitalised.[177]

There are many among football fans who consider radical nationalists from OUN-UPA their heroes. In early September, this caused an international scandal. During a World Cup qualifying round between Ukraine and San Marino, held in Lviv, fans of the home team displayed extreme right banners with symbols of the Ukrainian Insurgent Army, as well as flags depicting Stepan Bandera and Roman Shukhevych. They also made ape noises, mocking black players, and displayed Nazi salutes.[178] As a result, on September 27th, FIFA punished the Ukraine Football Federation with a fine of 45 Swiss francs, and Lviv stadium will not be allowed to host the national team until the end of the World Cup 2018 qualifier. International Football Federation also ruled that Ukrainian fans will not be allowed at the next home game in Kharkiv (versus Poland). The latter decision was overturned after an appeal.[179] Ukraine's Football Federation upheld FIFA's decision. President of FFU Anatoly Konkov said, "Among the supporters of the national team, there is no place for racism, fascism and any other radical manifestations. WE condemn this behaviour on Ukrainian tribunes. What some people may call patriotism, is hurting the country which we all support. Stadium is a football arena, not a political one."[180]

In response, administration of Karpaty FC announced on October 9th, that OUN-UPA flag will be its new official symbol. Statement on their website demagogically called xenophobic slogans "manifestation of patriotism."[181] Deputy from the Svoboda party A. Ilyenko reported that he supposedly received assurance form FIFA that "red-black flags and portraits of Ukrainian heroes do not fall under any ban"; he assured that OUN symbols will continue to be displayed on the tribunes of all Ukrainian stadiums.[182]

Influence of nationalist football fans was so high that on October 23 first Vice President of the Ukraine Football Federation, Sergei Storozhenko, asked the European organisation against racism to exclude the black-red flag of the Organisation of Ukrainian Nationalists from the list of prohibited symbols on football stadiums. "We do not understand why certain symbols that are of large significance for the Ukrainian spirit are included in the list of prohibited symbols in the FARE manual. We and many Ukrainian fans do not understand why the red-black flag, which is a symbol of a national liberation movement in Ukraine, has been prohibited since 17th century."[183]

On November 15, at a game versus the French team in Kiev, Ukrainian fans once again brought OUN flags and held a demonstration after the game together with Svoboda activists, demanding permission to use OUN-UPA symbols at stadiums.[184] On the same day, Vice President of FFU Vladimir Malinovsky told Lutsk journalists that the use of OUN red-black flags at stadiums is not prohibited at all.[185]

Ukrainian fans actively participated in violent actions of the extreme right, including the confrontations during "Euromaidan." They essentially constitute a reserve of "street fighters" for the extreme right organisations.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–20	–20

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

44 acts of xenophobic vandalism were recorded in 2013, as opposed to 23 such incidents in 2012. 19 of these incidents were related to the "war against monuments" and 17 were anti-Semitic in their nature. 3 incidents were anti-Muslim and anti-Christian and two — anti-Roma.

Several synagogues were desecrated in the city of Nikolaev on August 25[186] and Sevastopol on November 4.[187] Holocaust memorials were vandalised in Nikolaev on March 3, October 19, December 20[188]; in Nikopol on August 12,[189] in Babi Yar[190] and Ismail on October 9.[191] Jewish cemeteries were desecrated in Kremenchyug,[192] village of Dhurin, Shargorod region,[193] and in Prluki.[194] Memorial sign to the seventh Lyubavichsky rabbi Menahem Mendl Shneerson in Nikolaev was desecrated on March 15 and December 5.[195] More than a third of anti-Semitic acts of vandalism are caused by Nikolaev's anti-Semites. Quite possibly, this is due to local government's connivance during the monitored period.

In early May, members of the All-Ukrainian Union Svoboda celebrated the 70th anniversary of the SS division "Galicia" in Babi Yar — site of mass executions of Jews in Kiev (1941) — laying out a swastika with burning candles.[196]

On June 15 in Uman (Cherkassy region) a group of 4–5 adolescents threw rocks at a Jewish Hostel for religious pilgrims.[197] On December 1, a group of near-Orthodox activists in Odessa tried to dismantle a Hanukkah lamp on Primorsky Boulevard. They called all Jewish people "Satanists" and accused them of ritual murder of children.[198] On December 7, Svoboda party's leaflets once again appeared in Kiev metro, containing calls to violence against Jews and to expel them "from the streets of our country."[199]

Mosques were also targeted by vandals (in Simferopol on March 3,[200] and village of Kirovskoye, Crimea, February 13[201]).

Worship crosses were sawed off in Oreanda (near Yalta) on January 14,[202] and Uman, in August.[203] Late on December 2, an arson attack was made on the building site of a Holy Cross Church of the UOC in Yevpatoria (Crimea).[204]

In June and July, two arson attacks on Roma camps were reported in Kiev.[205]

In 2013, a "war against monuments" was launched in Ukraine, when memorials to Lenin and OUN-UPA leaders were desecrated. On February 16 in Akhtyrka, a group of Svoboda activists, led by MP and

chairman of the regional branch of this organisation Igor Miroshnichenko, destroyed a local Lenin memorial.[206]

In response to this action, monuments to OUN-UPA leaders were vandalised in the western regions. On March 6–7, a damage was caused to memorials and memorial plaques of Stepan Bandera and Roman Shukhevych. Unknown vandals have destroyed and poured paint on the monument to Shukhevych in Tydov village and a Bandera monument in Grabivtsy village of Ivano-Frankovsk Oblast in Ukraine.[207] Bandera monument was desecrated in the village of Volya-Zaderevatskaya (Lviv Oblast), memorial plaques to Bandera and Shukhevych were also broken in Rivne oblast and in the village of Belogrosh. Vandals also apparently tried to remove the Shukhevych monument from its pedestal.[208]

Late on March 7, vandals threw green paint at a bust of Stepan Bandera in Grabovka, Kalush district, Transcarpathian region.[209] Furthermore, monuments and memorial plaques of Ukrainian nationalist leaders were damaged in Tyudov village (Ivano-Frankivsk Oblast) and in Zdolbunov (Rivne Oblast).[210] On April 7, Bandera monument in Velikoselki (Lviv Oblast) joined this list.[211] On August 19, in Rava-Russkaya (Lviv Oblast), unknown vandals destroyed a monument to the Ukrainian Insurgent Army, constructed in 2008.[212] The next wave of vandalism against Lenin monuments began in late August (Berdichev, August 20,[213] six monument in Kiev region on September 9,[214] Poltava region on September 19,[215] Sevastopol on October 15[216]). The last series of vandalisms against Lenin monuments began in December, when a monument in Berzanka village (Nikolaev Oblast) was destroyed on December 15[217]

There were also attempts to disrupt left-wing presentations and conferences (Lviv, September 12,[218] Simferopol, October 2,[219] Kiev, November 13,[220] Lviv, November 13,[221] Kiev, November 21[222])

On April 4, it was reported that Russian nationalists tried to place a billboard in Simferopol, congratulating Crimean Tatars with a "happy escape from total annihilation" during the 1944 forced evictions. Marketing companies preferred not to engage in political discussion.[223]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

  Monitoring did not record any inter-ethnic clashes in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

In 2013, there were 26 attacks that can be classified as hate crime, resulting in 56 victims. Unfortunately, there is no reliable information on xenophobic crime and comparison to previous years is difficult. A prominent hate crime researcher V. Likhachev noted that data on attacks against

antifascists, LGBT and other groups, in 2012 and earlier years, is very fragmented, making it difficult to identify any reliable trend.[224]

Ordering by the number of victims, Kiev stands in the first place (21 victims). It is followed by Sumy (7), Lviv region (6), Transcarpathia, Kharkiv and Odessa regions (5 each), Cherkassy region (3), Ternopol (2), Volyn and Zhitomir (1 each). When it comes to ethnicity of the victims, in 70% of cases it was not determined (36 people). Among others, most common victims were Jews (4), Arabs (4), British (3), Armenians, Africans, Kurds, Pakistanis, Poles, Turkmens, Uzbeks, Roma (1 each)

Several incidents of attacks motivated by *ethnic hatred* are listed below:

On January 19, it was reported that in Ivanovka settlement (Cherkasy region), domestic conflict between a Ukrainian and a Roma resulted in the death of the former, which led to unrest with demands to evict the Roma from the village. Roma families living in Ivanovka, after murder immediately disappeared, fearing mob violence.[225]

On February 5, an activist of the left-wing trade union movement ("Just Cause" or "Pryamoe Deistvie") Andrei Movchan was assaulted in Kiev.[226]

On March 16, Ukrainian nationalists attacked Hungarian school pupils from Miskolc, who were visiting Uzhgorod (Transcarpathia) on a school trip. Students' clothes were decorated with Hungarian national attributes, which Ukrainian nationalists tried to tear off.[227]

On April 6, during an oppositional action "Cherkaschina — time to act," unknown hooligans wearing the T-shirts saying, "Beat a Jew," have assaulted a human rights lawyer Viktor Smaly. Young men attacked him for a comment about the unacceptability of anti-Semitic statements.[228]

On June 13, a fight occurred near Odessa Cultural Centre, where one of the Svoboda political activists, Irina Farion, was making a speech. Clash occurred between the radical nationalists and members of Russian organisations.[229]

On June 30, an attack was made against members of a race under the imperial flag, "Fraternal way, Russian path." Attackers forced them to lie on the ground, threatened them with pistols, and screamed "Glory to Ukraine — Death to the enemies."[230]

On September 8, a clash between British and Ukrainian football fans took place in Kiev, resulting in 3 injured and hospitalised.[231]

On September 10, a video appeared online, depicting a group of nationalists provoking fights with foreign nationals of "non-Slavic" appearance in downtown Kiev. Hooligans screamed racist insults, mocked and even physically attacked their victims. Among other victims were two Israeli Jews.[232]

On October 1, a 29-year-old Jewish male was beaten in a Lviv police department. Police officers extorted their victim, threatening to plant

drugs on his person if he does not pay 10 thousand dollars, while using anti-Semitic insults. After superior officers intervened, the man was released.[233]

On November 9 and 10, two Israeli Arab students were attacked in Odessa, one was injured.[234] On November 15, four students from Uzbekistan, Azerbaijan and Iraq were assaulted in Sumy.[235] On November 17, Azerbaijani student was assaulted near the Medical Institute of the University of Sumy.[236] On November 18, a female student from Turkey was assaulted.

Frequency of these attacks indicates either the existence of a gang "specialising" in students or that they feel total impunity for attacking students. On November 19, a large-scale clash took place in Kharkiv, involving foreign students. At least two people were wounded as a result — a student from Turkmenistan and a local native.[237] On December 30, a group of masked men attacked a Turkish student in Odessa — an ethnic Kurd.[238]

Attacks motivated by *racial hatred* also took place in 2013. On February 14, Ukrainian nationalists attacked a UOC priest, father Vyacheslav, rector of All Saints warriors temple in Kiev.[239]

On April 23, nationalists attempted to seize a temple of Ukrainian Orthodox Church (Moscow Patriarchate) in Korovogradsk region. About 300 people broke the gates of the church and attacked the priests. They tore priests' robes and screamed insults. There were no serious injuries.[240]

On June 17, a citizen of Israel was violently beaten near rabbi Nachman (Braslav Rebbe) at the memorial complex in Ukrainian city of Uman. According to the sources, the attack was accompanied by anti-Semitic insults.[241]

It is also worth noting the *clashes between nationalists and antifascists* that were fairly widespread in Ukraine in 2013. Because the tensions between these two groups were running extremely high, most cases of hate crime were related to these confrontations.

On March 15, nationalists attacked five antifascists in Uzhgorod.[242]

On May 9 in Ternopol, Svoboda activists attacked a small group of communists, who were going to lay flowers at the Hill of Glory, accompanied by 60 police officers. Law enforcement interfered and managed to avoid an outright clash.[243]

On May 18, Svoboda activists threw a smoke bomb at participants of the Kiev "Freedom March," which demanded a changed in country's drug policy.[244] On June 8, a group of nationalists in Kiev attacked journalist Georgi Erman, known for his left-wing views.[245]

On June 19, near the main building of the Kiev-Mohyla Academy, Svoboda activists attacked participants of a rally organised by the "Just Cause" movement's student union, who protested against Irina Farion's lecture in their university.[246]

On August 15, a group of nationalists, including a Svoboda deputy Yuri Mikhalchishin, attacked the Citadel Social Centre on Zheleznodorozhnaya Street in Lviv, where activists of the Autonomous Resistance and Labour Defence were situated. Two activists were seriously injured.[247] On October 16, a group of nationalists attacked two activists of the left-wing association "Borba" (Fight) in Lviv, which was distributing antifascist promotional materials. Nationalists shouted "Death to antifascists," "Glory to Ukraine" and "Sieg heil" and shot at their opponents from traumatic weapons, knocked them down on the pavement and proceeded to kick them until they lost consciousness.[248] On November 16, neo-Nazis in Donetsk attacked the guests of Indie Club, where a screening of a documentary "Ivan: In Memory Of Our Friend" was planned — the movie was dedicated to an antifascist Ivan Khutorsky, who was murdered by Nazis. Three people were injured.[249]

As part of the Euromaidan movement, nationalists made 7 attacks on the left-wing forces between November 24 and December 22, resulting in 9 victims.[250]

- Nationalist or religious terrorist attacks.

A series of arsons of Crimean mosques can be noted. On the night of August 13, unknown perpetrators set fire to a trailer in Ak-Mosque of Simferopol (Crimea), which belonged to the 9th quarter committee of the Central District of Simferopol and a local Mejlis. The trailer was located at a playground near a mosque.[251]

Late on October 13, a central mosque of Saki — "Yani Jali" — was set on fire.[252]

On October 15, a mosque in Rovnoe village was burned down.[253] On late Novemeber 17th, a construction trailer was burned down at a mosque building site in Levadki village, Simferopol region.[254]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	–5
	Total for the section 10	–15	–20

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Antiracist and antifascist movements and parites.

There are several antifascist organisations in Ukraine — the International Antifascist Front (established in 2011), the Antifascist Committee of Ukraine (AFCU, established in 2006), Borotba, Young Regions (a small youth wing of Party of Regions), and an anarchist association called Autonomous Resistance. Since 2011, there is also an all-Ukrainian Human Rights Movement "Ukraine Without Nazism."

Of the political parties, antifascist positions are supported by the Communist Party of Ukraine and the marginal non-parliamentary Progressive Socialist Party of Ukraine, led by N. Vetrenko. Antifascist ideas were also shared by the ruling Party of Regions.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Antifascist held several actions to counter the Svoboda nationalists. Several of them are listed below:

On May 25, Verkhovna Rada deputy from the All-Ukrainian Union Svoboda Irina Farion was supposed to visit Odessa to present a book "Мовна норма: знищення, пошук, віднова" (Linguistic Standard: destruction, search, renewal). However the presentation was cancelled after local antifascists expressed their protests.[255] On July 7, Irina Farion visited Kherson. Local communists met her with chants "Down with fascists," "Ukraine without Svoboda," "Fascism will not pass," "Kherson for Khersonians," "Farion, get out" and others.[256]

Furthermore, on January 19 in Kiev, about 70 antifascists held a rally in memory of a Russian human rights activist and lawyer Stanislav Markelov and a Russian journalist Anastasia Baburova. Participants of the rally were holding banners: "Fight against fascism continues," "To remember — means to fight," "Get out, fascist capitalists," "The enemy of your country, in the Parliament and the Cabinet," "Unite against Nazism."[257]

In Odessa, on January 29, activists of the youth organisation "Kolokol" burned a black and red flag of OUN-UPA (Ukrainian Insurgent Army), as well as the coat of arms of "SS Galicia" division, "Trident of Freedom" and the Nazi swastika.[258] On February 28 in Odessa, representatives of more than 70 city and regional organisations signed a memorandum on cooperation within an Antifascist Union (AFS). The signatories have set themselves the task of combating manifestations of xenophobia and Nazism, and the falsification of history.[259]

On June 22, representatives of the Communist Party of Ukraine and the regional organisation of the Anti-fascist Committee held a rally in Lviv, dedicated to the anniversary of the Great Patriotic War.[260]

On September 28, left-wing forces held remembrance events to mark the anniversary of Nazi repressions in Babi Yar. Member of the presidium of the Antifascist Committee of Ukraine Aleksandr Naiman told the "New Region" news-portal, "This particularly important today, because there are followers of Nazism in modern Ukraine. We encounter such terms as the "banderstadt" — that's how followers of Nazism call the Lviv region. We have shameful Yushchenko decrees, which order us to honour the enemies of Ukraine — Bandera and Petlyura."

Speakers of the event called on all people of Kiev who cherish the memory of their fathers, grandfathers, great-grandfathers, to oppose the rehabilitation of Nazi collaborators, the renaming of their streets, and the war against the Soviet-era monuments.[261]

- Presence of anti-racist and anti-fascist civic initiatives.

Generally, antifascist initiatives were related to either conferences and roundtables or friendship festivals. However, there were also several scientific and educational initiatives. Some of them are listed below:

On February 8, National Library of Ukraine for children hosted meetings with representatives of African Diasporas, as well as Jewish and Muslim religious societies for pupils of Kiev schools, organised by the African Council in Ukraine within a "Live library" programme. Representatives of Sudan, Ethiopia, Guinea and other diasporas, as well as delegates of Spiritual Administration of Muslims in Ukraine performed as living books, telling children about the culture, traditions and religious beliefs of their people and religious community. The event aims to familiarise children with members of other cultures and nationalities.[262]

On March 26, winners of the photo contest "Ukraine — tolerance and harmony" were announced. It was held in the Ukrainian House during the all-Ukrainian forum of small nations of Ukraine "One country — equal rights," organised by an International non-profit organisation "International Union."[263]

On April 27, Kiev hosted a round table "The role of state, political parties and the civil society of Ukraine in the struggle against manifestations of xenophobia, racism and chauvinism." The round table was participated by representatives of international organisation "International Union," International Organisation for Migration (MOM), "Congress of National Communities in Ukraine," "Public Zahist" party, a Charitable Foundation "Star Dream," an NGO "Institute of Azerbaijanism," M. Magomaev Azerbaijan Cultural Centre, NGO "European Choice" and others. Attending the event were more than a dozen dias-

poras of ethnic minorities in Ukraine — "Diaspora of Chechen people," Kiev Tatar society "Ildash," "Union of Gagauz in Ukraine," Arabic, Tunisian, Turkmen, Pakistani, Palestinian diasporas, an organisation of Mezhet Turks "Watan," centre of association and protection of Roma rights, a Bangladesh cultural centre, and others. Deputy Chairman of the "International Union" Alexandr Kharchenko stated — "Ukrainian society today is tolerant and multi-ethnic. However, there are tendencies towards the aggravation of nationalist issues. We are concerned that the slogans of the All-Ukrainian Union Svoboda are directed at inciting ethnic conflicts. When I hear statements, that rights of a nation prevail over human rights, it cannot but cause concern." The round table signed a collective appeal of members of NGO "International Union" to the authorities with an initiative to create an "Interagency commission on combating manifestations of xenophobia, racial intolerance and extremism."[264]

On May 8, Verkhovna Rada registered a draft law (№ 2060) "On the prohibition of rehabilitation and glorification of individuals and organisations who fought against the anti-Hitler coalition," initiated by several hundreds of NGOs and based on long-term scientific legal research involving Ukrainian academics, historical scientists and human rights activists.[265]

On June 1, members of the All-Ukrainian Journalist Association "Solidarity" wrote an open letter. "Recently in Ukraine, there is a significant growth of aggressive xenophobia, anti-Semitism and homophobia. According to experts, during the last half of the year, the number of acts of violence on these grounds grew by 40%." According to Ukrainian journalists who signed that letter, the growth of xenophobia, anti-Semitism and homophobia was caused by Svoboda's victory in last-year's autumn elections to the parliament, with the radical nationalist party gaining almost 10% of votes. "To get a good impression of this political power, it is enough to say that before the party became Svoboda, it was called a "Social Nationalist Party."[266]

On June 12, a round table was held in Kiev, called "Developing a mechanism for open collaboration between the government and civil society on prevention of right-wing extremism." The round table was organised by representatives of F. Ebert Fund in Ukraine, Verkhovna Rada Secretariat of Commissioner for human rights, and the Ukrainian representation of the International Organisation for Migration. Round table participants stated that the threat from radical right-wing movements is growing.[267]

On July 11 — the day of the Volyn massacre 70 years ago — Kharkiv progressives, Kharkiv Labour organisation, Union of Soviet Officers and members of the Kiev Rus party held a rally near the Polish Consulate commemorating Polish victims in the massacre.[268]

A report on law enforcement's compliance with Roma rights was published in July. Its authors recommended internal affairs bodies to recruit more national minorities and prevent hate speech — in particular, remove the word "gypsies" from their website; monitor the implementation of Roma rights and, as an experiment, introduce a position of "Roma community liaisons."[269]

On August 20, a roundtable was held in Odessa, dedicated to immigrants' problems in Ukraine. The roundtable was organised by Congress for the Protection of Civil Rights and Freedoms (also known as "Shield") and the Odessa Regional Organisation of the National Journalists Union of Ukraine.

The roundtable discussed migratory amnesty or legalisation of illegal immigrants, participation of human rights and non-governmental organisations in the integration of refugees and immigrants, as well as the need to reform the migration legislation.[270]

On October 16, Crimean Spiritual Administration of Muslims called the attacks on Muslim places of worship an attempt to religious destabilisation and urged fellow Muslims not to succumb to provocations.[271] On November 18, foreign students held a public action, demanding local university administrations, Sumy authorities and law enforcement ensure their safe education and living in the city.[272]

On November 28, members of various ethnic communities held an anti-racist rally in Odessa.[273]

Members of the Jewish community in Ukraine were very active in 2013. On April 9, President of the Ukrainian Independent Council of Jewish Women and Chief Editor of the Jewish Kiev media project Eleonora Groisman appealed to the President of Ukraine to stop the accelerating wave of anti-Semitism in Ukraine. "A multinational country that had more than two decades of tolerant and friendly relations between different peoples has recently been sinking rapidly into the abyss of anti-Semitism. We ask you to intervene in this situation, before it is too late. We ask you to establish a rapid response mechanism to incitements of ethnic hatred in Ukraine, instruct the competent authorities to counteract and prosecute each manifestation of anti-Semitism."[274]

On April 23–24, Kiev hosted an international conference "Kiev inter-religious forum 2013: Religion and its meaning in politics, in a modern state and government," conducted on the initiative and with the support of Alexandr Feldman Fund, Ukrainian Jewish Committee and the Institute of Human Rights and Countering Extremism and Xenophobia.[275]

On November 11, Council of the Sevastopol Jewish religious community "Habad" made an official statement, accusing a number of political parties, NGOs and press, of "Nazi propaganda."[276]

On December 15, Ukrainian Jewish Committee expressed outrage over an anti-Semitic article published on the Ukrainian Choice website, under the headline "Jews, Jews, Jews all round."

"It is obvious that what is published on Ukrainian Choice website is nothing other than dirty provocation aimed to drive a wedge between different nationalities in Ukraine, in these difficult times. It is clear that Ukraine is in need of an effective legislation that would criminalise such authors, organisers and distributors of anti-Semitic lies. For shame!"[277]

LGBT community also made several public actions in 2013. A gay-pride parade was held in Kiev on May 25. One of its participants, Russian citizen, held a banner "Ukraine — is not Russia. Why repeat the mistakes of an Eastern neighbour? No to bill banning propaganda of homosexuality!" Others held slogans "LGBT — for families and mutual support," "Homosexuality — not a disease," "Laws on homosexuality — barrier in Ukraine's path to Europe." In front of the column, a large poster was deployed, saying "LGBT rights = human rights."[278]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of the Nazi Germany

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

In search of national heroes, people in Ukraine glorify both the activists of the independent Ukraine of 1918–1920 and World War Two collaborationists of Nazi Germany, without differentiating between the two. Both are equally presented as "protectors of the independence."

In general, glamorisation and glorification of Galicia Waffen SS soldiers comes from Svoboda party. On February 14, Sumy was covered

with regional leaflets of Svoboda, saying: "STOP CELEBRATING 'VICTORY DAY' — MAY 9. WE WERE FIGHTING FOR UKRAINE — WAFFEN SS DIVISION 'GALICIA'."[279]

There were also attempts to glamorise the Volyn massacre. On June 20, the first President of Ukraine Leonid Kravchuk spoke in Warsaw University. He noted that the Volyn tragedy of 1943 cannot be considered genocide of Polish people, pointing out that these events do not fall under such definition of the United Nations. He also urged not to call OUN and UPA "criminal organisations," because only an international court can make this judgement.[280]

On June 22, an independent parliamentary deputy Petr Poroshenko (who became President of Ukraine in 2014) appeared on "Shuster Live" to speak against recognising the Volyn massacre as genocide. Poroshenko said, "We need to reconcile and ask for each other's forgiveness, instead of speculating about this." Meanwhile, deputy from the nationalist Svoboda party, Yuri Mikhalchishin stated that Bandera's troops were no different from the Polish Home Army. "These were people's armies. People protected their lands from invaders."[281]

In 2013, monitoring did not record any vandalism against monuments to antifascist soldiers in Ukraine.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

Authorities of the western regions, under a significant control of the Svoboda party, were making every effort to glorify collaborationists. On January 29, chairman of Svoboda's regional organisation in Ternopol and deputy of the regional council Vladimir Stayura, installed a black-red "Bandera" flag on the building of the regional council.

On January 31, deputies of the Lviv regional council from the Svoboda party, Andrei Holyavka and Yuri Zirchenko honoured the memory of Chief of Military Staff, Colonel of Ukrainian Insurgent Army, Oleksy Gasyn, by laying flowers to the memorial sign in his honour.[282]

On March 5, a commemorative ceremony dedicated to UIA (Ukrainian Insurgent Army) leader Roman Shukhevich was held in the village of Belogorsh (Lviv region). Sukhevich's son, Yuri Shukhevich, speaking at the event, stated that members of UIA "were honoured to take up arms and give their lives for Ukraine, in the name of its freedom and independence."[283]

On April 29 in Lviv, a march was held dedicated to the 70-year anniversary of the SS division "Galicia," which fought against Soviet troops in World War Two, as well as Yugoslavian partisans, and took part in the suppression of the Slovak uprising in 1944. More than a

thousand of marchers, holding banners depicting "Galicia's" emblem, marched through the city. They also carried banners — "We remember! We are proud," "For Ukraine, fought to the death," "Maksim Zheleznyak, Ivan Sirko, Roman Shukhevich, Pavel Schandruk: your honour — our loyalty." At the square near a monument to Shevchenko, deputy from Svoboda Yuri Mikhalchishin made a speech. Following the pattern of Baltic nationalists, he said, "70 years ago, our brave boys took up German machine guns, but their hearts were Ukrainian. They went to war with the Soviet totalitarian regime and the Western pseudo-democracy. On the same day, the Ivano-Frankovsk nationalists staged a torchlight procession. In Zhovkva, local activists of Svoboda published a special issue of a newspaper "Svoboda. Zhovkovshina," entitled — "Division "Galicia" — soldiers like lions."[284]

On May 16, Mayor of Lviv Andrei Sodovy said that pension supplements to members of OUN-UPA are absolutely legal, because they are carried out at the expense of the local budget.

"To anyone who doubts that UIA fought for Ukraine during the war, I advise to look in their passport, the cover of which has a trident, and inside — a blue-and-yellow flag. UPA fighters were the only armed formation on Ukrainian territory during the horrible war that fought both the Nazis and the NKVD under the symbols that today represent the state in which we all live. I'd also note that they fought voluntarily, on their own land, where our grandfathers, great-grandfathers lived for centuries. They never desired what didn't belong to them!"[285]

In late July, the remains of 16 Galicia SS soldiers were reburied in Gologory (Lviv Oblast). Solemn reburial was held in a festive atmosphere, with spiritual service, honours and fireworks. Young men dressed in Galicia uniforms made ceremonial volley salute from World War Two era rifles. They respectfully accompanied the present SS veterans, while the coffins were covered with national flags and director of the ceremony Svyatovslav Sheremet made a speech. "Today our fallen SS Galicia soldiers received a funeral prayer and military honours in the presence of a crowded community. Long live their memory."[286]

On September 13, it was reported that the first subject in Lviv schools was dedicated to the establishment of the Ukrainian Insurgent Army (UPA) — a nationalist military formation that existed in 1940s—1950s.[287]

On September 22, it was reported that Museum of Partisan Glory in Yaremch (Ivano-Frankivsk region) placed stands glorifying the SS Galicia division.[288]

On October 14, Lviv held celebrations dedicated to 71st anniversary of the Ukrainian Insurgent Army. Wreaths were laid to the grave of unknown UPA warrior at Campus Martius. This was accompanied by the ceremonial guard consisting of members of the youth organisations

"Plast" and "Spadshina" ("Heritage"). Chairman of the Lviv regional council Petr Kolody stated that currently, there are "haters who do not want to recognise UPA as belligerent. I think, soon there won't be such people in Ukraine..."[289]

As part of the 71st anniversary of the UPA, Lviv City Department of Social Protection paid a one-off benefit of 200 hryvnia to 377 local veterans of UPA and their widows/widowers.[290]

In addition, on February 4, there was an attempt to create a museum of a Crimean Tatar Nazi collaborationist Dengiz Dagzhi in Crimea.[291]

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

While Ukrainian government made no new decisions on the glorification of pro-Nazi collaborationists, it also made no attempt to repeal previous decrees on conferring OUN-UPA leaders Stepan Bandera and Roman Shukhevych the titles of Heroes of Ukraine. At the same time, Svoboda MPs were actively involved in various actions to glorify Bandera activists and the Galicia division of Waffen SS.

On May 23, Influenced by Svoboda deputies, Verkhovna Rada commemorated the founder of the Organisation of Ukrainian Nationalists Yevhen Konovalets.

On October 11, Svoboda disrupted a parliamentary session by hanging a banner in the hall, saying "Glory to UPA Heroes." Leaflets taking about "UPA Heroes" were passed around the hall and the press box. Communists and Party of Regions deputies left their seats in protest.[292]

Some clerics of the Ukrainian Orthodox Church (UOC) have also been noted drifting towards glorification of collaborationists. As part of a commemorative ceremony, director of the Uzhgorod Ukrainian Theological Academy under the UOC, Archimandrite Victor (Bed) served a doleful litany to the leader of UPA Roman Shukhevych. Academy's website posted about the event and wrote praises in Shukhevych's honour. He was called a "Hero of Ukraine" and "murdered on the night of March 4–5, 1950, at the hands of communist-Soviet-totalitarian regime."[293]

On May 9, Viktor Bed served a litany for the "warriors of Ukrainian resistance," i.e. UPA nationalists, whom Bed considered antifascists.[294]

Given UOC's traditional rejection of Ukrainian nationalists, this statement seems quite strange.

- Revision of history, Holocaust denial.

Monitoring of 2013 recorded one case of public Holocaust denial. In June, it was reported that a Svoboda MP Pavel Kirilenko posed a link to an article denying Holocaust on his Facebook page.[295]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–20

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Monitoring did not record such cases in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Monitoring did not record such cases in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

Antifascist activity was not criminally prosecuted by Ukrainian authorities in 2013, although there were a few cases of police harassment. For example, on October 15, Kiev police was trying to break into a Kiev apartment, residents of which had unfurled a Victory banner and played a song, "Arise, great country" from the balcony over the UPA activists marching below.[296]

Vladimir Rogov, who was involved in this action, reported that police tried to storm the apartment at night and broke the first front door; however, the second door was barricaded. Law enforcement then cut

apartment's electricity. Men were forced to take watch of the front door, expecting another raid.

Soon, however, activists were surprised to have their electricity back, as the police seized their attempts to break in. It turned out in the morning that the blockade had ended. Protesters believe that they a report on "Novy Region" website had scared off the 15 police officers. There were no criminal proceedings related to this incident.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–/×	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–2.5	–2.5
	Total for the section 13	–2.5	–2.5

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Ukraine joined all most important international obligations on combating racism and discrimination with the exception of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Ukraine also signed the Council of Europe Convention on Action against Trafficking in Human Beings, although it has not been ratified as of 2013.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

  Such cases were not recorded by the monitoring in 2013.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

  Such cases were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Ukraine's rating of radical nationalism has been significantly decreased compared to 2012, moving from fourth place to third. This was mostly due to the intensification of radical nationalist forces, which was expressed in large-scale public actions and adoption of a number of local laws that legalised the radical nationalist ideology and practice. Above all, this concerns the western regions of Ukraine, though there also was a series of vandalisms of Islamic religious buildings in Crimea.

It is also worth noting the lack of political willpower of central and regional governments in Ukraine that were reluctant to actively combat the neo-Nazi threat. This was exploited by both the parliamentary radicals in Svoboda party and the non-parliamentary extreme right forces, which formed the Right Sector association in late 2013.

Lack of government's political will, bordering on direct connivance of neo-Nazi actions, was based on a phenomenon unique for European politics — lack of accountability mechanism for acts of hate crime. Ukraine does not have an institute to assess offences related to interethnic and interreligious relations.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Ukraine's main problem in 2013 continued to be lack of any coherent national policy. This was expressed in lack of government strategies related to ethnic relations, as well as local governments overruling any decisions of the centre related to national policy. Thus, in spite of significant developments in anti-discrimination legislation, Ukraine's main problem was the implementation of these legal norms.

Rights of minorities do have a formal legislative base, however, in reality their protection is barely ensured. Another negative aspect is that Ukraine still lacks an institution engaged in ensuring human rights and combating extremism. Presence of the ultra-nationalist Svoboda party in national and regional parliaments did not contribute to the struggle against discrimination.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Ukraine is taking steps to align its legislation to European norms. It is one of the few post-Soviet countries, including Baltics, that joined the European Convention of Regional and Minority Languages. Furthermore, Ukrainian Law "On the Principles of the State Language Policy" became one of the few examples where a post-Soviet country provided minority languages with an official regional status. However, this work has not been completed yet. The country also lacks official hate crime statistics, which prevents an objective assessment of the situation.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

At the moment there are no such disparities, however their introduction is in Svoboda's programme, along with other extreme right parties.

- *Legislation enshrining inequality of minorities.*

As of 2013, there was no such legislation in Ukraine.

- *Rulemaking in protection of minorities.*

In 2013, some efforts were made to adopt anti-discrimination laws protecting LGBT rights. However, they have not been adopted, as politi-

cians feared to anger their more conservative constituents. On the other hand, an integration programme for Roma has been adopted.

- *Freedom of speech violations.*

Freedom of speech is generally observed in Ukraine, except for the controversial law "On the rules of ethical behaviour," which prohibited official from criticising the government.

- *Legislation and law enforcement practices concerning migrants.*

Under the formally developed immigration legislation, immigrants are still often subject to discrimination by the law enforcement. Furthermore, police officers often demonstrate their racist views themselves. Lack of a sufficient amount of functioning refugee centres and temporary holding facilities for foreign nationals and stateless persons can also be considered as discrimination against immigrants.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

There have been several human rights violations in Ukraine in 2013, concerning the Roma, Hungarians, Russian-speaking (in western regions) and cases of anti-Semitism. Moreover, there have been attacks on religious Jews and UOC priests.

These incidents were a result of increased xenophobic sentiments among the population of Ukraine, as well as the increased popularity of nationalist ideas — a process that accelerated with Svoboda's accession to parliament and its inclusion in the parliamentary opposition. Joining with the nationalists, Ukrainian liberals were seeking to increase their fighting chances against the ruling government, much like their Russian counterparts. However, in practice this lead to de-marginalisation of radicals and disorientation of the electorate. Voters began to perceive them as a fairly "normal" political force.

As a result, minorities' felt more discomfort, which is known to lead to reduced opportunities for their self-realisation, division of the society, exclusion of minorities from the public life, growth of separatist and irredentist sentiments and, eventually, to the weakening of the state — which we already observed in 2014.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

Currently, Ukraine's society is split into Russian-speaking and Ukrainian-speaking citizens, who in 2013–2014, entered into a painful and negative process of identifying themselves as completely different nations. The split that was previously aggravated by the clumsy "Ukrainisation" actions of the government is now actively widened by the Svoboda party and its allies.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The Legatum Prosperity Index Table Rankings places Ukraine on 64th place of 142 countries. However, this has socio-economic causes that were not related to xenophobia and extremism as of 2013.

- *Economic turmoil and instability.*

Economic problems and instability are characteristic for Ukraine, though they were not related to xenophobia and extremism as of 2013. However, the increased division between the titular nation and the national minorities, as well as between the Ukrainian-speaking and Russian-speaking regions, caused a wave of separatist sentiments and outflow of the labour force abroad. This can have serious negative impacts on Ukraine's economic development in the future.

- *Decline in production growth, emigration of the labour force.*

High rate of labour emigration is normal for the modern Ukraine, but this migration is seasonal in its nature. It is caused by economic factors, rather than xenophobia. At the same time, the split of the country along ethnic lines, separatist tendencies and the deterioration of trade relations with Ukraine's main economic partner — Russia — will inevitably lead to a significant decline in production and growth of labour emigration.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Ukraine's political stability is very low. In 2013, the split of the society and mutual xenophobia of the Western and Eastern population was already clearly observed — caused by differences in values, Svoboda's active nationalism and different interpretations of 20th century history, particularly Ukraine's history in the Second World War.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Activities of the Svoboda party deteriorate Ukraine's relations with its neighbouring countries, which anxiously monitor the situation with their peoples in Ukraine. Most of all, this concerns relations with the Russian Federation, but other countries are concerned as well. Hungary, for example, is concerned by Svoboda's anti-Hungarian demonstrations that took place in 2013.

Division of the country along ethnic and regional lines, attempts to discriminate the Russian-speaking population, efforts to revise history and accusing Russia of "occupying Ukrainian lands" leads to the deterioration of age-old political and historical ties between the two countries. This will certainly affect the internal situation in Ukraine and the security in the region.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Ukraine should support the UN Resolution A/RES/67/154 "glorification of Nazism: the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance" and similar resolutions against neo-Nazism.

Furthermore, Ukraine as a country with negative net migration, should join the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2. *General recommendations for adjustments to the legal framework*

Ukraine needs a coherent national policy. To achieve this, there has to be a specialised executive institution and a mechanism for implementing government initiatives in the regions.

Ukraine's language legislation also needs systematic improvement in accordance to recommendations of international organisations and based on the real demand to observe linguistic rights of all ethnic minorities in Ukraine.

Furthermore, given the increased activities of extreme right parties, Ukraine must support legislative initiatives and consolidate the activity of human rights activists aimed at preventing and prohibiting the practice of neo-Nazi ideology in Ukraine. Article 161 of Ukraine's Criminal Code — "Violation of the equality of citizens on the grounds of their

race, ethnicity or religious beliefs," must be given a more precise formulation. Criminal cases related to this article must be taken under control. As for historical monuments and memorials, perhaps their fate must be decided by referendums.

It is necessary to revise legislation on religious organisations ("On freedom of conscience and religious organisations"), because it contradicts the Constitution of Ukraine and the principles of religious freedom. It is also necessary to change the electoral law and repeal the provision on the defeat in the right of convicted persons.

Ukraine needs a more detailed improvement of its migration and anti-discrimination legislation, particularly relating to refugees. Appropriate changes need to be made to the labour law, to remove barriers to employment of refugees.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Ministry of Justice of Ukraine is still reluctant to amend the decree (8.10.1998 № 53/5) "On the approval of the Instruction to appoint and conduct forensic examinations and expert investigations and scientific recommendations for the preparation and appointment of forensic examinations and expert investigations," which specifies expert organisations in various fields. Since it lacks the field of interethnic relations, any expert assessment on the presence (or absence) of incitement of ethnic hate cannot be considered an official examination. This significantly complicates the identification of manifestations of xenophobia and chauvinism.

State and public monitoring of the implementation of minority language rights is extremely relevant. Nationalist attempts to repeal the 2012 law "On the Principles of the State Language Policy" could lead to complete destabilisation and break the already fragile interethnic peace.

It is worth paying attention to recommendations of Council of Europe: determine a body that would coordinate work to combat racism and discrimination, ensure a fair and effective system of granting refugee status, and create an independent body to consider complaints regarding racist actions and racial discrimination of the law enforcement. It is necessary to re-establish an interdepartmental commission on combating racism and xenophobia.

Law enforcement bodies in several regions should stop public reporting and focusing on ethnicities of perpetrators. On the other hand, there should be concise data regarding xenophobic crime.

It is necessary to adopt effective measures of combating corruption in executive bodies, which is one of the main reasons for discriminatory practices towards immigrants.

Ministry of Justice of Ukraine and its law enforcement should investigate Svoboda party's activity for its compliance with the law.

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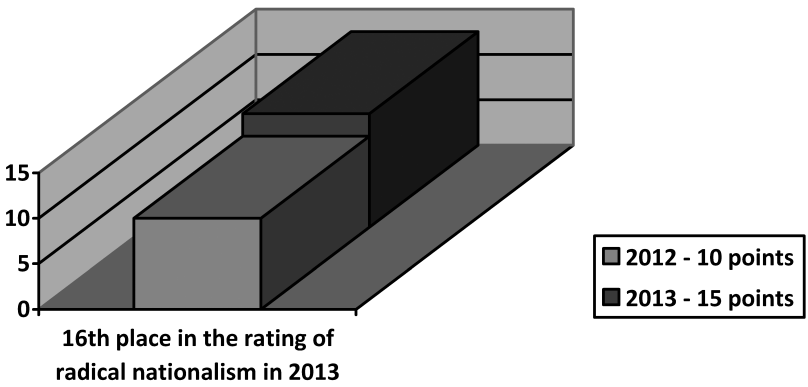
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–12.5
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	15	15
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	2.5	2.5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–22.5	–22.5
9	Extremist and radical nationalist public actions	–20	–20
10	Racist attacks, violence and terror	–15	–20
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–20
13	Persecution of veterans and partisans of the anti-Hitler coalition	–2.5	–2.5
14	International aspects	5	5
	Total	–57.5	–65

FINLAND


15
10
5
0
16th place in the rating of
radical nationalism in 2013
2012 - 10 points
2013 - 15 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in Finland in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

In general there are no discriminatory laws against minorities in Finland, but the in the instructions of the Social Survey of Finland there are recommendations that women who were born in Russia (emphasis added) are accused of a predisposition to violence against children,[1] that implies finding this social group in the "risk group" of juvenile justice. Russian mothers are often subject to punitive actions related to the selection of children. The Foreigners Act contains section 130, which states that at the request of the police or any other authority, he or she must submit their documents to prove his/her identity and that increases the risk of racially motivated detentions. Article 121 of the Act also provides for the detention of foreigners in order to establish their identity, as well as in cases where the "taking into account personal and other circumstances of the foreigner, there are reasonable grounds for believing that he or she will commit a crime in Finland." Gender identity is not included in the list of protected entities in the anti-discrimination legislation.[2]

Additionally, the Finnish legislation includes the so-called discrimination of "Unofficial churches," which include all religious groups except the Evangelical Lutheran and the Orthodox churches. Among them are Jehovah's Witnesses, the Free Church of Finland, the Catholic

Church of Finland, Adventist Church and the Mormon Church of Finland, Pentecostals and others.

"Unofficial Churches" do not have the right to receive fees from a special church tax (1% — 2.25% of revenue), which is operating on the basis of voluntary entry of citizens in a particular religious organization. It is fair to say that in 2012 more than 20,000 people have renounced the church, and in accordance with the law, ceased to pay this tax. And 4% have stated that the cause of it is the need to pay this tax annually.[3]

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

  Such legislation is absent in Finland.

- Presence of legal norms and other regulations that legalize the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  Such legislation is absent in Finland.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

There are four discriminated groups: Roma, African refugees (mostly natives of Somalia), Russian speaking immigrants and transgender people. Roma (about 10,000 people) continue to suffer from discrimination in various fields including education, employment and housing. Somalis (there are about 15,000 people) are the least integrated group in the country and are victims of discrimination, particularly in employment. About 75% of Roma-children and Somalis live in social housing (the Finns — in 23%), 40% of homeless families and 9% of single homeless people in Finland are Roma or Somalis, although they account for only 3.1% of the general population. Cases were recorded of arbitrary searches and arrests of Roma by the police. Roma and Somalis are also faced with racist abuse in schools, even though the facts of segregation are not recorded.

As for the Russian-speaking (there are more than 50,000 people and their quantity is in third place after the Finns and Swedes) serious difficulties have also been reported in getting a job for candidates with a Russian name (even if he was born in Finland and speaks Finnish at a sufficient level). The procedure for confirmation of qualifications acquired in Russia stretches for a long time. In some cases the Russians were refused banking services on the basis of assumptions — on a national basis — of involvement in money laundering.

According to surveys conducted in 2013, 90% of Roma believed that ethnic discrimination is widespread in Finland. 68.7% of Roma have experienced discrimination in the previous 12 months preceding the survey. 53.8% of Roma have experienced discrimination in the labor market over the past five years. In this case, neither age nor education can protect against discrimination. 87% of the people who experienced discrimination in the labor market were Roma, 86% were Somalis and 76% were Russian, but they prefer not to complain about such facts. 48.5% of Roma have experienced discrimination in obtaining public housing and 54.7% in the leasing of property from private individuals. Interestingly, if a complaint of discrimination in respect of the lease of state property was filed by 44% of Romanians in relation to discrimination in employment in the private sector only 15% filed housing complaints filed — largely due to the fact that among the Roma was widespread misconception that the prohibition of discrimination applies only to government properties. Another big problem for the Roma — the pressure of tradition and community authorities on those who want to lead a more modern way of life (39% of respondents indicated that they had experienced one or other of Roma traditions and that they were uncomfortable). There were even cases of physical violence against the Roma, who abandon their traditional way of life. [4]

As part of an experiment conducted by journalists on television "Yle" in autumn 2013 discrimination was recorded against Somalis and Russians in the labor market, during housing and even during access to a nightclub. [5]

In addition, on January 16th the Supreme Administrative Court of Finland upheld the termination of parental rights of Russians Anastasia Zavgorodnyaya and her husband. In this case, both parents were not allowed to be present for the trial. [6]

Transgender people cannot start the procedure for changing identity without psychiatric examination at the Central Hospital of Helsinki and Tampere before getting an appropriate conclusion (it takes 6 to 12 months), compulsory sterilization and "the test of life" which sometimes lasts for several years. Such a long wait, followed by humiliation over the use of "foreign" (and in fact — belonging to a person before a sex change) documents considered as transgender is humiliating. Many are protesting against sterilization, which is mandatory for sex-change, noting that they want to have their children. Marriages of such people are converted to civil partnerships that infringe the "second half." According to a survey of the European Agency for Fundamental Rights, conducted in 2013, 48% percent of people living in Finland have been discriminated against during the 12 months prior to the study. Students especially strongly felt discrimination: 48% experi-

enced physical violence, 79% — psychological, 21% — sexual. Not less than two-thirds of them linked violence with their transgender identity. Office of the Commissioner for Equality received from 5 to 11 reports of discrimination based on gender identity per year between 2010 and 2013.[7]

In June 2012, the Finnish government decided to cut the number of hours for teaching religious subjects. According to experts, it will affect, first of all, the religious education of the Orthodox minority, because the number of teaching hours for this category of students without this reduction is minimal.[8]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–2.5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–7.5

2. Xenophobia and inflammatory statements of the government and the media

Basically, the source of xenophobic statements from the government was representatives of the party "True Finns."

On January 14th, 2013 municipal deputy from the party "True Finns" Mika Hiltunen, wrote in his blog that the Somali immigrants in Finland are "tramps who rape and beat people," and that is why they "should remain in Africa."[9]

On January 18th Member of Parliament of Finland from the "True Finns" Yames Hirvisaari said in his blog that "rape is a genetic feature of some cultures," and that they were popular entertainment for some

nations and therefore demanded the deportation of Somali immigrants from Finland. [10]

On January 17th member of the party's council Kai Haavisto proposed in his blog "Uusi Suomi" (New Finland) to conduct a special treatment for certain groups of migrants, allegedly prone to sexual violence. [11]

On March 28th, it became known that a member of the city council in the city of Vaasa from the "True Finns" party Risto Helin donated an outdoor clock with ultra-swastika and a portrait of Hitler to a local club. In the interview with Swedish news channel Yle R. Helin said: "I do not see anything wrong with that. I'm not racist and not a Nazi." [12]

On August 16th a member of the Finnish Parliament from the "True Finns" Teuvo Hakkarinen called immigrants a burden for Finland and accused the Muslims of being a "Trojan horse" and ready to "engage in jihad."

On August 29th, it became known that the "True Finns" collected 50,000 signatures demanding to cancel the compulsory study of the Swedish language in schools. [13]

One of the provincial leaders of "True Finns" Esko Saastamoinen from Lieksa in September asked the city administration for a meeting room of the party. Upon learning that the proposed building is used by Somalis with the same goals, he made another request to "clean the place." [14]

On September 23rd an MP from the party "True Finns" Jussi Halla-Aho said, referring to the admission of five hundred Syrian refugees that "the state should not spend money on such minor problems." [15] He also said that the refugees would provoke riots: "It's only a matter of time before the refugees in Finland will cause unrest, as it happened in other major cities of Europe." [16]

Furthermore, on the 8th of August it became known that in a court in Helsinki a judge told racist jokes and criticized the appearance of trial participants. [17]

As for the media, in January-Februarypeople found out about the large-scale publishing of anti-Semitic material in the free newspaper "Magneettimedia," which was distributed at the "Karkkaynen" mall in Helsinki. [18]

In early October, the English-language editor of the blog Migrant Tales Enrique Tessieri said that the Finnish media artificially stir up the situation regarding issues related to the newcomers, actively promoting the views of the ultra-right. He warned journalists that spreading a one-sided and intolerant vision of immigrants can lead to "a society that we could not imagine in our most terrible dreams." [19]

Representatives of the Muslim community say that in the Finnish media there is a tendency to equate Islam with terrorism. Some media fanned prejudice towards Somalis. [20]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 6 of the Constitution states, that everyone is equal before the law. However, race and ethnic origin of a person are not directly mentioned as a prohibited ground for discrimination. "No one can, without valid reason, have a special status on the basis of sex, age, origin, language, religion, belief, opinion, health, disability or for some other reason that relates to his or her personality" — is stated in the basic law of the country.

Questions related to combating racism and anti-ethnic strife are described in sections 10–10a in Chapter 11 of the Penal Code of Finland, and section 13 of chapter 13 of the Penal Code is devoted to punishment for libel based on xenophobia. Section 24–25 of Chapter 19 of the Penal Code of Finland is devoted to the fight against crimes motivated by xenophobia. Section 10 of Chapter 22 is devoted to combating crimes on religious grounds.[21]

- Presence and development of anti-discriminatory legislation.

Article 11 of the Finnish Constitution states: "Everyone shall be guaranteed freedom of religion and conscience. Freedom of conscience and religion includes the right to manifest one's religion and to worship, the right to express a belief and the right to enter or not to enter a religious community. No one is required to participate in religious ceremonies against their will."

Article 17 of the Basic Law distinguishes bilingualism in Finland (Finnish and Swedish are equal) and the right of such groups as the Sami and Roma to preserve and develop their language and their culture and Article 75 of the Constitution guarantees the autonomy of the Swedish-speaking Åland Islands.[22] According to the law, a municipality

is considered bilingual (Finnish-Swedish), if the Swedish-speaking share of the population is more than 8 percent. In the Finnish-speaking regions Swedish language is a compulsory school subject for everyone from 7th to 9th grade (for teenagers aged 13 to 16).[23]

The main document of anti-discrimination legislation in Finland, the Equality Act, was adopted in 2004. According to Article 1 the aim of the Act is the promotion and preservation of equality and improvement protection against discrimination with the right to use law within the framework of discrimination. It covers the areas of employment, social and health services, military service.

Article 6 of the Act states: "No one shall be discriminated against on grounds of age, ethnic or national background, nationality, language, religion, opinion, health, disability, sexual orientation or other personal characteristics."[24]

Section 11 of Chapter 11 of the Finnish Penal Code is also dedicated to the fight against discrimination. In this case, extra responsibility on managers, under whose watch facts of discrimination took place.[25] The third section of Chapter 47 of the Finnish Penal Code covers anti-discrimination in the workplace.

In 2012, the development of a new version of the law on self-government of the Aland Islands was announced, granting the Swedish minority living there broad autonomy.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, Finland complies with anti-racism and anti-discrimination legislation. To do this, the executive branch has a corresponding infrastructure.

Article 4 of the Equality Act states that "the government should promote equality in all its activities, specifically, the use of administrative and operational practices to ensure the promotion of equality in the preparatory work and decision-making process." Efforts to comply with equality and to fight against xenophobia are coordinated by the Ministry of Internal Affairs. The main legal body fighting for the improvement of the rights of minorities is the Ombudsman for Minorities at the Ministry of Internal Affairs. He fights for the improvement of the status and rights of ethnic minorities. In addition, he takes action in cooperation with other authorities to ensure equal rights, regardless of the minority's ethnic background. The Ombudsman for Minorities can be contacted, for example, if a person is personally faced ethnic discrimination or was a witness thereof.[26] There are three regional offices advising victims of discrimination — in Turku, Tampere and Kotka. However, the Minority Ombudsman lacks

the human and financial resources necessary for the proper performance of his tasks. There are no regional branches of his office. In addition, he has jurisdiction only to hear cases of discrimination based on ethnic background. [27]

The Ombudsman monitors and facilitates the implementation of the rights and improves the position of ethnic minorities and foreign nationals in the society. He meets regularly with various organizations and groups representing ethnic minorities. In addition, he participates in the development of the societies of ethnic groups. [28]

It is characteristic that in Åland the only official language is Swedish. The islands have their own citizenship and its parliament that does not answer to the Parliament of Finland. The scope of the autonomy: education, culture, protection of monuments, health and medical care, environmental protection, internal transport, local government, the postal service, radio and telecommunications.

Questions related to the fight against discrimination are handled by the Commissioner of Equality Matters. He may assist a victim in legal proceedings concerning compensation for damages or help obtain compensation. In such situations, however, the issue has to significant in terms of the application of the Equality Act.

The Commissioner for Equality has the right to inspect workplaces, if there is reason to suspect a violation of the Equality Act by the employer. Other authorities are obliged, if necessary, to assist in conducting the inspection. [29]

Investigating cases of discrimination in the workplace involve legal bodies for the protection of labor.

According to Article 13–14 of the Equality Act Finland has the National Discrimination Tribunal of the Ministry of Internal Affairs. The Tribunal hears cases of discrimination and may decide to restore those fired at work and on payment of compensation, or can also impose a fine. The statute of limitations for such cases is two years. [30] In this case, outside the jurisdiction of the tribunal are cases of discrimination in the labor market and issues related to immigration. [31]

An Advisory Board for Ethnic Relations (ETNO) also operates under the Ministry. It is an advisory body, which considers questions relating to refugees, migrants, racism and ethnic relations. [32] Regional councils of the Advisory Council on International Relations suffer from a lack of human and financial resources, which prevents them to effectively carry out their tasks. [33]

Under the aegis of the Ministry of Health and Social Policy the Advisory Council for Roma is active, 50% of which are Roma. The Board is responsible for monitoring the situation of the Roma, to inform the authorities about this, as well as measures to combat discrimination. The council members are working on a voluntary basis. [34]

Combating discrimination in the school engaged in by the staff of schools and school supervisors.[35] However, in matters of juvenile justice there is a clear violation of the Constitution. Article 6 of the Basic Law provides that children "should have the right to influence the issues that concern them in accordance with their level of development." However, this provision is often not complied with.

- Struggle against hate crime (criminal cases against organizers and participants, guilty verdicts).

Unfortunately, there is no official statistics in on penalties for hate crimes Finland[36] and therefore we only know about specific cases that come up in the media.

On May 14th municipal deputy from the party "True Finns" Mika Hiltunen was sentenced by a Finnish court to a fine of 2,000 Euros for inciting ethnic hatred.

On October 22nd a businessman and owner of a chain of supermarkets Juha Karkkaynen was fined 45,000 euros for publishing anti-Semitic articles in the free newspaper Magneetti, which had been circulated in the mall he owned. The court also ordered him to remove the articles from the website of the journal.[37] The leadership of the newspaper in early August announced the decision to concentrate editorial policy on commercial topics.[38]

Unfortunately, we can talk about the facts of apparent connivance of xenophobia on the part of law enforcement. At the beginning of January it became known that the Prosecutor General of Finland refused to open a criminal case against a member of parliament from the ruling party P. Salolainen, "famous" for statements about the Jewish community "controlling finance and the media in the United States." The prosecutor's office found that since the words of Mr. Salolainen did contain threats or inflammatory statements, they do not incite ethnic strife.[39]

In June, police in Helsinki did not respond to messages about the flag with a swastika, saying it had not received any complaints from the neighbors, and that the Finnish legislation does not prohibit demonstrations of the swastika.[40]

- Unlawful use of anti-extremist legislation.

Such facts were not registered by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	20	20

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

In early September 2013 the President of Finland Sauli Niinistö met with a delegation of the Finnish Association of Russian-speaking Societies (FARO). Sauli Niinistö at the meeting pronounced a few phrases in Russian and supported the activities of the Association. The meeting touched on the programs of integration of Russian-speaking immigrants, as well as the challenges that they face in their Finnish life. [41]

In response to the words of J. Halla-Aho about Syrian refugees, Minister of Internal Affairs of Finland Päivi Räsänen on September 23rd reminded that every year about 750 refugees from other countries can come to the country. But given the difficult situation in Syria, Suomi considered it possible to increase the quota exactly for Syrians. In return, the head of the parliamentary faction of the National Coalition Party Petteri Orpo said that deputies from the "True Finns" have shown their indifference to human suffering. [42]

Deputy Minister of Internal Affairs Päivi Nerg said in October in an interview with "Echo of the Planet" that "the proportion of migrants in our population is very small compared to other countries, so for us the prospect that they will overcome Finns in quantity is very far away. On the contrary, it is discussed that for our country and the economy migration could be beneficial. Attracting migrants is one of those ways in which we try to solve the problem of an aging population. However,

there is a certain issue preventing this. It is the difficult Finnish northern climate. "Director of the Department for Russia, Eastern Europe and Central Asia of the Finnish Ministry of Foreign Affairs Terhi Hakala said that in Finland the perception of migrants is absolutely adequate. "Of course, there will always be people who do not like it. But in general, there is no problems with negative perception of migrants" — she said. Head of Division in the political department of the Foreign Ministry, Mikko Kinnunen, noted that by itself the phenomenon of migration and related challenges are a "sign of an open society and is in any case better than an authoritarian regime."[43]

Speaking at a seminar organized on November 20th by Amnesty International, the Secretary of State, Ulla-Maya Rayakangas stressed that the possibility of obtaining legal recognition of gender reassignment should be independent of psychiatric diagnosis or any other medical criteria, including sterilization. Against sterilization were also the representatives of the central hospitals of Helsinki and Tampere, responsible for the examination of transgender patients.[44]

The leader of the party "True Finns" Timo Soini speaking in the program "HARDTalk" on "BBC World Service" noted that he had never supported any form of racist statements in his party, and furthermore, such people are excluded.[45] On October 3rd municipal Deputy Yames Hirvisaari was unanimously expelled from the party "True Finns" for xenophobia. In November, the party has expelled Esko Saastamoinen.[46]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

In Finland, in November 2007, a National Action Programme to combat discrimination (the program "Yes") was launched. It was held in 2012. It involved the Ministry of Internal Affairs, Ministry of Justice, Ministry of Labor, Ministry of Education and Culture, the Ministry of Defence, Ministry of Social Affairs and Health and a number of NGOs. The project objectives are to raise public awareness and capacity in relation to equal treatment and non-discrimination and the promotion

of diversity in the Finnish society. The project was supported by the European Commission. [47]

On November 1st 2012 the program "Good relations" was launched. The aim of the project is to combat racism and xenophobia through the establishment of good relations between people from different walks of life. The project also aims to provide a definition of "good inter-ethnic relations," the creation of a set of indicators for a good relationship, to try them and to provide information and their results at the national level and at EU level.

Project is coordinated by the Minister of Internal Affairs. The project's partners are also the Advisory Board for Ethnic Relations and the Center for Economic Development, Transport and the Environment Uusimaa, Pirkanmaa and South-Western Finland. In addition, the project is working with the Ministry of Employment and the Economy, the Association of Finnish Local and Regional Authorities; an organization representing the interests of the Sami and Roma. International partners involved in the project are the Swedish Ministry of Employment and the Council for Ethnic Minorities of Northern Ireland. [48]

Children who speak Sami as their native language and who live in the regions inhabited by the Sami people have the right to receive basic education in their mother tongue. General education and secondary vocational education can be obtained in the Sami language, which can also be selected as an optional subject. Municipalities located in the Sami areas receive subsidies for teaching Sami, if the group has at least three students (outside Sami regions — two). Sami activists, however, complained to international human rights organizations that the language teachers are not enough, officials are not familiar with the culture of the Sami, but giving the other students knowledge about the existence in Finland of its indigenous northern people depends entirely on the goodwill of teachers. Their native language, with the support of the state can be studied as an elective by children of immigrants for two hours a week, if a group of at least four people is drafted. [49]

Finland celebrates Holocaust Remembrance Day on January 27th. In Finnish the event is called "Day of Remembrance for the victims of persecution" and in Swedish and English versions the term "Holocaust" is used. However, representatives of the Jewish community have complained that the Holocaust is mentioned in passing, and it is understandable only if the teacher explains it in detail. [50]

In March 2010, the police launched an online service to collect information on hate crimes. The Migration Department under the Ministry of the Interior has established a mechanism for monitoring information on the integration of migrants and ethnic relations. However, there is an obstacle to the full collection of information in a ban on the

collection of data on the basis of criteria such as religion, language or ethnic origin.[51]

In mid-September, the Finnish Parliament without voting decided to establish a fund in the country to support the study of Russian language and culture for Finns and donate for ten million euros from the state budget for this cause.[52]

On November 6th is the Day of Swedish Culture in Finland. In connection with the holiday a variety of events dedicated to the Swedish culture and the Swedish language were held in the municipalities of the country. In honor of the festivity the flag of Finland is displayed.[53]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Article 9 of the Finnish Constitution states that Finnish citizens and foreigners lawfully residing in Finland have the right to move freely within the country and to choose a place of residence.

"The right of a foreigner to enter Finland and reside in the country is set by law. A foreigner may not be deported, extradited or returned if the consequence of this would be the death penalty, torture or degrading treatment" — is stated in Article.[54]

Stay of foreigners in Finland is determined by the following documents: the Foreigner Act (2004); Law on Citizenship (2003); Decision of the State Council on Citizenship (2004); Wages Act of citizens of the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia (2004); Law on the Registration of Foreigners (1997); Law on the settlement of migrants and for admission of persons requesting asylum in Finland (1997); Law of exclusive consideration of requests for asylum, provided to some citizens of the former Yugoslavia (1993); Law on foreign offices (1995); Ombudsman Act on Minorities and the Commission on Discrimination (2001); The Equality Act (2004).

Finland has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, assuming that the existing legislation is sufficiently advanced. [55]

Additionally, in 2001, Finland has ratified the Convention on the Participation of Foreigners in Public Life at Local Level, providing voting rights at the local level for immigrants who legally lived in Finland for five years.

According to the amendments to the Citizenship Act, which came into force in 2011, required continuous residence in Finland was reduced to 5 years, while at the same time half of the time spent living on a temporary residence permit will be taken into account. Citizenship will be available after 4 years of residence, if the applicant mastered one of the official languages.

A residence permit in Finland may be issued for one of the following reasons: work, entrepreneurship, studies, family ties (family member living in Finland), re-emigration, Finnish background or international protection (e.g. shelter).

The Supreme Administrative Court of Finland in the spring of 2013 amended the current law on workers, in accordance with which a person cannot be deported if he did not agree to this himself and if his country of origin refuses to accept the deportee. People who find themselves in this situation are at first issued a temporary residence permit for one year and then it can be extended for another year. If after two years the deportation is not possible, then the person has received a permanent residence permit in Finland. [56]

On September 13th the President of Finland approved an amendment to the law on foreign persons in accordance with EU legislations, speeding up the process of issuing a permanent residence permit and citizenship for refugees and those who are under the protection of the EU. [57] A residence permit in Finland is not required for citizens of the Scandinavian countries, countries of the the EU, Switzerland and Liechtenstein. [58]

A separate category of people for entering — Ingrian Finns mostly living in Russia. They have the right to move to Finland after confirming their Finnish background, successfully completing a test in the Finnish language and the availability of housing in Finland. However, in 2011, the introduction of a five-year transition period was announced, after which they will be able to move to Finland and based on the overall system of residence permits.

Finnish legislation provides for the possibility of providing assistance to immigrants for the voluntary return to their country of origin. Help can be given to those who have been granted asylum or a residence permit issued on the basis of humanitarian protection. Help may also be issued to those who canceled their application for asylum, or

whose application for asylum was rejected. This program can cover the cost of travel and reintegration in the country of origin.[59]

Sections 7 and Chapter 17 of the Penal Code of Finland are devoted to combating illegal migration — border crossing foreigners without documents. The maximum penalty is assigned to the organizer of illegal migration if it was paired with bodily harm — up to 6 years in prison.[60] Accomplices of illegal immigration as well as those who give shelter to illegal migrants are also penalized even if they did not receive profit from the process (with the exception of humanitarian assistance).[61]

- Government's compliance with such legislation (law enforcement practice)

In general, immigration laws are complied with in Finland.

Issues related to migration are engaged by the Finnish Immigration Service which works under the Ministry of Internal Affairs.

The Minority Ombudsman is also involved in dealing with migrant rights.[62]

There is also an Advisory Board for Ethnic Relations, which is strengthening collaboration and cooperation and expert assistance in the development of various aspects of the immigration policy.[63]

By the end of 2013, there were more than 290,000 in Finland. At the same time 50% of the migrants are natives of EU countries and only 6% of immigrants arrived from Africa.[64]

Ingrian Finnish population consists of about 30,000.

Over the past decade, it turned out that Finland has become a country where traveling citizens from crisis-hit countries in southern Europe go to. By 2012 more than 900 Spaniards, 400 Italians and 300 Greeks permanently moved to Finland.[65]

In Finland, there are about 20,000 refugees. Some of them moved within the quota allocated by the program of the UN (UNHCR) refugee camp, located in different parts of the world. Finland within the framework of this program has made a commitment to take 750 refugees annually.

- Discriminatory practices against immigrants.

Due to the fact that the only center for immigrant detention in Metsala is crowded, they are often placed in cells at police stations, where they can spend an hour in the open air each day.[66] According to a survey conducted by the Migration Office of asylum-seekers, they are in need of social support from other people, and not only by the employees of the center. According to asylum seekers their biggest challenge while in the reception centers for refugees while waiting for the pending decision on their case is idleness and loneliness. Based on the responses, the applicants feel safe at the reception center. They also believe that the center staff treats them with respect.[67]

Each year, the Finnish police conducts a week of immigration control, for which they are detained and questioned foreigners in places where, according to the authorities, many offenses. [68]

Representatives of the Somali community complain about the difficulties of family reunification. From now on, the application can only be submitted to the Finnish consulate or embassy in Addis Ababa (Ethiopia) and Nairobi (Kenya), which is quite difficult for people in Somalia. [69]

On October 8th 2013 it became known that the Finnish authorities deny a Syrian family living in Finland to bring seriously ill four-year-old niece to Finland from Russia, not giving her a residence permit, and offering to return to Syria for this. [70]

- Use of ethnic crime as justification for discrimination against immigrants.

Themes of ethnic and "migrant" crime is actively used and developed by the party "True Finns," which built its campaign on this in 2011 and which uses this theme in its daily political career.

- Social assistance for immigrants.

The Finnish Constitution guarantees everyone social protection, as well as the right to free basic education. In this case, the Basic Law does not specify the citizenship of beneficiaries. [71]

Since May 1999 the country has a law on the integration of migrants. The purpose of adaptation is for the immigrant to receive such knowledge and skills that are necessary for the work and social life in Finland and at the same time to be able to preserve their own language and culture.

Every Finnish municipality is developing a program for the integration of immigrants in collaboration with the Employment Office, with the pension management (KELA), as well as with their own immigrant organizations and other associations.

Every immigrant who has lived in Finland for less than three years is unemployed, registered as a job seeker and/or eligible for benefits on the existence of a personal integration plan in conjunction with the employment office and commune. Responsibility for developing the plan for people of working age is carried by the employment office; the elderly, mothers who are at home to care of a child, as well as young people make up a plan together with the Department of Social Protection. The plan may include various types of training, physical training sessions and working practices. Immigrants are obliged to participate in activities, which are incorporated in this plan. Immigrants have the right to draw up an integration plan for three years, unless he gets a permanent job or a place of study before, which ends qualification.

When the integration plan is drawn up, an immigrant can receive benefits for adaptation. If the immigrant or his family have another sufficient income source benefits for adaptation are not paid, except, for example, during the time of coaching or work practices. Coaching can be given through the employment office or its equivalent, but professional training, which constitutes as a main activity and gives a qualification. [72]

In many areas, there are organizations and friendly societies for immigrants. Finnish Red Cross (Suomen Punainen Risti) helps to find a person or family who can help immigrants in different things or family-friendly.

The government tries to provide immigrants with a status which is equal to the Finns' status regarding the use of educational services and educational and social benefits. Immigrants living in Finland between the ages of 7 and 15 years are bound by statutory compulsory education and have the right to have the same basic education as all Finns. The aim is also to provide adult immigrants with the required skills in employment: training, further training and the maintenance of professional knowledge on the daily level. This takes into account the education and experience obtained abroad. Adaptive learning support immigrants and promotes addiction immigrants to the conditions of the Finnish society. [73]

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to surveys conducted in 2013, 90% of Roma believed that ethnic discrimination is widespread in Finland (according to surveys conducted in 2012 by "Eurobarometer" 69% of the population thought so). 57.5% believed that they are often discriminated against because of their sexual orientation (50% — according to the "Eurobarometer"). Discrimination on grounds of religion or beliefs was noted by 30% (the same according to "Eurobarometer"). 60% felt that the skin color or ethnicity play a role in choosing company employees. [74]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	0	0

7. Incitement of ethnic and religious hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In the central newspaper "Helsingin Sanomat" material on the threats, which are systematically received by specialists and researchers concerned with the rights and interests of immigrants were published on March 10th.

Several Finnish journalists belonging to the Swedish-speaking minority received anonymous threats from the Finnish nationalists throughout May.

On June 12th, it became known that a swastika flag was attached to one of the houses in Helsinki. [75]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Finland is home to one of the most popular among Europeans right-wing rock bands Mistreat. It regularly performs at the Finnish scene. The texts reflect the theme of the group, i.e. Russia-phobia, neo-Nazism and racism. Lyrics of some songs refer to the subject of Nazi Germany and the Third Reich. The group also states their opinion against multiculturalism, communism and homosexuality in their songs.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the center and in the localities).

The main nationalist party in Finland are the "True Finns" who emerged in 1995 (leader — Timo Soini). In the last parliamentary elections in 2011 the party won 20% of votes and 39 seats in the 200-seat parliament.

Besides the "True Finns" in Finland, there is an organization called "Finnish Power" (Suomen Sisu), positioning itself as an elite party trying to influence the decision-makers.[76] Other experts believe that it is a part of the "True Finns" party, which for non-conspirative reasons does not advertise their affiliation with the party.

In August 2013 it became known that the international neo-Nazi organization "Blood and Honor" appeared in the Finnish cities of Helsinki and Tampere, acting as a recruiting center for neo-Nazis.[77]

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

"True Finns" in their program which was prepared for the elections of 2011 demanded to reduce the number of programmes broadcast in Swedish, to abolish compulsory knowledge of Swedish by civil servants and to make the Swedish language in schools optional, to introduce quotas for students from migrant families in schools.

With regard to migration, the "True Finns" demagogically stated that they welcome legal migrant workers (persistently mentioning the "criminal immigrants"), and demanded reducing the number of migrants and beneficiaries of social welfare, as well as to expedite the consideration of applications for asylum and readmission acceleration. They opposed the granting of citizenship to a wide range of foreigners, stating: "Citizenship should be a reward."[78]

The program "Finnish forces" (Suomen Sisu), states that the organization is a nationalist party, whose activities are aimed at creating a "Finnish National Society."[79] Chairman of the organization Suomen Sisu, a member of parliament from the "True Finns" Olli Immonen argues that current developments in Finland are moving in a nationalist direction and that the country is moving away from the "ideology of multiculturalism."[80]

"True Finns" also support the activities of the organization "Pro-Karelia," which is seeking the return of Vyborg territory to Finland and

territories transferred to Russia after the Russo-Finnish War of 1939–1940 and the Second World War, where Finland fought on the German side.

Also nationalists demand a ban on the sale of real estate to foreigners in Finland. They do not hide the fact that such a demand is the underlying reason of "massive" buy-outs of houses and apartments by Russians in the border zone. According to the nationalists, it threatens national security. [81]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organizations.

One can talk about the significant influence exerted by "True Finns" on society. The party had a resounding success in the parliamentary election, if we bear in mind that in the previous election in 2007, it received only five seats.

First of all, they were able to consolidate around conservative-minded voters and instill the idea that xenophobia and migrant-phobia is a normal phenomenon to a sufficiently wide range of the population (according to the survey, conducted in September 2013, 19.3% of the electorate were ready to vote for the party [82]). Authorities have to respond to migrant-phobic moods. In the program of the current government a promise that labor migration will be resolved with reference to the actual needs of the labor market. The government promised to reduce unemployment among migrants, thus reducing the number of welfare recipients. As for the refugees, the government has promised to increase the level of reimbursement of municipalities arising from the introduction program. The program also contained a promise to speed up the processing of applications for asylum and expedite the process of readmission actually repeating the provisions of the "True Finns." [83]

It is interesting from the point of view of the attitudes of Finnish society is the fact that in the last parliamentary elections, no candidate from immigrant backgrounds has gained a seat in parliament.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Nationalists represented by "True Finns" have a limited impact on the local authorities in Finland, having a small number of deputies in local governing bodies.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

After the parliamentary elections in 2011 "True Finns" received 19.1% of the votes and increased their faction in parliament from 5 to

39 deputies. But the most important thing is that the right-wing radicals are not afraid to address the really "sore" theme for the Finnish community, which includes dissatisfaction with labor immigration from abroad. The rise of xenophobia and migrant-phobia had to be taken into account by the ruling circles of Finland, which in many ways are trying to adopt the rhetoric of the "True Finns," actually agreeing with their opinions on the situation in the country.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	–2.5
×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–5
	Total for the section 8	–22.5	–22.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

Mass actions of this kind have not been registered, but a single act is known. On March 30th, it became known that the military flag of Nazi Germany was found in Kristiinankaupunki. [84]

On August 1st in Helsinki a passerby raised his hand in a Nazi salute in front of the Jewish community. [85]

Invited by a deputy from the "True Finns" J. Hirvisaari to the meeting of Parliament on September 27th guest Seppo Lehto raised his hand

in a Nazi salute. According S. Lehto with the Nazi gesture he wanted to express his support for the campaign of deputy from the party "True Finns" Jussi Halla-aho in European Parliament elections. [86]

Also on November 11th it became known that a party was held in Turku, on the occasion of Kristallnacht, which performed the songs of pro-Nazi groups. [87]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

  Such facts were not recorded by monitoring in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  Such facts were not recorded by monitoring in 2013.

- Presence of "football xenophobia" and racism amongst sports fans.

Such facts were not recorded by monitoring in 2013. However, in late March there was a case when Estonian Siim Liyvik playing in Finland for the Helsinki club IFK was offended because during the match between the IFC and the Tampere Club "Tappara" he was called "Russian," in response he called an opponent of Swedish Bosnian origin Dragan Umichevicha a Gypsy. [88]

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	–2.5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	0	0
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
–/×	Presence of "football xenophobia" and racism amongst sports fans	0	–2.5
	Total for the section 9	0	–5

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

About ten enterprises belonging to natives of Thailand were attacked one night in Lahti in early August of 2013. Most commonly, vandals smashed windows of premises, including massage parlors and restaurants. [89]

On September 4th the Living Word Pentecostal Church in the eastern part of Helsinki was vandalized. Window panes of the church meetings hall were covered by Islamic inscriptions. [90]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

Such facts were not recorded by monitoring in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

On January 31st three neo-Nazis tried to interrupt the presentation of the book about the a Finnish far-right movement in the city library of Jyväskylä. They tried to enter the hall, where the authors Lee Andersson and Mikael Brunila spoke to an audience of about 100 people. They were stopped by a security guard, whom they wounded. On March 1st Finnish police informed the Jewish community that one of the men arrested in Jyvaskyla was gathering information about Finnish Jews. [91]

On April 18th Romanian Roma beggars were attacked in Helsinki. [92]

- Cases of hate crimes.

Such facts were not recorded by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	0	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–5	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties..

The main anti-fascist organizations in Finland are the Anti-Fascist Committee of Finland (originated in November 2008 with the leader — Johan Beckman) [93] and the organization of "Finland without Nazism" (originated in January 2011 with the leader — Petri Krohn). The objectives of the organization is to fight against neo-Nazism, xenophobia and anti-Semitism, the fight against Holocaust denial and Nazi phenomena, combating counterfeiting of the Great Patriotic War and the attempts to revise the results of World War II. [94]

As anti-racist one can also count the Finnish League for Human Rights, Association for the Protection of Human Rights "Kitke," "Multicultural Association "Monika — Naiset liitto ry"," which provides assistance to women and children — immigrants who are victims of violence.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Anti-fascists are trying to attract the attention of the Finnish and the international community as to the xenophobic rhetoric of "True Finns," and to the two main problems associated with Finland — namely, to determine of the country of the information center of the Chechen terrorists "Kavkaz-Center" and discriminatory practices of Finnish juvenile Justice concerning the Russian mothers. To this end, they regularly hold press conferences, seminars and roundtables both in Finland and in the international markets.

On March 10th 2013 representatives of leftist groups in Finland held a protest in downtown Helsinki against the activities of the country's nationalist organization Suomen Sisu. According to police, it was attended by about 70 people. [95]

- Presence of anti-racist and anti-fascist civic initiatives.

Finland has a public project "Discrimination-Free Zone" This information campaign is to combat all forms of discrimination, intimidation and harassment. The campaign organizations and municipalities are invited to declare themselves as discrimination free zones. Such a statement is also a signal to employees, applicants and clients that the organization welcomes everyone, regardless of gender, age, ethnic background, religion or beliefs, opinion, health, disability or sexual orientation. The organizers of the campaign consist of the newspaper

Helsingin Sanomat, the Finnish League for Human Rights, Forum of Persons with Disabilities in Finland and a number of other organizations.[96]

The Project of the Association for the Protection of Human Rights "Kitke" aims to prevent violence, the motive for which was an insult to honor and its further development.[97]

The Association of Finnish Russian-speaking Societies (FARO) exists since 2000. FARO now includes 38 organizations, their activities — social, cultural, sporting and educational events aimed at integration into Finnish society of Russian-speaking families, children, youth, the elderly and immigrants with disabilities.[98]

In November 2006, representatives of the Muslim community was created by the Islamic Council of Finland, whose objectives are to improve the dialogue and cooperation between Muslims and other religious groups and to strengthen understanding and respect for Islamic culture in Finland and Finnish culture of the Muslim minority, the prevention of radical Islamism and Islamophobic extremism.[99]

Since 2011, an ongoing project, "We know where you live" ("Me tiedmme, miss asut"), created by the Finnish public broadcasting company Yle, which tells about the people who had to endure the aggression on the part of the Internet audience for what they think. The site of the project participants, including many well-known personalities who have been victims of hate, share their experiences. In addition to interviews with participants of the project on its website it provides information about the law applicable to online threats and a discussion forum. Visitors to the page can also take part in a survey about the hate speech on the Internet. The project's site has been viewed about 250 thousand times. The project received an award for Excellence in Journalism "Stora Journalistpriset" in 2013.[100]

In late January 2013, on the 80th anniversary of Adolf Hitler's rise to power, in the newspaper "Helsingin Sanomat" published an article entitled "Something good in Hitler?", which explains why many people chose Hitler and retain fond memories of his time, because they "lived a happy life in a fascist state."[101] On February 3rd, "Helsingin Sanomat" published an article by Berlin correspondent Katharina Baer devoted to how in general; good people can become anti-Semitic racists. Noting that doctors, lawyers, etc. in the Czech Republic make anti-Roma statements K. Baer adds that the situation in this regard has not changed much from Germany 1930. "Times may change, but people are slow to change. Freedom, democracy and equality are virtues to move towards, but much remains to be done" — she wrote.[102]

At the beginning of April 2013 on the initiative of the community of Seventh Day Adventists in Jyvaskyla a program was launched called "Map of racism," in which cases of xenophobia and minority discrimination were recorded and marked on a single map. Initially Pastor Yaaakkola said: "We want to contribute to the fact that Finland can be a place where all kinds of people can live safely."[103] Finnish writer Sofi Oksanen speaking on April 9th in Stockholm in a speech when receiving the "Nobel Prize in Literature" expressed concern about the growth of anti-Semitism and racism in Eastern Europe.[104]

At the end of May 2013 the Finnish Union of University Professors organized a special program to ensure the safety of Finnish Universities from the threat of neo-Nazis. According to the Union the Finnish scientists who study the extreme right movement constantly receive serious threats.[105]

In September, as part of a European series of events a month of the Islamic-Christian-scale debate took place in Finland with the participation of well-known religious leaders and representatives of influential non-governmental organizations.[106] At the end of October the capital of Finland hosted the first conference of the Islamic youth in the country. The conference was organized by the Forum of Young Muslims. The main themes of the conference were the problems of integration into Finnish society and preserve their culture.[107]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

Such cases were not recorded during the period of monitoring.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such cases were not recorded during the period of monitoring.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

In principle, such cases were not recorded, but a swastika is emblazoned on the flag and emblem of the Finnish Air Force School. [108]

Swastika until 1944 was the identification mark of the Finnish Air Force; however, after the armistice with the Soviet Union and the declaration of war Nazi Germany, Finland changed the markings in the army and began to use the swastika instead of a circle of blue. However, in the school, which "vividly keeps their traditions," this was not done and the swastika to this day "decorates" their banner and logo.

- Historical revisionism, Holocaust denial.

  Such cases were not recorded during the period of monitoring.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–/×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–2.5	–2.5
–	Historical revisionism, Holocaust denial	0	0
	Total for the section 12	–2.5	–2.5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such cases were not recorded during the period of monitoring.

- Restrictions on human rights and anti-fascist organizations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such cases were not recorded during the period of monitoring.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such cases were not recorded during the period of monitoring.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	–5	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	–5	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Finland has signed and ratified the core conventions and international agreements on the fight against racism and discrimination: the Framework Convention for the Protection of National Minorities, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimina-

tion of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrants and their families and the European Charter for Regional and Minority Languages, the UN Declaration on the rights of indigenous people to self-identification and participation in decisions affecting them and their living conditions.

- Accession to new international agreements and resolutions of various international organizations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

  Such cases were not recorded during the period of monitoring.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013 there was not a single international application or initiative of the authorities or prominent politicians of Finland against discrimination, xenophobia and neo-Nazism.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

In 2013 Finland suffered a slight fall in rating — 16th place instead of the 17th in 2012. This is due to the growth of xenophobia in the

Finnish society. First and foremost, this is new, compared to 2012, as well as the phenomenon of vandalism and emergence of unified demonstrations of allegiance to Nazi ideology.

According to experts, this is due to the fact that activities of "True Finns" in recent years have approved a tolerant attitude toward xenophobia and nationalism, which are perceived by a large part of the population as normal.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

The rights of minorities in Finland are protected by a set of regulations, starting with the articles of the Constitution and the Penal Code and also the Equality Act, the Act on Religious Freedoms (adopted in 2003) etc.

This legislation, combined with signed and ratified international agreements aimed at protecting the rights of minorities, in principle, provide reliable protection for minorities against all forms of discrimination.

At the same time, some problems remain with the "unofficial churches" which are deprived of proceeds from the so-called "Church tax," as well as in certain categories of discrimination of foreign women who are discriminated against because of the imperfect system of juvenile justice.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Finland scrupulously fulfills all the requirements of international agreements in the field of human rights, guaranteeing the minorities their cultural, linguistic, educational and other rights. Meanwhile, the rise of xenophobia and migrant happenings in Finnish society in recent years due to the economic downturn and the increasing migration flows and activities of the right-wing party "True Finns," which makes the rulers of the country think about the limitations that may be imposed on foreigners who are temporarily or permanently residing in the territory of the Republic of Finland.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

In Finland, there is no differentiation between the rights and freedoms of the titular nation and national minorities. In this country, ethnic minorities are guaranteed all the fundamental rights under international law.

- *Legislation enshrining inequality of minorities.*

Law on Freedom of Religion and the tax laws of Finland secured the existence of official churches — the Evangelical Lutheran and Orthodox, who receive the so-called church tax. Representatives of other religious organizations get nothing from this tax.

- *Rulemaking in protection of minorities.*

During the monitoring period no such rule-making was recorded.

- *Freedom of speech violations.*

In 2013 such cases have not been recorded.

- *Legislation and law enforcement practices concerning migrants.*

The country has advanced migration legislation. Finland has ratified the main international conventions relating to the protection of migrant rights. Since 2001, immigrants who have lived in the country for 5 years are granted suffrage at the local level. The Ombudsman for Minorities is also engaged in the rights of migrants.

In 2012, the National Court overturned the polls regarding discrimination practices against potential immigrants related to their ethnic background, when their entry documents are examined. Effective adaptation programs of migrants are set in motion.

At the same time, in contrast to other EU countries, in Finland previous work experience gained from other EU countries is not taken into account, which is in contradiction with the law and practices of the European Union.

A separate topic is discrimination of foreign mothers and their children who are permanently residing in Finland. The difference in cultures and in the understanding of the features of education of children, as well as elementary xenophobia of social services officials lead to serious abuse associated with frequent unwarranted removal of children from families of foreigners.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Finland has always belonged to the tolerant countries that strictly observe the rights of minorities. The economic crisis that broke out in 2008, as well as increased migration flows from third world countries led to an increase of xenophobia and migrant-phobia in the Finnish society. 20% of the vote received at the last parliamentary elections by the party "True Finns," which maintains a high level of public support, is an eloquent testimony to the changes in society.

Attempts to follow the ideology of the government parties of radical nationalists in matters to do with the foreigners living in Finland, shows that they have done nothing to counter right-wing politics. In fact, the practice of discrimination against foreign families associated with withdrawal of children by guardianship agencies, to discuss the possibilities of reducing teaching hours for the learning of the Swedish language at school and so on. All of this is the result of a a loss of the ruling circles of Finland in the face of the unexpected problem of xenophobia. This creates certain problems in society and can potentially lead to a violation of the current legislation concerning the rights of minorities.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

In the review period public opinion polls were done on the subject, however, based on indirect evidence and materials earlier surveys can imply significant potential latent xenophobia. To a large extent the cause of this is the introduction to "native" Finns that visitors arrived only for the sake of high social benefits.

Members of minorities according to the conducted poll are starting to see Finland as a country of large-scale discrimination.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to the rating calculated by popular institution Legatum Institute of Finland in 2013 the standard of living of the population took 8th place, being in the top five EU countries on this indicator.[109] Despite the growth in migrant-fearing attitudes in society, xenophobia has not yet reached such a level in Finland to have an impact on the economic development of the country.

- *Economic impacts and instability.*

However, the economic crisis is felt in Finland. In 2013, continuing from 2012, the decline continued (in this case, if in 2012 it amounted to 0.2% of GDP, in 2013 — to 1.5%).Unemployment remained at a high enough level for the country — 8.2% (in 2012 — 7.7%), while large-scale job cuts and the forcing of workers and employees into forced leave were announced. [110]

Such a decline in the social state, which Finland is — is a breeding ground for xenophobia and especially migrant-phobia, with accusations of migrants in "on the neck" parasitism by the indigenous population. This was used by far-right party "True Finns," which showed sensationally good results at the elections. It did not lose its popularity in the period under review.

- *Decline in production growth, emigration of the labor force.*

The decline in production, which was mentioned above is mainly a consequence of the general economic crisis, with no connection with the emigration of the working population. On the other hand the continued aging of the population in Finland leads to the fact that the country is more attractive for residents of countries in Eastern Europe as well as Asia and Africa.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Despite the presence of a popular far-right party, the situation in Finland is quite stable. "True Finns" cannot significantly expand its support group. The country still has a democratic majority and categorically will not accept any xenophobic views. On the other hand, there is a danger that the xenophobic attitudes are practiced by some politicians from the ruling party, and these phobias will manifest not only in the records of the social networks, like in the case of "True Finns," but also in the form of public statements. In this case, the law enforcement agencies prefer not to react to it. There is also danger of an attempt of the ruling party to intercept the most popular slogans of "True Finns" and use them in their programs.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Finland maintains good relations with bordering countries. Calls for the return of the territories "detached" in the 1940s are made by

marginal communities only and are not included in the programs of the main political forces in the country. However, some tensions with Russia remain due to social services harassing mothers of Russian origin, on suspicion of "improper parenting."

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Despite the availability of the migration legislation, it would be desirable for Finland to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Their Families. In addition, given the growing popularity of right-wing radicals, it would be desirable to vote for a UN General Assembly resolution condemning Nazism.

2. *General recommendations for adjustments to the legal framework*

Finland should exclude recommendations that native Russian women are accused of a predisposition to violence against children from the instructions of social service.

It would be profitable to remove provisions to facilitate ethnically justified arrests and searches from the Foreigners Act. Additionally, it is important to adjust the country's tax legislation, which restricts the so-called "Unofficial" Finnish churches from profiting from the "church tax," to the Constitution and the Law on Freedom of Religion, which guarantees the freedom to practice any religion,

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Finnish authorities should continue the fight against xenophobia and discrimination. Particular attention should be paid to counter migrant-phobic and xenophobic propaganda depicting immigrants as "parasites." Additionally, law enforcement agencies should have tougher responses to xenophobic statements made by politicians, not by determining their attitude depending on the membership of the ruling or opposition party.

Also, the practice of discrimination against foreign households out of which under the pretext of alleged violence, children are forcibly withdrawn, needs to stop.

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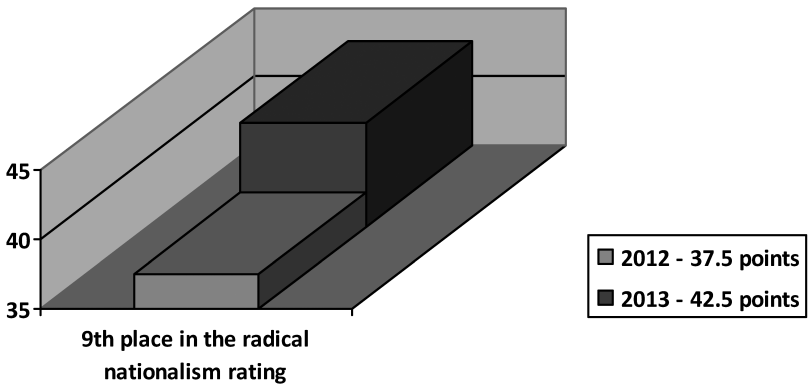
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	**2013**
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–7.5
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	20	20
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	0	0
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–22.5	–22.5
9	Extremist and radical nationalist public actions	0	–5
10	Racist attacks, violence and terror	–5	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–2.5	–2.5
13	Persecution of veterans and partisans of the anti-Hitler coalition	–5	0
14	International aspects	5	5
	Total	–10	–12.5

FRANCE


45
40
35
9th place in the radical nationalism rating
2012 - 37.5 points
2013 - 42.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation towards minorities — inhabitants of France in the areas of registration, transportation, business, employment, education, housing, healthcare, formation of religious cults etc.

France is the homeland of human rights, a country where the most popular anti-discrimination and anti-racial laws were born and implemented. At the same time France is among the few countries in the world, which do not admit having ethnical minorities, hence, do not acknowledge their special rights, which would differ from "classical" human rights.

Ethnical identity, as well as ethnical self-identification of native French minorities is excluded from the political lexicon. Moreover, the existence of minorities is not acknowledged.

Because of this The Republic of France has not yet joined the Framework Convention for the Protection of National Minorities, although its argumentation in this case is more anti-racist than not. The French have found it unnecessary and even consider it is breaching the principles of equality, unity and freedom. French politicians like to repeat that all French citizens regardless of skin color, religious beliefs and origin are Frenchmen. The Penal Code of France even forbids any sort of information gathering regarding the ethnical and religious identity of a person.

In France government funding of religious Muslim schools is practically non-existent, which practically brings religious Muslim educa-

tion, which still exists in one form or another, away from the government's control. This state is based on an act of law from 1925, which forbids governmental funding of any religious organizations, which do not have cultural ties with France, French history and culture. Therefore, the majority of religious organizations of immigrants, many of whom are Muslim and do not have historical ties to the community, do not possess rights to government funding. Accordingly, government funding is available to Catholics, Reformists, Jewish, but not Muslims. [1]

In May 2001 the About-Picard Act (based on the names of initiators) has been passed in order to combat religious "sects." Its goal is to dissolve religious groups, which have been constantly accused of acts of crime. This law had a very critical reception. Catholic and Reformist churches of the country have stood up against it. They noted that the law can be used against some cult practices of traditional religions.

The French legislation does not consider crimes that were committed on the basis of prejudice against the disabled and migrants to be hate crimes.

On the 11th of April 2011 a law has been passed in France, initiated by President Nicolas Sarkozy, forbidding Muslims to wear hijab in public places. The supporters of this law mainly argued that wearing a hijab denotes the principle of the French Constitution about the equality between men and women, for making a woman wear specific clothing limits her freedom, which goes against the "spirit of the Republic." Nevertheless many Muslim women state that they wear the hijab willingly and the ban goes against another democratic principle — the rights of a person to privacy and free expression of one's religious beliefs. Meanwhile, the law has been approved on the 1st of July 2014 by the European Court of Human Rights.

- Legislation, which limits voting rights of permanent residents on the basis of their ethnical background, country of origin.

  The French legislation does not contain such limitations.

- Presence of legislative norms or other normative documentation, which legalizes the ideology of radical nationalism, its attributes and practice, as well as distribution thereof in the media and social networks.

France has one of the most liberal legislations in the world regarding freedom of speech and expressing personal opinion. The first amendment to the French Constitution of 1958 states that France "guarantees equality in before the law to all citizens regardless of background, race and religion."

There is only one limitation to the freedom of speech — slander. Additionally, there is one legislative limitation, which is connected to

denial of the Holocaust. An attempt in 2011 to pass a similar law regarding genocide of Armenians in Turkey in 1915 clashed with the point of view of the Constitutional Council (Constitutional Council, case № 2012-647DC), which admitted that "this law goes against the standpoint of the Constitution on the freedom of speech and thought, therefore a legislative body has no right to go against the Constitution." As a result the law had been found redundant and was fully revoked.

- Discriminatory practice towards minorities in the areas of registration, transportation, business, employment, education, housing, healthcare, formation of religious cults etc.

Although protection from discrimination is an old tradition in France, monitoring has recorded an array of discriminatory actions.

First of all, this concerns the discrimination of the Roma, who arrived to France from Eastern Europe on the basis of unified EU territories. More than 20,000 Roma were under the threat of deportation in 2013, living in unofficial settlements with no access to water. Cases of segregation of Roma children have been recorded, where separate school classes have been formed out of them (Ris-Orangis, Saint-Faux). [2]

In 2013 the government undertook acts of forced eviction of the Roma from illegal settlements without provision of alternative accommodation or with provision thereof in separate districts, which destroyed existing social connections (Ris-Orangis, 3rd of April, more than 200 people, Lille, 5th of June, 75 people, Lyon, 10th of July and the 23rd of August — two deportations of the same group of 45 people, Bobigny, 27th of August, 35 people, Saint-Denis, 27th of November, 270 people, Marseille, 3rd of December, 200 people). In the period from January to September 13,400 Roma have been ecivted — more than during the whole of 2012. People were usually informed of eviction a few hours in advance with barely any time to prepare. In a number of cases eviction came with violence towards the denizens, harm to their property etc. Additionally, massive deportations of Roma to Eastern Europe were renewed. In 2013 19,380 Roma were deported. Even families that tried to integrate into the French community suffered from deportation. The story of the deported 15 year old Leonarda Debrani schocked the community. She was taken away to Kosovo in October in front of a bus full of her classmates while on a school field trip. At the same time repatriation benefits, given out in France to Roma EU citizens (300 Euros to adults and 100 Euros to children) is much smaller, than to deported citizens on non-EU countries (2,000 Euros to adults and 500–1,000 to children). [3]

Police unwillingly investigates cases of attacks on Roma; therefore the latter in many cases were just afraid to report facts of attacks to po-

lice because of xenophobic moods. Cases of Roma persecutions from policemen were noted (Antibes, March, Saint-Denis, July, Villeneuve-d'Ascq, August).

Muslims living in France are also discriminated against. Cases of refusal in employment and studies for women in hijabs were also registered. On the 20th of March it became known that a young woman was denied access to a gym because of her hijabs. According to the words of the gym's administration, no one is allowed to enter the gym in any sort of headwear, including a hijabs. On the 10th of June in the international airport of Saint-Etienne Muslim women were not allowed to board a plane because of their refusal to take off their hijabs. [4] On the 28th of November the French Court of Appeals supported the decision of a certain kindergarten in firing a woman, who argued for her right to wear a hijab at work, repealing the decision of a minor court. [5]

In a number of cities mayors refused to provide Muslim schoolchildren with Halal food, even in cases where the Muslim community was ready to cover the expenses (Arvers, beginning of October [6]). There was even a registered case of isolation of a Muslim schoolboy who refused to eat non-Halal food. [7] These actions were supported by commissioner for human rights Dominic Body in his report (published at the end of March) on the state of honoring human rights and freedoms in French educational facilities. He stated that the Mayor's Office doesn't have to provide Muslim schoolchildren with Halal dinners and cafeterias should "maintain religious neutrality." [8]

Some cases were registered where the government prevented Muslims from building mosques (Locmine and Vannes, March [9]), closed (or attempted to close) mosques (Épinay-sur-Seine, February, [10] Cagnes sur Mer, March, [11] Nice, March, [12] Montrouge, April [13]).

On September 11th it came to light that the French government facility RATP (independent operator of Parisian public transport) refuses to publish advertisements of an anti-Islamophobia campaign in France, calling it "religiously and politically provocative." [14]

Policemen quite often stop Roma and Muslims in order to check their documents based on "suspicious appearance." On the 2nd of October a Parisian court declined an array of complaints on selective document checks, motivating this by stating that the complainants could not prove prejudgments from the policemen. [15] In the end, under pressure from police labor groups, the government did not come back to the abandoned idea of implementing protocol forms for street document checks. This would raise accountability of the police force and eliminate the constant worries regarding selective checks based on ethnical background.

Transgender people wishing to change their name also face certain difficulties. Sometimes they have to wait several years for new docu-

ments, because courts demand that they go through all medical procedures connected to changing the gender, lengthy visits to a psychiatrist (in some cases humiliating), as well as paying for expensive expertise. This leads to an array of psychological problems when transgender people use their old documents while already having a new appearance. Based on a questionnaire made by the EU Agency for Fundamental Rights 48 percent of transsexuals in France stated that they were discriminated against in the past 12 months. 28 percent of the respondents stated that they were discriminated against at their work place and 18 percent at school or university. [16]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and inflammatory statements by members of the authorities and media

First of all, such statements (bearing an Islamophobic and Romaphobic character) are made by the leader of nationalistic party "National Front" Marine Le Pen.

On May 21st Marine Le Pen stated that the issue of Roma migrants has become a real catastrophe of national significance and it can only be solved by reinstating borders between EU countries. She claimed that the socialists are too soft with illegals and spend substantial resources on helping immigrants. [17]

When the Minister of Women's Rights, French government spokesperson and well-known activist of Moroccan origin Najat Vallaud Belkacem visited an official celebration of Berber New Year in the city hall of Lyon in France, the vice-president of the "National Front" (FN) political party Florian Philippot stated that he "was unpleasantly astonished and shocked by the presence of a French government minister at a strictly communal and regional festival." "By her actions and official presence at the event the minister has taken responsibility upon herself for the idea that the French are divided into communes. This is first of all against the fundamental values of the Republic (France), we are a united nation," — said Philippot. [18] Hence, the nationalists continue the traditional national French policy, which is leading the country into a dead end. They refuse to give national minorities a right to exist, which is the prime cause for many conflicts on an ethnic and religious base in this country.

Anti-Semitism expressions have also been noted, although they are of marginal character. On the 12th of March it became known that authorities of Besson, controlled by communists, gave the title of honorary citizen to Palestinian terrorist Majdi Rimawi, who murdered Israeli minister Rehavam Ze'evi in 2001. Before the ceremony of giving Rimawi wife and children an honorary commendation, the Mayor's Office of Besson distributed a brochure in which the murderer is presented as a Palestinian patriot convicted for defending his land and nation. The city's mayor Dominic Lespierre, giving a speech at the ceremony, stated that naming Majdi Rimawi an honorary citizen is an "act of solidarity with Palestine's fight for freedom." [19] On the 5th of September it came to light that "National front" activist Francois Chatelen posted an image of a burning Israeli flag on his "Facebook" page. [20]

An alarming symptom is the fact that after radicals xenophobic statements (probably to boost popularity among voters) are made by government officials and conservative politicians, who have not behaved so previously.

On the 14th of March the Minister of Internal Affairs M. Valls stated: "Alas, village inhabitants do not wish to integrate in our country because of cultural differences or because they are in the hands of networks stimulating taking part in beggary and prostitution," Valls also noted that very few are prepared for integration, which is unsurprising considering that under integration the French authorities understand voluntary assimilation. [21]

On September 27th in an interview with Radio France International, Manuel Valls repeated the statement, saying: "Their (Roma) lifestyle is cardinally different from ours. Therefore, they must return to Romania or Bulgaria." [22]

One of the leaders of the rightist Union for a Popular Movement (UMP), former French Prime Minister François Fillon during a speech in Nice in the middle of September mentioned a possibility of an alliance between UMP and the "National Front." Mister Fillon said that in case if in the 2nd round of elections members of the Socialist Party (PS) and the "National Front" will advance, it is sometimes better to support the radically rightist than the ruling socialists. The "frontist" leader Marine Le Pen in return stated that she is ready to collaborate with any candidates who would go with the main points of her programme — exiting the Euro zone, fighting against immigrant inflow, Islamisation of parts of the community and the "Roma invasion."[23]

On the 24th of September Jean-François Copé, head of the "Union for a Popular Movement," stood against Bulgaria's and Romania's entry into the Schengen Area stating that it will only trigger the increase of Roma entering Europe.[24]

On the 5th of July the mayor of Nice Christian Estrosi roused his mayor colleagues to "rebel" against the Roma. He proposed to establish specific control over all possible Roma residence areas, installing video cameras and have police forces on stand-by. The latter would be tasked with sweeping illegally occupied areas in 48 hours.[25] On the 21st of July mayor Cholet Gilles Burduleks stated while conversing with Roma, who took a part of communal grounds: "It seems that Hitler killed too few Roma."[26]

On the 16th of September Toulouse judge Hervé Barreau, while reading out a sentence to four Roma pickpockets, who took down an electric transformer and therefore stole 53 kilos of copper, stated: "I hope you do not think that we will allow you to continue robbing France? Don't you think France has enough of such roguish Romanians?"[27]

Apart from that the local Argenteuil mayor recommended a father of an attacked Muslim woman to "not make a big thing out of the incident in order to prevent incitement of religious hatred and serious consequences for all city inhabitants."[28]

Monitoring has also caught xenophobic publications in the mass media. In the February issue of Versailles regional magazine in the "Open Forum" article it was stressed that secularism politics are "a shield which protects us from Islam. Protects from faith, which is fundamentally strange for our civilization. It is a system of totalitarian slavery for taking over humanity through global Jihad."[29]

In July anti-Semitic television series "Khyber" were broadcast on a number satellite channels in France.[30]

In the beginning of November it came to light that one of the guests of the Petit Journal television programme several times reproduced the

anti-Semitic gesture "kenel," which was invented by anti-Semitic comedian Dieudonné M'bala M'bala.[31]

On the 20th of February Orleans mayor Serge Gruar banned the construction of the first Muslim elementary school in France, stating: "The project regarding a Muslim educational facility is in conflict with the vector of the ruling party's secularism politics. It is a rejection on the part of the Muslim community of one of the Republic's main principles — diversity in the community."[32] It is obvious, that the void in national and religious minority education, which is created by the government's exit from that sphere, is quickly filled by those who in France are characterized as Islamic fundamentalists who are constantly challenged. Such politics lead to multiplying numbers of aggressive Islam followers and to increased tension in the country.

At the end of March in France an array of politicians made speeches regarding stricter secularism policies against childcare center employees. On the 26th of March government spokesperson and Minister of Women's Rights Najat Vallaud-Belkacem stated: "Principles of secularism should not stop in front of kindergarten doors, these are the untouchable principles of the Republic (France). Letting anything slip is not even an option. We do not exclude the possibility that a situation may arise where it will be necessary to regulate this with harsh legislation." President of the high council of the Alpes-Maritimes department, where one of the biggest French Muslim communities is situated, Éric Ciotti submitted a legislation project to the Parliament. The project will allow demanding the maintenance of religious neutrality even in private French facilities.[33] On the 29th of March French president Francois Hollande supported this project noting that it is "quite essential for France." "The law has to intervene and ban religious symbols in all facilities, where children are brought up from a young age. When we are talking about primary upbringing of children by private babysitters or kindergarten employees, there should be an atmosphere of religious neutrality, which is already present at schools," — he said.[34]

Forms of extreme tolerance also exist in France. They often transform into new forms of discrimination. For example, on the 7th of June it became known that Paris police forces in the Goutte D'Or district, where a lot of Muslims reside, did not allow celebrating a festival, during which pork sausages and alcohol were to be sold.[35] On the 5th of December it became known that in Châteaudun the traditional Christmas crib in the town's center was replaced with a snowman.[36] In such a way rejection of national and religious traditions in order to honor questionable politic correctness leads to the increase of discontent among members of the indigenous population and reinforcing the nationalists' positions.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Constitutional acts in France acknowledge equality regarding the law, equality between men and women, equality regardless of race and nationality, equal rights for labor regardless of background, views and beliefs, equal rights to education, culture, learning a profession. These rights are based on the Declaration of the Rights of Man and of the Citizen, to which the country's modern Constitution is linked and which in its preamble states that "the French nation boldly proclaims its allegiance to human rights... as they were defined by the Declaration of 1789 and the Constitution of 1946."

In 1994 a new Penal Code came into force in France. It made penalties for any forms of racial discrimination more severe. According to it obvious notions of racism and xenophobia are to be penalized, as well as promoting racial discrimination. Criminal liability is also foreseen for "incitement of hatred and violence towards a person or group of people on the basis of their ethnical, religious or racial background." Public slander and offence based on racial and religious background are also crimes.

It is important that committing a crime on the basis of racial or ethnical background, nationality, religion, sexual orientation and gender identity is considered as an aggravating circumstance. Apart from that the Penal code foresees separate qualifications for murders, torture, rape, violence and threat of violence based on the mentioned reasons. However not included are cases of committing crimes on the basis of disability, belonging to a migrant community or the victims' social status.

As already mention the French Penal code even forbids gathering information about a person's ethnical and religious background.

All in all France as the majority of EU countries follows EU directives. On the 29th of June 2000 the EU Council passed directive 2000/43 "Providing implementation of the equality principle between persons regardless of their racial or ethnical background." By 2003 all countries belonging to the EU at that moment including France adapted their national legislations according to the norms of this Directive. On the 3rd of February 2003 France passed an Act about "Intensification of punishments foreseen for crimes of racial, anti-Semitic and xenophobic character."

Six months after implementing the Directive, on the 4th of November 2000, the European Council offered to sign the 12th Protocol to The European Convention on Human Rights, significantly increasing the possibilities of Section 14 of the Convention regarding nondiscrimination.

Passing these two instruments opened a way for a historic possibility to improve anti-racist and anti-discriminatory legislative standards in Europe. No less important is the fact that they also make way for creating effective structures with sufficient judicial power and resources to guarantee upholding the passed laws. These main EU documents were prepared based on the existing legislative practices and on the International Convention on the Elimination of All Forms of Racial Discrimination.

An important moment in European anti-racist legislation is that Article 5 of the Directive, Protocol № 12 to The European Convention on Human Rights, Article 1(4) of the International Convention on the Elimination of All Forms of Racial Discrimination makes countries implement positive actions by "doing certain things to prevent or compensate for damages connected to racial or ethnical background."

In order to more strictly prevent any forms of racism and anti-Semitism a French legislator added such aggravating circumstances as threats, thefts and extortion to crimes committed on the basis of hatred and increased the "legal expiry dates" for actions of racial or anti-Semitic behavior connected to publications in the press (the so called Law of "Perben the 2nd" of the 9th of March, 2004 about adding corrections to the justice system in the light of new tendencies in the crime sphere).

For many years France has hosted laws regarding Genocide, war crimes and crimes against humanity with written sanctions attached to them. However, only the law regarding "denial of the Holocaust" received a practical implementation. It foresees a prison sentence of one year and a fine for the amount of 45,000 Euros.

- Presence and development of anti-discriminatory legislation.

An anti-discriminatory legislation is active in France. It is based on the abovementioned EU documents.

It is important that European (and therefore French[37]) legislation for combating discrimination includes such terms as "direct" and "indirect" discrimination in the boundaries of the so called forbidden action (Article 2 of the Directive). In the EU Directive goals "direct discrimination" is defined as a situation in which "one person is treated worse than another in a similar situation based on racial or ethnical background" (Article 2(2)a of the Directive), meanwhile "indirect discrimination" according to Article 2(2)b of the Directive takes place "if a visibly neutral circumstance, criteria or practice places a person of a certain racial or ethnical background into an inconvenient situation compared to other persons, but only if this circumstance, criteria or practice aren't objectively justified by a legal goal and the actions required to reach this goal aren't adequate and necessary."

French anti-discriminatory legislation practically allows the government to apply certain measures in order to reach an adequate level of representation of ethnical, religious and other minorities in various spheres of social and community life. Such measures can affect employment for members of groups, that historically did not have access to equal participation, as well as an active identification and employment of such persons in the civil service sphere including but not limited to police, the public prosecution office and courts.

It is relevant that the European anti-discriminatory legislation also includes the prohibition of "orders" to discriminate and indulge discrimination based on prohibited grounds (Article 2(4) of the Directive and Article 4(a) and (c) CEDAW). Notably, the legislation is implemented "in both public and private sectors, including state institutions" (Article 3 (1) of the Directive). In such a way the legislation defines that discrimination committed by an independent entrepreneur or a restaurant owner is forbidden in the same way as discrimination committed by a policeman or social service employee.

According to the mentioned legislation discrimination is prohibited in the following areas (but not limited to them): terms of access to employment (Article 3 (1) (a) of the EU Directive); assistance in the choice of profession, coaching and retraining courses (Article 3(1)(b) of the EU Directive); employment and terms for work, including issues regarding employment termination and salary (Article 3 (1) (c) of the Directive); social security (Article 3 (1) (e) of the Directive); healthcare (Article 3 (1) (e) of the Directive); social benefits (Article 3 (1) (f) of the Directive); education (Article 3 (1) (g) of the Directive); access to goods and delivery of goods and services available to the public (Article 3 (1) (h) of the Directive); residence (Article 3 (1) (h) of the Directive); provision of justice including guarantee of a person's safety (Article 5(a) and (b)of the CEDAW and Article 6, 13, 14 of the ECHR); political activity including the right to vote and be employed in civil

service (Article 5(c) of the CEDAW and Article 14 of the ECHR and article 3 of the № 1 Protocol to ECHR).

In 2002 the following principal changes and additions were inserted into EU Directive 76/207 by the Council and European Parliament Directive of the 23rd of October 2002[38]:

- definitions of direct and indirect discrimination became fixed as to Directive 2000/43/EU and Directive 2000/78/EU;
- rules of compensating damages to a person who suffered from discrimination were defined;
- criteria for differentiation of employees based on gender were broadened and higher guarantees of providing gender equality were set, including possibilities to provide leave for family reasons for both genders;
- means of protection circle broadened, including the possibility for a discriminated person to turn to the according non-governmental institutions for help and the development of collaboration between member countries and such organizations;
- state of sexual harassment added.

The legislation foresees protection from discrimination based on race in the sphere of education, access to goods and services, healthcare, social security and social benefits; protection from discrimination based on other ground, including sexual orientation, age, disability, religion or beliefs is limited by the job market.

In 2012 the definition of protection from discrimination on the basis of "sexual identity," which primarily concerned LGBT, were added to the Penal Code.

On the 12th of February 2013 members of the National Assembly of France by the majority of votes legalized same gender marriage and the right of such families to raise a child. 329 of 577 members voted "For," 299 — "Against."[39] On the 18th of May French President Francois Hollande signed this act.[40]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

This legislation was mostly upheld in 2013, but certain cases of discrimination while employing Roma (primarily from among migrants from other EU countries) and Muslims. Additionally cases of discrimination against Roma were noted during eviction from illegal villages — without consultations or provision of housing, although it is foreseen by the cross sectorial circular passed in 2012.

In October 2013 ECHR stated that France has breached the right to private and family life of a group of Roma by evicting them from the land, which they have been occupying for many years.[41]

One can also note several attempts to dishonor decisions to allow same gender marriage (see above). Discrimination can be mostly observed on the local level.

- Struggle against hate crime (criminal cases against organizers and participants, guilty verdicts).

There were 1,274 registered crimes and law infractions on the basis of hatred in France in 2013, which includes acts of racism and threats[42] (1,539 counts in 2013)[43]

17 people were convicted for crimes based on xenophobia — 12 to penalties unrelated to imprisonment (fines mainly) and 5 — to prison sentences of various lengths.

A whole array of offences was connected to wearing the niqab and the hijab, which is forbidden by law. This is considered as discriminatory by some human rights activists. It became known on the 18th of January, that police in Chelles arrested and fined a Muslim woman for wearing a niqab in a public place.[44] On the 8th of February a court in Dreux made the 24-year-old Muslim pay a fine in the amount of 1,100 Euros for wearing a niqab in a public place.[45]

However, there were also serious crimes based on hatred. The assailants received their appropriate punishments.

On the 13th of February the leader of the gang that in 2006 tortured and killed French Jew Ilana Halimi, Yusuf Fofana, was sentenced to an additional prison sentence for making anti-Semitic videos while incarcerated.[46]

On the 2nd of March the correctional court of Nîmes sentenced a well-known member of Parliament, regional counselor of ultra-nationalist "National Front" party in the south region of Languedoc-Roussillon, Julien Sanchez and his colleagues Stefan Bode and Laurent Rou to paying a 4,000 Euro fine for Islamophobic statements on Facebook.[47]

On March 14th a Nantes court sentenced a man to 5 months of imprisonment and a 1,000 Euro fine for publicly offending a Muslim woman in a niqab.[48]

On the 22nd of March the administrative court of Laval made a group of activists belonging to the youth division of the nationalist "National Front" party pay an 800 Euro fine each for Islamophobic writings on mosque walls.[49]

On the 11th of April a court in Valenciennes sentenced a young man, who attacked a Muslim family in a hospital, to 18 months of imprisonment with a follow-up 2-year probation period.[50]

On September 23rd 20-year-old Lucien Abdelrhafor who made a call to a Jewish school in Toulouse, where Mohammed Mera killed four people last year, and threatened to kill Jews, was convicted in a sped up court procedure and sentenced to one year of imprisonment.[51]

On the 4th of October the Aix-en-Provence court of appeals confirmed the sentence regarding French citizen of Muslim faith Luisa-Maria Suisse, who bit a policewoman during arrest. She was sentenced to 2 months of prison and 4 months of probation for disobeying representatives of the law.[52]

On October 11th blogger Boris Le Lay was sentenced to 8 months of imprisonment provisionally and a fine of 5,000 Euros, as well as to paying out a compensation in the amount of 1,500 Euros including interest and link to indexes to three anti-racist communities for anti-Semitic publications on the Internet.[53]

On the 16th of October the French License Association deprived lawyer A. Dubruelle of Lyon of his professional license for trying to discredit a judge of Jewish nationality.[54]

On November 28th the court of appeals in Paris convicted anti-Semitic comedian Dieudonné M'bala M'bala and sentenced him to a 28,000 Euro fine for badmouthing, slander, provocations to hatred and racial discrimination after twisting Annie Cordy's song calling it "Holocaust thingies."[55]

On the 19th of December Jean-Marie Le Pen, ex-leader of the "National Front," was fined for 5,000 Euros for stating that Romanians are "naturally" drawn to theft.[56]

Apart from that on the 24th of January a French court made the popular micro blog service Twitter display the real names of its anonymous users. The decision was made after complaints from the Association of Jewish Students in France about anti-Semitism online.[57] The French court of appeals supported this decision on the 28th of June.[58]

On the 14th of November a court ordered "in the course of one month" to remove the book "Anthology of anti-Jewish, anti-Judaism and anti-Zionist discourse," as well as parts from other anti-Semitic books, from an internet shop belonging to publishing agency "Kontre Kultutre." Apart from that the court ordered the publishing agency of Alain Sorel to pay 8,000 Euros to the "International League against Racism and Anti-Semitism" (LICRA), as well as to pay a part of the legal costs.[59]

Cases of law enforcement agencies' unwillingness to pursue xenophobes were registered. On the 15th of June 15 the court of French city Angers acquitted a group of Islomophobes, who actively demonstrated against the construction of a new city mosque and more than once incited racial and religious hatred. The judge did not take into account the many complaints about Islamophobic actions of this radical nationalist group from the Muslim community and mayor Jean-Claude Antonini.[60]

- Unlawful use of anti-extremist legislation.

Such incidents were not registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	5	5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
–	Unlawful use of anti-extremist legislation	–5	0
	Total for the section 3	15	20

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

One can note the active usage of anti-xenophobic rhetoric on the part of French officials.

French President Francois Hollande on the 17th of March took part in a ceremony that honored the people who die from the hands of "the Toulouse shooter." "France, as a year ago, has united against terrorism. The Republic (France) will never bend its knee in the face of global terrorism. French solidarity — that's the best answer to terrorists," — he stated. "As in the Nazi era, Jewish children and teachers from the "Otshar Ha-Torah " school died only because they were Jews. After the brutal murder I ordered an intensified gathering of information on extremists. Terror is threatening not only France, but also other civilized countries and we have to fight it together," — noted the president. [61] He also promised to tighten control over social networks in the fight against terrorism and incitement to religious hatred. "Nothing should be considered in this matter as harmless or meaningless, — said the French leader. — In this regard, I have instructed to take measures to combat the proliferation provoking hatred on the Internet, especially in social networks." According to the president, "a space of freedom, such as the Internet, in any case cannot be used to carry out propaganda and create hostility." [62]

On March 21st during dinner of the Executive Council of Jewish Institutions of France, French President F. Hollande condemned anti-Semitic statements in social networks. "It is impossible that the authors of racist and anti-Semitic messages go unpunished. They need to know that the courts will make them liable and they will be punished for their misdeeds," — he said. According to the president of France, "anti-Semitism is not only hatred towards the Jews, but also repulsion towards France."[63]

On April 18th, Francois Hollande criticized the instigators of riots in a number of French cities during protests against the bill to legalize same-sex marriage in the country. "The right to protest is written in our Constitution and recognized by the French. But the protest should not take the form of violence," — said F. Hollande.[64]

June 25, French President Francois Hollande condemned violent attacks on French Muslims. "The government will vigorously fight against all manifestations of racism and discrimination, including anti-Muslim attitudes in society. The sharp increase in the number of attacks on French Muslims is a serious injury to French unity," — said the President. "No one should doubt the determination of the authorities in the fight against Islamophobia in France. The government intends to fight racism and discrimination at any time and in any place. Moreover, those responsible for confrontations in Argenteuil will not go unpunished," — added the Minister of Women's Rights Najat Vallaud-Belkacem.[65]

On February 27th Minister of Internal Affairs Manuel Valls said that France and Europe must show that Islam is compatible with democracy and compliant with human rights and freedoms. In addition, Valls said that France will need some time to understand and accept Islam as its present. "Today, France, as well as Europe, must tackle a fairly daunting task. Over the years, Islam has become the country's second-largest religion based on believer count. Currently there are about 2.3 thousand Muslim places of worship. Therefore, France and Europe must show that Islam is compatible with democracy, human rights and freedoms, the position of women and secularism. I am convinced that the French need time to accept and understand Islam, to abandon their prejudices and fears. Islam will find its place in the history of France," — he said. "We must hope that that Islam will dissolve in French traditions, all along preserving its identity. However, to achieve a positive outcome of this situation the Republic (France) needs to effectively combat racism, anti-Semitism and Islamophobia in society," — said Valls. At the same time, in February M. Valls repeatedly mentioned the unacceptability of the hijab as a means of discrimination against women.[66]

On March 12th, Manuel Valls urged French Muslims to fight against radical Islamists. In his opinion, the significant presence of Muslims in

the country is a great chance for them to show that Islam is a peaceful and democratic religion.[67]

On April 15th, French Minister of Internal Affairs Manuel Valls held a meeting with Muslim leaders of the country. He announced the creation of a special government commission, which in cooperation with the Ministry of Education would be responsible for the creation of specialized educational institutions for French Muslims. "The new specialized educational institutions will first appear in Paris, Lyon and Strasbourg. Their primary task will be the formation of Muslim religious leaders, who will receive both purely theological education and legal in order to competently address policy issues of secularism" — announced the French Minister of Internal Affairs. "I want to assure the French Muslim community that together with the French Muslim Council we will find new ways of acquainting the French society with the diverse culture of Islam," — said Manuel Valls.[68]

In a June interview with La Figaro Manuel Valls, speaking about the case when the mayor of Arcangues refused to register a same-sex marriage, said: "A government official, who was elected to the post, who does not respect the laws of the Republic, is risking confronting severe sanctions."[69]

French Minister of Internal Affairs Manuel Valls in late July rendered anti-Roma statements of J. Burduleks as "unacceptable." "This is not a breakdown, not a deviation, these are unacceptable words — the law will deal with them, as it is apologizing the crimes of World War II, praising Nazism — coming from a Mayor and an MP — this is unacceptable," — he said. In turn, the prefect of the department of Maine-et-Loire asked the Public Prosecutor to conduct a legal examination of Gilles Burduleks's expression to determine whether it justifies Nazism and racism.[70]

French Foreign Minister Laurent Fabius on February 22nd in an interview with a popular French newspaper said that the fight against Islamists is by no means a struggle against religion or a civilization. "We must fight against the terrorists. And this fight has nothing to do with the oppression of another religion or civilization. Therefore, we must be careful. I, for example, avoid using the word "Islamist" because it can be easily misinterpreted or translated as "Islam." Meanwhile the Muslims are peaceful people. There is a sufficiently high risk of confusion" — said Fabius.[71]

On the 28th of September French Minister of Economic Recovery Arnaud Montebor in response to the statement of M. Valls regarding the inability of Roma to integrate said: "The theory that some people or some groups will never be able to integrate just does not hold water. This was said about Italians, it was said about the Spaniards, it was said about the Portuguese, and about the Arabs."[72]

On April 29th well-known French politician, diplomat and public figure Alain Juppe challenged the country's politicians to not turn Islamophobia and radical nationalism into a political argument. According to Juppe French politicians create the atmosphere of Islamophobia within French society. "French politicians themselves forced the French to hate Muslims and Islam. In my opinion there is currently a very strange situation in France — instead of letting different religious communities coexist in the country, our influential politicians make Christians and Muslims confront each other. Islamophobia in France is a 99% political product. I am surprised how intolerant today's French public figures and the media are," — said Juppe. "Islamophobia has long turned into a favorable political cliché for the electorate. Some French politicians skillfully use it. I am deeply convinced that the politicians who are urging the French to openly express Islamophobia do not respect the French nation and culture. Our society has long been ready for a peaceful coexistence, mutual respect and mutual enrichment of cultures," — said Juppe. [73]

On March 23rd it was announced that the municipal councilor of the mayor of Nice, a Socialist deputy named Abderazak Fetnan promised the Muslim community of the city of Cagnes-sur-Mer to assist in resolving the issue of the mosque. "For many years, we have tried to build equality and mutual respect in the country. However, such difficulties and obstacles may shake the faith of the French in the laws of the Republic (France). I'm going to submit a petition of the "Muslim Association of Cagnes-sur-Mer" to the mayor of Nice and lobby for the interests of the Muslim community," — he said. [74]

On April 17th mayor of Meaux Franck Riester condemned the desecration of a mosque calling such actions "unacceptable." "We must strive to reduce tensions and to respect every human being regardless of his or her religious beliefs," — he said in an interview with the French media. He also noted that the incident will not affect the construction of the mosque, which should be completed in July of the current year. [75]

The Mayor's Office of Pinto made statements condemning pro-Nazi graffiti. [76]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

Since 2011 the institution of the Commissioner for Human Rights is active in France. He is appointed by the President for a term of six years. One of his three deputies is responsible for the fight against discrimination. The Council for Combating Discrimination and Equality Questions is active under the Commissioner.

An active website https://www.internet-signalement.gouv.fr monitors and removes racist content from the Internet. Central Office for the Fight Against Crime Linked to Information Technology and Communication (OCLCTIC) is actively cooperating with the association of providers (AFA) in matters of removing such content. [77]

In 2012 a National Plan to Combat Racism and anti-Semitism for 2012–2014 was created.

On March 17th in Toulouse a ceremony was held in memory of the victims of last year's tragedy with the participation of well-known public and political figures, as well as French President Francois Hollande. In the center of the city several thousand people took part in a march of silence in memory of those killed by bullets of the "Toulouse shooter." As part of the festivities 7 secondary school students of Toulouse read one of the poems of Rudyard Kipling to commemorate the 7 people who were killed in the tragedy. In turn, the president of the country together with Minister of Internal Affairs Manuel Valls and the mayor of Toulouse Pierre Cohen along with other well-known politicians and public figures have planted an alley with magnolias in the center of the city as a symbol of dignity. [78]

On January 18th it was reported that on the initiative of the Minister of Internal Affairs of France M. Valls the Foundation for Islamic Studies in France (FOIF) was reopened. The Fund primarily monitored the transparency of funding of Muslim places of worship in the country and assisted in the development of Islamic organizations in France. "Now is the time for Islam in France to assume full responsibility and to cooperate with the government in solving the real problems of society. Finally, it is time for FOIF to yield real fruits of its actions," — said Valls. [79]

On April 15th, French Minister of Internal Affairs Manuel Valls held a meeting with Muslim leaders of the country. He announced the creation of a special government commission, which in cooperation with the Ministry of Education would be responsible for the creation of specialized educational institutions for French Muslims. [80]

On June 7th it became known that the deputies of the National Assembly (lower house of the French parliament) rejected resonant bill that banned wearing the hijab in the workplace. [81]

In August the National Advisory Board for Human Rights of France called the eviction of Roma an "administrative pressure" and urged the government to stop the eviction from slums without providing alternative accommodation and to respect the rules of free movement within the EU. [82]

In mid-October of 2013 the Constitutional Council France did not acknowledge the so-called stipulation of conscience of mayors, who did not want to connect people of the same sex by marriage. [83]

On May 15th MPs of the City of Lyon voted in favor of financial assistance (16 thousand Euros) to the local Muslim association. Officials thus decided to express gratitude and to encourage Muslims to continue their close cooperation, because it makes for a great contribution to the peaceful coexistence of religious communities in the city and the region. [84]

On September 23rd it became known that the mayor of the small town of Dreux near Paris began an unprecedented public campaign called "Social Cohesion Project" and received 5.5 million Euros from the French government for its implementation. The aim of the new initiative is the peaceful coexistence of the Muslim and Christian communities of the city. [85]

On December 9th the administrative court of Grenoble ordered local jails to provide their Muslim inmates with food that corresponds to their religious beliefs. This marked the first time in the national legislation when the penal system was forced to deliver the food which corresponds to the religious beliefs of prisoners. [86]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

During the study period more than 500 million people lived in the EU, approximately 40 million of who were born outside of these countries, of which about 6.5 million lived in France during the review period.

In 2006 France adjusted its legislation to European migration. In particular Act № 2006-911 was passed of 24th of July 2006 "On Migration and Integration."[87]

According to this law, the French migration policy focuses on a strategy of "selective migration" — the so-called *immigration choisie* — and is covered by three points: (1) "selective policy towards accepted migrants," (2) the mandatory integration for those who has been in the country for a long time and/or is entering the country for a lengthy period of time, (3) "interaction/cooperation."

The policy of selective migration is based on the introduction of migrant competence card — carte competences et talents. Holders of these cards according to Article 15 of the Act will carry out their career in the chosen direction. This card is designed to allow easy entry of qualified specialists, academics and professionals who are required at the "labor market" of the Republic.

The second important element of the migration policy of France is a binding contract on the integration *contract d'accueil et d'intégration*, according to Article L311-9 Act obliging the migrants, both resident in the country and those entering its territory for the first time to make every effort to integrate into the host society, become a member of any public education (church choir, football team etc.) and to learn the language required on the level required by the law.

However, the language requirements have been challenged in the European Court of Justice in June 2011,[88] which ruled that according to "Article 7 paragraph 2 of the EU Directive on family reunification does not allow to ban entrance into the territory of the Community to a family member of a citizen of a third country lawfully residing/staying on the territory of the EU to enter on the sole ground that he/she had not passed the integration and/or language test, which according to national legislation is a prerequisite for obtaining a permit to enter the country." As a result France was forced to adjust its legislation according to this Directive.

From 2006 to 2012, the migration legislation of France was supplemented 4 times by amendments aimed at tightening it. In particular, the DNA test was introduced for those wishing to be reunited with their families, as well as a possibility of expulsion of former foreigners who were granted citizenship by naturalization. Also measures against illegal immigrants have become more severe.

Under the influence of the European Convention on Human Rights and Fundamental Freedoms (ECHR) and the European Court of Human Rights (ECHR) France also had to transform their migration legislation to give priority to "individual interests" of persons who are long-term residents of the country before the "interests" of the state regarding expulsion/deportation from the country. Recognized as illegal

is the expulsion of a "second generation" migrant from his country of residence, even in the event of serious violations of the laws of the host country[89]

Great attention is paid by the French legislation to refugee issues. French Constitution guarantees the right to asylum to citizens of all countries, who fear persecution in their homeland. A person recognized as a refugee receives a 10-year residence permit which includes the full scope of social rights. The legal status of refugees, recognized by the French Office for the Protection of Refugees and Stateless Persons (OFPRA), in the annex to the Geneva Convention of 28th of July 1951 applies to two categories of people:

- The first category includes all persons who meet the requirements of Article 1 of the Geneva Convention of 28th of July 1951 regarding the refugee status. According to this article a refugee is a person who is subject to violence or harassment based on race, ethnicity, religion, language, as well as belonging to a particular social group or having a specific political opinion, as a result of which he/she is forced under threat of life to leave the country and immigrate;
- The second category includes all persons persecuted as a result of their activities in the fight for freedom (according to the law of 11th of May 1998, Article 29).

Annually, about 20,000 people address France for refugee status. These are mainly immigrants from Asia and Africa. In relation to this, France has not signed the UN Convention on the Protection of rights of migrant workers and members of their families. French legislation foresees criminal liability for helping in organizing illegal migration even if it was not intended to make a profit. In compliance with the Act of 31st of December 2012 from punishment only persons who provide humanitarian aid to illegal migrants were released from punishment, if this is not done for profit.[90]

- Government's compliance with such legislation (law enforcement practice).

In France numerous cases of non-compliance with immigration laws against Roma — EU citizens (15–20 thousand persons) were registered in 2013 (as previously, from 2010). A situation has arisen directly relating to the application of the principle of freedom of movement within the EU.

Cases of abuse by representatives of law enforcement towards illegal immigrants (as well as legal immigrants and the French of non-European origin) were also recorded. They are unnecessarily subjected to frequent identity checks, the reason for which is often the "ethnic

phenotype." Thus, in Paris airports annually up to 10 thousand people are apprehended and placed in the bullpen (often without the possibility of timely contact with lawyers and family). In the border zone migrants from North Africa are contained in detention centers during the entire period of reviewing their application for admission to French territory.[91, 92]

The practice of detaining lonely adolescent migrants at airports and seaports continued despite the adoption of the decision by the Court of Cassation in 2009 to ban the detention of children in transit zones. Annually about 500 children are detained in such a way for a period of 20 or more days.[93]

- Discriminatory practices against immigrants.

In 2013 there were discriminatory practices in France against migrants — ethnic Roma, who were EU citizens (see Section 1).

- Use of ethnic crime as justification for discrimination against immigrants.

The subject of ethnic crime is widely used in the rhetoric of the representatives of the "National Front."[94] In October 2012 in an interview with the "Voice of Russia" Marine Le Pen announced that areas of increased crime on the map of France with roughly relate to immigrant areas.[95] On June 20th 2013 in Moscow, speaking to students at Moscow State University of International Relations the leader of the "National Front" Marine Le Pen said that migration contributes to an increase in crime.[96] The fact that migrants significantly increase the overall level of crime was also said earlier by the founder of the "NF" and father to M. Le Pen — Jean-Marie Le Pen.[97]

- Social assistance for immigrants.

In France a series of laws actively govern the provision of social assistance to immigrants. Those are Act № 2006-396 of 31st of March 2006 on equal opportunities, Act № 2006-872 of 13th of July 2006 on the national commitments in the sphere of housing, Act № 2006-911 of 24th of July 2006 on immigration and integration, Act № 2007-290 of 5th of March 2007 on the right to housing with the possibility of its legal protection and about different measures to promote social cohesion plus a number of others.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

Data from opinion polls shows a high level of xenophobia in the country. Almost equally high are levels of migrantophobia, Romaphobia and anti-Semitism.

On May 22nd it was reported that according to a survey conducted by the World Values organization 22, 7% of respondents in France said they strongly oppose being neighbors with families who are of a different nationality, race or religion. [98]

According to the survey "France 2013: new contradictions" conducted for the newspaper "Le Monde," published on January 25th, more than 70% of the French believe that Islam is an intolerant religion which is incompatible with the values of French society. Responding to a question about the compatibility of different religions with the French national values, the majority of respondents put Catholicism in the first place, less believe that Judaism is compatible with French values, Islam came in third place. [99]

On March 25th it was reported that according to surveys of the French Institute of Sociology (IFOP), 84% of French people oppose the hijab and other forms of Islamic garments in the workplace regardless of forms of ownership. [100]

Held in October 2013, an opinion poll showed that half of the respondents see Islam as a threat to French national identity, while 74% believe that Islam does not "fit" into French society. [101]

According to opinion polls 35% of the French population believe that there are too many Roma, and 77% do not consider them part of the French nation. [102]

According to a survey conducted on January 24th by Market Watch on behalf of the World Zionist Organization 39% of French people agreed with the statement that "Jews have too much power in the business world," 21% do not consider it fair, and 40% remain neutral towards this fact. 47% of French people think that French Jews are more loyal to Israel than to their home country and only 15% do not agree with this point of view. 43% of respondents said that they have a positive attitude towards fellow Jews countrymen and 53% said their attitude was "neutral." Only 4% of respondents admitted having a negative attitude towards this group of the population. 20% said they had a positive attitude towards Israel, 61% said their opinion was neutral and 19% — negative. 54% of respondents expressed confidence that "the anti-Jewish moods" are the source of violence and anti-Semitic occurrences, 19% believe that the cause of anti-Semitism is the policy of Israel and 27% have no opinion on the matter. [103]

According to the survey, the results of which were released on June 4th, 50% of respondents said that the Jews are "closer to France than to Israel," 75% felt that "they are a close-knit group characterized by solidarity," and 28% agreed with the statement, that "the level of influence of the Jews is too great." The same figure, 28% of the French,

think that "too much" is being done to fight anti-Semitism, 20% felt that "too much is done" in order to preserve the memory of the Holocaust, but on the other hand, 22% believed that "not enough is done." The murder of three Jewish children and a rabbi in Toulouse on the 19th of March 2012 by Muslim extremists has been described as "an isolated incident, not showing an overall trend" by 59 percent of respondents, while 40 percent said it was "a sign of growing anti-Semitism in France." [104]

The growth of xenophobia is felt by the population. On October 10th it was reported that approximately 60% of the French believe that racism in their country has become more common. [105] According to a survey of the European Union Agency for Fundamental Rights 85% of French Jewish respondents believe that anti-Semitism is a big problem in the country. 74% of respondents said that anti-Jewish moods "increased significantly." 46% said that they understand the necessity of. [106]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–/×	Government's compliance with such legislation (law enforcement practice)	2.5	2.5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	–2.5	–2.5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

Every year there are numerous cases of recorded xenophobic graffiti. In 2013 monitoring recorded direct threats of violence. They are mostly anti-Semitic, but also Islamophobic and homophobic threats were found. Here are some examples:

Anti-Semitism:

In late January — early February in Aix-en-Provence a group of Muslims repeatedly shouted out anti-Semitic slogans in front of a synagogue.

On March 3rd an unknown person called the police department of Sarcelles (suburb of Paris) and reported that he planted a bomb in order to kill as many Jews as possible. [107]

On March 29th the Chief Rabbi of France, Rabbi Gilles Bernheim received a letter from a previously unknown organization "Interaction of the Forces of Order" with warnings about possible "severe measures" against the French Jewish journalists who allegedly act as agents of the Communists and accused them of trying to "curb the freedom of France." [108]

In early May anti-Semitic graffiti and inscriptions saying "For Mohammed Mera" were found on the walls of a petanque club in Bru-sur-Eskaut. [109] On May 17th one of the users has promised to shoot the students of a Jewish school in Strasbourg on the site jeuxvideo.com. [110]

20-year-old Lucien Abdelrafor on September 16th called a Jewish school in Toulouse and told the secretary: "I am the cousin of Muhammad Measure and I will come to you tonight to kill you." [111] Internet is filled with blogs, websites, tweets and Facebook pages that praise M. Mera who killed students and a teacher in a Jewish school in Toulouse. [112]

Racism:

On December 16th in Vouziers racist and anti-Semitic graffiti were found on a football field adjacent to the school: "France does not belong to immigrants," "France is our country, let's protect it," "Death to the Jews." [113]

Anti-Muslim notions:

On May 28th famous French philosopher Michel Onfre harshly criticized Islam and Muslim life in an interview. "Today France is in a zone full of danger 24/7. We, the French, in our own country have the right to speak openly about Christianity only. When it comes to Islam, it is possible that the speaker might be in danger or even face death for his stance on Islam and Muslims. It should not be so, I urge all conscientious Christians to protect Europe from Islamization and violence" — Onfre said. [114]

On November 5th two Besancon mosques were painted with slogans: "France — for the French!", "Death to Muslims!", "Arabs, get out of here!", "Long live the National Front!". [115]

Homophobia:

On the 6th of May it was announced that Thierry Speytel, the mayor of a small town Sigolshem in the eastern part of France received a parcel with bullets after making a speech in support of gay marriage and saying that he intends to use the recently adopted law. Along with bul-

lets Speytel received a copy of his interview with homophobic insults on top. Speaker of the National Assembly of France Claude Bartolon also received a package with gunpowder, which contained a letter with threats from opponents of gay marriage. The message urged him to cancel the vote in Parliament: "Our methods are much more radical and straightforward than ordinary protests — it was said in the letter. — You wanted war? You will get it." Two other politicians who have received similar messages from extremists were socialist deputies Sylviane Bulteau and Hugues Fourage. [116]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

In France comedian anti-Semite Dieudonné M'bala M'bala is quite popular. In 2013 he invented a special gesture called "Knell salute," which is a mirror image of the Nazi greeting. At the end of the year a special campaign erupted on the Internet, during which the participants were invited to send in their photos on which they are depicted doing the "Knell salute" on the background of one or more Jews. As particularly "bold" were considered participants of this scandalous campaign who took shots against the background of Jewish shrines and symbols, such as the Western Wall, a synagogue or a menorah. In late December photos of a person making the gesture with the background being the Toulouse school "Or Torah," where four Jews were killed. [117]

French footballer of Muslim origin N. Anelka who plays for the British club "West Bromwich" publicly demonstrated the gesture during a match in December. After the match, he said that this gesture he dedicates to M'bala M'bala. [118]

There is at least one publishing agency, Kontre Kultutre lead by Alain Sorel, which produces anti-Semitic literature. [119]

On May 16th it became known that the books of the Institute of the Arab World organization, openly sold in France, contains references to Islamic scholars who justify the murder of Christian monks and baptized Muslims, as well as violence against Christian women. [120]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	0	–5
	Total for the section 7	–5	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the center and in the localities).

One should identify two of the most famous party of the radical nationalist wing in France. These are the National Front led by Marine Le Pen and the National Republican Movement, which split from the former in 1998.

The National Front is the oldest nationalist party in the country (founded in 1972). Its basic requirements: the cessation of further immigration from non-European countries and more severe requirements for obtaining French citizenship; return to traditional values: restricting abortions, encourage large families, preservation of French culture; protectionist policies, support for French producers, small businesses; opposition to the European integration process, a greater degree of independence from the European Union and international organizations. The National Front also had radical projects such as tax collection from companies who gained excess profits at the expense of foreign labor and the introduction of "the principle of national preference," which implies the dismissal of immigrants who would open up jobs for French citizens.

The party achieved the greatest success in the elections to the National Assembly in 1986 (35 seats) and the European Parliament in 1984 (10 seats). In the parliamentary elections in 2012 the party got two seats in the parliament. Another visible success of the party was during the presidential elections in 2012, at which Marine Le Pen came third.

In the municipal elections of 2011 the party also took third place with a total of 10% of the votes.

The National Republican Movement split from the National Front because of differences between National Front leader Jean-Marie Le Pen and Bruno Maigret's policies. The NRM received less than 5% of the votes in the elections of 2002 and 2004.

While political observers considered the NRM as extremely right-wing, they position themselves as a classical liberal and nationalist party. NRM opposes immigration, Islamization and the European Union, but in contrast to the National Front supports the free market and neo-liberalism.

There is a number of anti-Islamic (anti-immigrant) radical groups, among which are the "French renewal" (Renouveau France) which positions itself as a nationalist, Catholic and "anti-revolution-

ary" (in this case, as a reactionary opposition to the principles of the French Revolution of 1789) organization, "Nationalist youth," banned in 2013 for the promotion of hatred, as well as the "Generation with a national identity" ("Génération identitaire") organization, that desecrated a mosque in Poitiers in October 2012. Worth a mention are organizations such as the "Republican resistance," "Secular resistance" (Riposte Laïque), "Community for Identity," "Third Way," "Equality and Reconciliation," "The New Rightist," "The League of the South" and others.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

In her speeches the leader of the far-right Marine Le Pen demands the assimilation of immigrants, especially Muslims. In the programs of Islamophobic organizations anti-Islamic requirements are also present. These organizations often position themselves as anti-fascist, believing Islamists and all Muslims to be fascist.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organizations.

Given the high level of Islamophobia, anti-Semitism, as well as the activity of radical Islamists in France, it can be argued that the radicals have a major impact on society.

As a symbol of the growing influence of the rightist on society one can consider their high rating, which was achieved in October 2013 by the leader of the "National Front" Marine Le Pen. She has become the third most popular French politician and shared this spot with such "bisons" as ex-premiers F. Fillon and A. Juppe. Minister of Internal Affairs M. Valls took first place largely on the back of heavy anti-Roma statements.[121] The poll "LH2" held in early October and dedicated to the upcoming March 2014 municipal elections showed that one in four voters support or may support the National Front, with a third of all respondents stating that they do not see the National Front party as extremists (basically the poll predicted the outcome of these elections[122]).

One may note the distribution of "new anti-Semitism" in intellectual circles. It is based on hatred towards Israel. On June 12th at the National Gallery Jeu de Paume in Paris an exhibition was organized. It was devoted to "the Palestinians, who gave their lives to fight for Palestine's freedom" and made heroes out of terrorists of Hamas, 'Brigades of al-Aqsa Martyrs' (the armed wing of Fatah), and the National Front

for Palestine's liberation."[123] In October a show called "Black and Blue" opened at the Marseille museum of culture in Europe and the Middle East. An exposition by Israeli artist M. Heyman, which demonized the Israel, was stationed there.[124]

One can talk about the popularity of D. M'bala M'bala. His Facebook page has about 400,000 readers.[125]

Radical Islamism, which includes anti-Semitism, is a dangerous phenomenon. On February 19th it was reported that according to a survey conducted by the French Institute of Sociology Sociovision for 58% of French Muslims religious rules are more important than social norms, which is almost three times higher than the average level in France (21%).[126]

In 2013 activity of aggressive Islamist organizations was noted in the information space of France. After a visit to the country's memorial to Holocaust victims in Drancy by imams radical Islamists launched a campaign to discredit the President of the Conference of Imams of France Hassan Shalgumi, who actively promotes the convergence of the Jewish and Muslim communities. They called him "a puppet in the hands of the authorities and the CRIF (the Governing Council of Jewish Institutions in France)" and a "heretic."[127]

On May 15th it became known that French Muslims accused the children's magazine Science & Vie Junior of Islamophobia, who published comics about the adventures of two insect friends in the Middle East.[128]

On the 20th of May there was a meeting of Muslim women wearing the hijab in Paris, who chanted — "With or without the hijab, all mothers are equal!" and "Stop Islamophobia in France," urging the French government to cancel the new educational standards that prohibit women in traditional Muslim garments to accompany children on school trips.[129]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Nationalists currently have 10% of the votes given for them during the elections to local authorities in 2011. This showcases the limited influence of such parties to power.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Nationalists had 2 seats in the National Assembly in 2012, which shows that said they do not have any real influence on power.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	–2.5
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–17.5	–17.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  Such actions were not registered in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

Nationalists have become active participants of protests against gay marriage. On January 13th in Paris gay marriage opponents gathered 800,000 people under their banners. This protest brought together the center-right opposition, nationalists, conservatives-traditionalists and the Catholic Church. The extreme rightist were marching at the front — Marine Le Pen of the National Front, marching to the Field of Mars with her own column, and the leaders of the former ruling party, the Union for a Popular Movement, who joined the biggest march under the flag "Manifestation for all." Separately from the main body were traditionalist Catholics. Participating in the capital's demonstration for the first time was the supreme hierarch of the Roman Catholic Church in France — the Archbishop of Paris, Cardinal André Vingt-Trois. "I want to express my support and appreciation to the organizers — said the priest. — The French should be able to say that they really think." Similar demonstra-

tions were also held on April 13th in Paris, on April 23rd in a number of other cities in France, as well as May 27th once again in Paris.

On October 19th—20th 1.4 million people gathered at a demonstration against same-sex marriage (according to police — 300 thousand people). [130]

In the southern region of Languedoc-Roussillon, during the hearing of the French ultranationalist J. Sanchez, an MP and Regional Adviser of the radical party "National Front," who was accused of Islamophobic statements, more than seventy nationalists and party supporters gathered in front of the courthouse and chanted demands to suspend judgment. [131]

On October 25th in Angers children who accompanied the demonstrators from the Manif Pour Tous organization ("Demonstration for all") saw the dark-skinned Minister of Justice Kristain Taubira and started jumping and shouting: "Monkey, eat your banana!" while waving a banana skin. The adults retained complete indifference. [132]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

Many right-wing actions involved the leader of the "National Front" Marine Le Pen.

- Presence of "football xenophobia" and racism amongst sports fans.

We cannot say that racism among football fans was topical in France in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	–5
–	Presence of "football xenophobia" and racism amongst sports fans	–2.5	0
	Total for the section 9	–12.5	–15

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013 45 cases of xenophobic vandalism were recorded. 21 case was Islamophobic by nature, 18 — anti-Christian, 5 — anti-Semitic, 1 — Anti-Roma.

Subjected to desecration were mosques in Val-de Rei (11th of January[133]), Ozoir-la-Ferriere, Provins, Thiers and Meximieux (all during the first half of February),[134] Voiron (6th or 7th of April[135]), Meaux (17th of April[136]), Limoges (21st of May[137]), Coulommiers and Narbonne (31st of May[138]), Villefontaine (20th of September[139]), Mulhouse (beginning of October, two[140]), Alsace (31st of October[141]), Besançon (5th of November, and at least twice before — two[142]), Paris (18th of November[143]).

Desecration of churches have been noted in the communes of Uegoa, Loctudy and Combrit, south of Quimper (12th—13th of January),[144] Agen (21st of January[145]), Strasbourg (21st of February[146]), Lyon (23rd of March[147]), Fos-sur-Mer (14th of April[148]), Aveze (22nd of April[149]), Limoges (2nd of May and 7th of June[150]), Nanterre (14th of May[151]), Nantes (8th of June[152]), Chambourcy (27th of October and 3rd of November[153]), Carcassonne (13th of December[154]). Furthermore, on the 1st of July it became known that the Catholic bookstore "Livres en Famille" in Bordeaux suffered at the hands of vandals for the 27th time.[155]

On September 2nd on the territory of the parish of St. Helena in Bubry the statue of St. Helena, which is 1 high and was standing in a niche, was found abandoned in a fountain.

On September 6th the statue of the Virgin and Child of the XV century was broken in the Catholic parish of Plomer.[156]

The following places have also been attacked and desecrated: the office of the French Association of Jewish Students (Paris, March 7th), a synagogue in Garges-les-Gonesse (May 31st), a synagogue and community center Chabad-Lubavitch in Paris (July 8th), a synagogue in Marseille (August 3rd). Also, in early March, a neo-Nazi defiantly tore pages from the Torah while in front of the building of the Jewish Consistory of Paris and accompanied his actions with a Nazi salute.[157]

In June a gypsy camp in Hellmese was attacked with "Molotov cocktails."[158]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

On June 13th in Argenteuil police made a rough arrest of a Muslim woman wearing a niqab. A crowd gathered and began to protect the woman. As a result law enforcement officers arrested the Muslim woman and took her to the nearest police station. In the center of Argenteuil a battle erupted between Muslims and the police. Only a few hours later the security forces managed to disperse the angry crowd. As a result two law enforcement officers were wounded and numerous arrests of participants of the mass brawl were made. The next day, rallies have been held in the city center against police misconduct. Several hundreds of residents were involved. [159]

On July 20th—22nd, in the Paris suburb of Trappes turmoil could be felt among Muslims living there. The occasion was a police order to a Muslim woman to remove the niqab. Wearing a niqab is prohibited. Crowds of young people from Arab and African countries threw stones at police, set fire to the police department and burned several dozen parked cars and smashed bus stops. Law enforcement officers used tear gas and batons to disperse riots. Four people were arrested. [160]

- Cases of violence, including murder on racial, ethnic and religious grounds, attack on anti-fascists.

Monitoring for 2013 has recorded 29 attacks which resulted in one death and 40 injuries. The lion's share of attacks (15) was anti-Semitic. The victims of these attacks make up about half of the injured (19 people). Given that Jews make up only 1% of the population of France, this concentration indicates the highest level of anti-Semitism, which is carried out not only by the ultra-right, but also by the radical Islamists. Six attacks were of Islamophobic nature, the victims of which were six people. Three attacks were directed at the Catholic clergy (3 wounded), three on the Roma (at least five wounded), 1 — on anti-fascists (1 dead), and one — on the Chinese. Here are some of these crimes:

Anti-Semitic attacks:

On January 11th a Jewish teenager was attacked in Aix-les-Bains. [161]

On February 5th near the Jewish school "Otzar Hatorah," located in Toulouse, a certain woman armed with a knife tried to attack a 16-year-old student, who went out to the street in a skullcap. The terrified young man rushed back into the school building and called the police. [162] On February 5th, a 20-year-old Jew was attacked in Marseille. [163] On February 21st fans of the English "Tottenham" FC, which is considered a "Jewish team," were attacked in Lyon by a crowd of 20–25 people in masks who shouted Nazi slogans. Three fans were taken to the hospital. [164] On March 6th a 15-year-old Jewish teenager was beaten up in Lyon. [165]

On March 7th at about 14:50 a young Jew was attacked by radical Islamists on a commuter train in Vitry-sur-Seine. [166] On March 29th it

became known that at a film festival in France Arabs beat up Israeli director Yariv Horowitz.[167] On April 11th there was an attack on Jewish students in the city of Villeurbanne.[168] On April 23rd a Muslim shouting "Allahu Akbar!" wounded Rabbi Philip Baruch and his 18-year-old son with a knife in a Paris synagogue "Beit El."[169] It was later found that the same person on April 19th attacked another synagogue parishioner.[170]

On June 2nd two Jews were attacked by three young men of Arab origin in Lyon.[171] On June 16th a group of six neo-Nazi bikers attacked a Jewish family in a small town in France and injured two Jewish girls.[172] On June 22nd during a student party in a private home in Dugny a young Jew was beaten up by the house owner's son.[173] On June 28th in Saint-Pierre a woman was pushed from a two meter height for wearing a mogendivit around her neck.[174]

On September 13th several Jewish students have been oppressed in the public sports complex in Paris in an anti-Semitic attack by teenagers coming from families of Arab immigrants. A group of aggressive teenagers wanted the Jewish pupils of the "Ner ha Torah" school to "immediately end the occupation of the sports ground." Having been refused, the anti-Semites provoked a fight. However, Jewish teens were able to fight back.[175]

On September 24th in one of the Parisian schools a high school student attacked his Jewish classmate after the latter refused to give money to the former. The attack was accompanied by anti-Semitic statements.[176]

Homophobia:

On April 17th as part of protests against the legalization of same-sex marriages a series of attacks took place against members of the LGBT community, journalists and police officers. In Paris, demonstrators flipped cars, thrashed shops and attacked journalists and the police. In Lille, four unknown men attacked the local gay bar, which resulted in three of them being injured.[177]

Anti-Christian sentiment:

On May 16th it became known that in Avignon a Catholic priest was beaten up.[178]

On July 26th the rector of the Catholic parish in Quimper Michael Maze was beaten up.[179]

In the beginning of November in the French commune of Belle (Rhone-Alpes region) a 66-year-old Catholic monk was attacked.[180]

Islamophobia:

On June 5th in Beziers an attacker driving a car drove onto the sidewalk, where a Muslim woman was walking with a child. Fortunately, during the attack the woman and her child were seriously injured.[181] On June 7th in Argenteuil two young men attacked a 17-year-old Mus-

lim girl.[182] On June 11th it became known that in Reims an unknown young man in the presence of the victim's husband tried to force a Muslim woman to take off her hijab while shouting insulting remarks.[183]

On June 14th in Argenteuil skinheads attacked and severely beat a pregnant Muslim woman in a hijab. As a result of the injuries the woman lost her baby.[184] On June 25th three Muslim women, a mother and her two daughters were attacked near Orleans.[185] On August 14th a 16-year-old Muslim woman in Trappe was attacked by an unknown assailant.[186]

Attacks on Roma:

In March a crowd of nationalists in Marseille sprayed tear gas inside of a house where Roma resided. Several women were injured.[187]

There were several attacks on Roma camps (27th of July, Saint-Denis, August 10th, Villeneuve d'Askre), three people were injured.[188]

Attacks on anti-fascists:

On the 5th of June skinheads killed a leftist group member Clement Meric in Paris.[189]

Racism:

On June 17th it was reported that a group of Chinese students were beaten in a dormitory at the school of winemaking belonging to the "La Tour Blanche" castle, near Bordeaux (France).[190]

- Nationalist or religious terrorist attacks.

On May 25th in the business district of La Defense in Paris an Islamist attacked soldier Cedric Cordier and wounded him.[191]

On June 27th in the town of Saint-le-Noble assailants set fire to a car and directed it towards the building that houses the city's only Muslim prayer hall.[192]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	–5
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
×	Terrorist attacks on the basis of radical nationalism and religious fanaticism	–5	–5
	Total for the section 10	–20	–25

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

Among the anti-racist and anti-fascist organizations in France one should distinguish the oldest (1926), the International League against Racism and Anti-Semitism (LICRA), the League of Human Rights (Ligue des Droits de l'Hommea), Movement against Racism and for Friendship among People (Mouvement contre le racisme et pour l'amitié entre les peuples), as well as the well-known international organization SOS-racisme that exists in France and in Spain.

There are also other organizations such as the Union of Jewish Students of France, the French association of victims of terrorism, the European Network against nationalism, racism, fascism and in support of migrants and refugees, and several others.

A number of political parties, such as the "Union for a Popular Movement" (UMP), the French Communist Party (PCF) and the French Socialist Party (PS) have strict anti-racism and anti-discrimination demands in their programs.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

On March 16th 2013 in Paris, there was a demonstration in support of the rights of illegal migrants. The people demanded that the French authorities stop the deportation of illegal migrants. [193]

At the beginning of December a series of marches against racism were held across France. In Paris, the rally was attended by thousands of people. They urged to stop the growth of racist statements, especially in the media. "We saw the first page of the ultra-rightist newspapers that compared minister Christian Taubira with a monkey, we have seen how children were manipulated into taking out bananas when the minister was passing by," — said the first secretary of the French Socialist Party Arles Desir in an interview with Euronews. [194]

It should also be noted that the Muslim community is publicly active in combating xenophobia. On March 23rd in Cagnes-sur-Mer, on April 29th in Montrouge and 12th of June in Epinay-sur-Seine there were demonstrations in defense of the Muslim mosques, which were to be closed by the Mayor's Offices. [195] On April 8th in Voiron (Rhone-Alpes region) a demonstration took place where Muslims expressed their negativity towards Islamophobia, the reason for which was the desecration of a mosque. [196] Similar demonstrations took place in June in Reims and Argenteuil. [197]

On January 14th an Open doors day was held in a Poitiers mosque. The organizers of the open doors day were the Union of Islamic Organizations of France (UOIF) and the Muslim community in the city. According to UOIF President Ahmed Jaballa the main goal of the event was to familiarize residents with the history and principles of Islam and the means to combat Islamophobia. Among the guests were well-known cultural, social, political and religious leaders of the Poitou-Charente region, the Archbishop of Poitiers Pascal Vinttser in particular. [198]

In early February, the Palace of Congresses in Paris held a large-scale conference on Islamophobia, with more than 300 representatives of Muslim organizations in France, political scientists, historians and orientalists in attendance. The conference was organized by an influential public organization "Union of Islamic Organizations of France" (UOIF) and personally its director Ahmed Jaballa. The main theme of the event was the increase of the level of Islamophobia in French society and the ways to combat intolerance. "French Muslims do not have to fight against the laws of the Republic, thus separating themselves from the rest of society and forming a real ghetto," — said in his speech at the conference famous French historian and orientalist Sharaffeddin Muslim. "Muslims must accept partial responsibility for increasing the level of Islamophobia. We no longer have to play the victim, it's time to take matters into our own hands. French Muslims should not stand on the sidelines of urgent problems and must become full and effective members in the power dialogue," — said the influential Muslim leader of France, the imam of the Ottoman mosque in Lyon Azzedine Jasi. [199]

On February 18th the VIII Annual Week against racism and colonialism started in Paris, organized with the support of the influential French organization Sortir du Colonialisme, popular French Muslim information portals Saphirnews and Salamnews, as well as more than 15 other French Muslim organizations. Its framework will include conferences, round tables, lectures, the main theme of which will be the French military invasion into Mali and its consequences for the peaceful population. Screenings of documentary films and literary evenings will be held in Paris, Bordeaux, Marseille and Begles. [200]

On September 24th the Union of Islamic Organizations of France (UOIF) opened European Institute of Liberal Arts in San Leger de Fauchere, where the French and foreigners alike will be able to obtain a special theological education to become imams in the future. [201]

On April 18th the newly elected president of the Conference of Bishops of France Georges Pontier expressed his full readiness to an open dialogue and active cooperation with the Muslim community of the country. [202]

On July 12th representatives of the micro blogging service Twitter have transferred data to the French law enforcement authorities in order to help identify the users who left anti-Semitic tweets. [203]

French Party of United and Independent Democrats in July excluded from its ranks the mayor of Cholet J. Burduleks for Romaphobia. [204]

- Presence of anti-racist and anti-fascist civic initiatives.

The initiative of the Judeo-Islamic confluence is worth mentioning. On February 5th for the first time in the history of France more than 140 imams and representatives of the largest Islamic organizations in the country visited the Holocaust memorial in Drancy (11 km northeast of Paris) and paid tribute to more than 70 thousand French Jews deported to Germany during 1941–1944. An unprecedented visit to the memorial was held at the initiative of the President of the Conference of Imams of France, the city of Drancy Imam Hassen Shalgumi and well-known public figure — French-Jewish writer Marek Altera. According to Shalgumi this formal event "symbolizes the confluence between the Muslim and Jewish communities in France." "We want to show that Islam has nothing to do with hatred. We must condemn the violence. Then from the Nazis, today from terrorists," — said imam Shalgumi. "I have high hopes that this visit to the Holocaust Memorial will bring relief to Jewish-Muslim relations," — said Altera.

During the official meeting imams also commemorated the victims of the "Toulouse shooter" Mohammed Mera. "Unfortunately, many in Israel believed that French Muslims hate Jews. The tragedy in Toulouse is only a single isolated fact, which has nothing to do with Islam in France. Our goal is to show that the Israeli-Palestinian conflict, as well as general tension in Jewish-Muslim relations is a political problem and not a religious one. We strive to coexist peacefully" — announced Hassen Shalgumi. [205]

On March 10th in Paris Israeli President Shimon Peres met with a group of imams from different Muslim communities in France. Islamic theologians have expressed support for Israel's fight against terror. According to the imams they also have to regularly deal with fundamentalists and violence. Imam of Drancy Hassen Shalgumi said that Muslims, too, are victims of extremists. Shimon Peres said that he was deeply touched by the words of the imams. [206]

On September 10th a delegation consisting of 10 imams and 6 representatives of influential Muslim organizations in France arrived on an official visit to Israel to urge the governments of the Middle East to establish peace in the region. "Our goal is to convey the idea that the Israeli-Palestinian conflict is exclusively political, and in any case not a religious confrontation between Muslims and Jews. This political con-

flict has a huge impact on the lives of the Muslim and Jewish communities in the Middle East and Europe. We want to reinforce the idea of peaceful coexistence between the two religions with mutual respect and tolerance," — said imam of a mosque in the Paris suburb of Drancy H. Shalgumi during the official press conference. [207]

Also in March, the famous French human rights organization "Association against Islamophobia in France" (CCIF) initiated the start of a major public campaign called "5 minutes of your time to fight Islamophobia." French Muslims are encouraged to actively lobby their interests in local municipalities and prevent the adoption of a new provocative bill banning the hijab at the workplace. [208]

September 27 in France was published dictionary, which includes words and expressions used by French politicians, writers and artists in the field of Islamophobia. The book was compiled and published by the French journalist and researcher Kamel Meziti. [209]

On November 5th it became known that the French organization dedicated to the fight against Islamophobia has launched a corresponding mobile application that allows you to report all cases of Islamophobia and negative attitudes towards Muslims. It lets you see the news about such cases in a specific area and report them as witnesses and victims. [210]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	0	5
	Total for the section 11	10	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

  Such facts were not registered by monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such facts were not registered by monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such facts were not registered by monitoring in 2013.

- Historical revisionism, Holocaust denial.

Scandalous comedian Dieudonné M'bala M'bala called the commemoration of Holocaust victims "memory pornography" and questioned the existence of gas chambers. [211]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
×	Historical revisionism, Holocaust denial	–2.5	–5
	Total for the section 12	–2.5	–5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such facts were not registered by monitoring in 2013.

- Restrictions on human rights and anti-fascist organizations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such facts were not registered by monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such facts were not registered by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

France has joined a number of international agreements on the fight against racism and discrimination. In particular, it has signed the UN Declaration on the Elimination of All Forms of Racial Discrimination in 1963 and the International Convention on the Elimination of All Forms of Racial Discrimination of 1965. France also adapted its legislation in accordance with EU Directive 2000/43/EU "On enforcement of the principle of equality of persons regardless of racial or ethnic background" (2000) and signed Protocol № 12 of the European Convention on Human Rights and Fundamental Freedoms in the same year concerning the prevention of discrimination and is now under the Lisbon Treaty to the European Union Charter of Human Rights.

Nevertheless, France has not ratified the European Charter for Regional and Minority Languages as the country's Constitutional Council considers that it contradicts the French Constitution,[212] and most importantly, has not joined the Framework Convention for the Protection

of National Minorities, as from the point of view of the French authorities it contradicts the unification nature of the national policy.

Furthermore, the French Republic has joined the International Covenant on Civil and Political Rights of the United Nations of 1966, based on the Universal Declaration of Human Rights, with some reservations. In particular, it stated that Article 27, which deals with the rights of ethnic, religious and linguistic minorities "shall not be applied to the extent that it affects the Republic."[213]

- Accession to new international agreements and resolutions of various international organizations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the monitoring period France has not joined any new international agreements or UN resolutions or other international organizations that combat Nazism, racial discrimination, promote the protection of minorities and so on. On November 27th and December 18th 2013 during voting at the UN General Assembly representatives of France decided not to vote for the resolution A/RES/67/154 "Glorification of Nazism: the inadmissibility of certain practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance," which was proposed by Russia.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

In 2013 there was not a single international statement or initiative of the French authorities or prominent politicians directed against discrimination, xenophobia and neo-Nazism.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	2.5	2.5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	2.5	2.5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Compared to 2012 the level of radical nationalism in France in 2013 has slightly risen: the country has moved from 9th to 10th place. This was due to the rising ethnic and religious tensions in the background of a law banning the hijab in public places. Muslim protests repeatedly led to massive clashes.

It is clear that the level of xenophobia is increasing in the society. First of all, attention is drawn to The growth of anti-Semitism and anti-Semitic attacks primarily draw attention to themselves. In France the most developing tendency is the so-called "New anti-Semitism," i.e. anti-Semitism under the guise of the fight against Zionism. This is one explanation for the increasing number of attacks on Jews by Muslims. Also noteworthy is the activity of Islamists who in 2013 made vigorous efforts to curb public initiatives aimed at confluence between the Islamic and Jewish communities in France. You should also pay attention to the growth of discriminatory practices against Roma, associated primarily with their illegal eviction from their homes, as well as deportations of Roma nationals (of other EU countries) to other countries.

In general, the main problems of France in the field of interethnic and interreligious relations remain the same: the unification nature of national policy, the reluctance to admit the existence of ethnic minorities and, as a consequence, the exit of the government from the field of national and religious minority education. The vacuum is often filled with extremist tendencies that lead to radicalization.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

France does not recognize the presence of ethnic minorities, although guarantees its citizens protection from all forms of racial discrimination. In conditions when 10% of the population of the country is such a minority, as well as in case of the crisis of the traditional national country in Europe, where national minorities are becoming aware of their rights and refuse to assimilate, this policy cannot protect against discrimination that minorities themselves understand not only from the viewpoint of racial equality, but also from the point of view of the country's realization of its own rights regarding the use of minority languages, the development of educational institutions for mi-

norities, guaranteeing their cultural and religious rights and so forth. The fact that equal rights are granted to all persons and that all people are equal in the eyes of the law does not preclude the existence of minorities in the country or their right to enjoy their own culture, to practice religious cults, or to use their language in conjunction with other members of the same group. The Human Rights Committee of the United Nations and the European Commission against Racism and Intolerance condemned France in this matter.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

France has not signed nor complied with the basic provisions of the Framework Convention for the Protection of National Minorities, which together with the refusal to ratify the European Charter for Regional Languages creates conditions for linguistic and cultural discrimination against ethnic minorities. However, it should be noted that despite the non-adherence to the Framework Convention, the Republic complies with some of its provisions, for example on the use of minority languages in place names (in particular, in Alsace). Nonalignment of France to these two fundamental documents aimed at protecting the unifying nature of their linguistic and national policy, which is largely aimed at the assimilation of minorities. However, in the context of globalization, when migration processes are sped up, this policy leads to a political stalemate, placing the issue in the corner.

- *Rights and freedoms of ethnic minorities compared to the titular nation*

Such differentiation exists and concerns, above all, the rights of national minorities to use their native language, receive education in their native language and others, that are foreseen by the requirements of the International Covenant on Civil and Political Rights of the United Nations Framework Convention for the Protection of National Minorities and the European Charter for Regional and Minority Language, i.e. those international agreements to which France has not acceded or which it has ratified with reservations.

- *Legislation enshrining inequality of minorities*

Such legislation does not exist in France.

- *Rulemaking in protection of minorities.*

The main piece of legislation adopted in 2013 and related to the issue was the law legalizing same-sex marriage.

- *Freedom of speech violations.*

In 2013 there were several cases of discrimination on grounds of excessive tolerance — people denied employment or created intolerable conditions in the workplace because of the demonstration of their religious affiliation.

- *Legislation and law enforcement practices concerning migrants.*

In France, there is a very advanced legislation in regard to migrants; however, it was grossly violated in the course of the campaign to deport Roma in 2013, especially when you consider that deportees were EU nationals. An outright ban to arrest single underage migrants in the transit zones of airports and seaports has been violated.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

As already mentioned, Frances's problem lies in the political sphere, namely the non-recognition of ethnic minorities. For this reason, there are practically no laws that guarantee their rights in the country and France has not joined the system of international agreements on the protection of national minorities.

Furthermore, in pursuit of the votes of conservative voters, leading politicians are starting to use (as they think, homeopathic doses) xenophobic rhetoric, thus widening the minds of voters beyond the limits due to xenophobia. In the future, this may result in the growth of the already significant xenophobic sentiments.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

Currently two xenophobic parties currently clash — the "indigenous" population and the community of Muslim migrants and their descendants. Both sides actively dislike each other. While among Muslims there are a growing number of those who under certain conditions are willing to embrace the rules of Sharia instead of complying to the laws of the state. This is a direct result of the country's unification policy towards minorities, which has to carry out the policy of assimilation.

The result of such a policy is the state's withdrawal from the field of minority education, which often falls under the control of the Islamists, a growing resistance to the assimilation process, often taking the form of rejection of Western values, as well as the growing influence of radical nationalists, offering the public solutions, which are based on discrimination against minorities.

There are, however, areas in which the two xenophobias are combined successfully — anti-Semitism and homophobia (in the latter case we observe established cooperation).

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The standard of living in France is relatively high (20th place out of 124), and economical problems are not connected with the manifestation of xenophobia.

- *Economic impacts and instability.*

Economic problems, as well as economic instability were characteristic for France and other developed countries of the EU in 2013, but they were based on purely economic reasons.

- *Decline in production growth, emigration of the labor force.*

In France there is no apparent emigration of the working population, although there is evidence of migration of capital due to high taxes, especially in light of the reforms of the new government. However, these facts have nothing to do with the rise of xenophobia in the country.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

France belongs to the so-called "Old democracies" and has a high political stability. However, the growth of ethnic and sectarian tensions is obvious. The process of radicalization associated with errors in the government's national policy and active migration processes, which can later be reflected on the political stability of the Republic.

The country, in fact, is experiencing a crisis of the traditional European national state, which is reflected in the fact that a significant proportion of citizens — immigrants from abroad no longer identify themselves with the French nation. Consequently, the most important

principle of such a national state is the self-identification of its citizens as a single nation begins to falter. To stop this process France needs to review its policy of unification and to recognize that it has ethnic minorities with their respective rights.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

The question regarding policies towards migrants has received special attention from the EU. In general, this problem does not seriously affect the international security issues, but it is, nevertheless, the cause of a certain tension within the EU, because some countries asked about the possibility of a temporary introduction of border controls at the borders of individual countries within the European Union. The case of the deportation of Roma from France and Italy clearly demonstrates this.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

To overcome the crisis of the traditional nation-state France needs to review its unifying approach regarding its national and language policies. It is recommended to join major international agreements aimed at ensuring the rights of ethnic minorities and to ratify the signed documents. We are talking about accession to the Framework Convention for the Protection of National Minorities, the ratification of the European Charter on regional languages and minority languages, as well as the withdrawal of reservations to Article 27 of the International Covenant on Civil and Political Rights of the United Nations of 1966. France also encouraged reviewing its position on non-alignment with the resolutions of the UN General Assembly, directed against the glorification of Nazism, as the data resolution is fully consistent with the policies FR aimed at the inviolability of borders and the inadmissibility of the postwar rehabilitation of Nazism.

2. *General recommendations for adjustments to the legal framework*

By joining international agreements France has to adjust to them with its national legislation starting with the Constitution (Article 2), as well as to introduce a number of regulations aimed at the protection of minorities.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

France needs to change law enforcement practices towards minorities, especially the Roma, Muslims and transgender people. To protect the Roma from discrimination it is necessary to give them guarantees against forced evictions (and stop the practice of evictions without providing housing), to legalize the settlements, to give them access to social services, education, health care. In order to prevent discrimination against Muslims it would be good to introduce legislation prohibiting employers from discriminating Muslims by banning the hijab. It is also desirable to simplify the procedure for obtaining documents for transgender people, adopting a special legal act about it.

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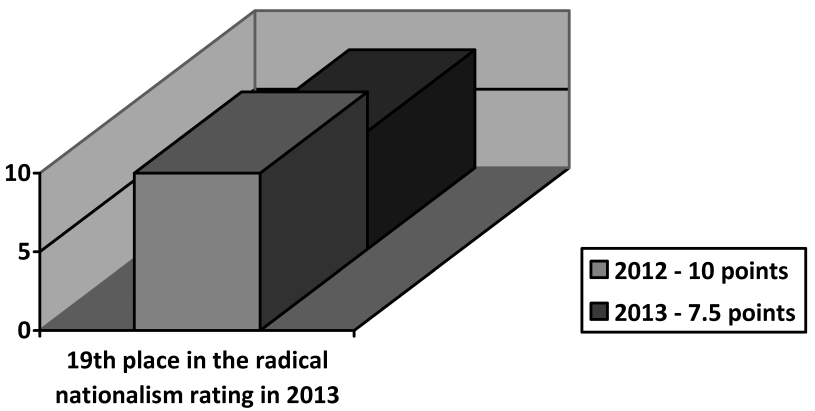
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	15	20
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	–2.5	–2.5
7	Incitement of religious and ethnic hatred	–5	–10
8	Radical nationalist groups and parties	–17.5	–17.5
9	Extremist and radical nationalist public actions	–12.5	–15
10	Racist attacks, violence and terror	–20	–25
11	Presence, popularity and size of anti-fascist and anti-racist movements	10	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–2.5	–5
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	2.5	2.5
	Total	–37.5	42,5

CROATIA


10
5
0
19th place in the radical nationalism rating in 2013
2012 - 10 points
2013 - 7.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

In Croatia there are three main laws, which contain elements of discrimination: the Citizenship Act, the Penal Code and the Anti-Discrimination Act.

Amendments to the Citizenship Act were adopted on the 28th of October 2011 and came into force on the 1st of January 2012. Compared to the previous version, the new law has increased the requirements that are now imposed on the applicants for citizenship, which creates conditions for discrimination of permanent residents of Croatia from among the representatives of national minorities residing in the country and of those non-Croats who were forced to emigrate during the war in the 1990s.

In particular, in accordance with Article 8 of the new Act citizenship applicants now need to have continuously lived for eight years at their registered place of residence (in the previous version — for five years), to have a permanent residence permit, to know the Croatian language in Latin script (previously the Cyrillic alphabet was used in Croatia), as well as to know the Croatian culture and "social structure." The latter is checked through a special test or exam. Additionally, the Act contains a requirement to give up second citizenship, which many IDPs have already acquired. The European Commission against Racism and Intolerance has conducted a research, which revealed that innovations that

were adopted into the Law on Citizenship violate the rights of the Roma, many of who are illiterate and do not speak the Croatian language. Also, many families among the Roma ignore the state registration of newborns and today a lot of them do not have Croatian documents. Some only have the old Yugoslavian passports.

Additionally, Article 16 of the Citizenship Act provides advantages to ethnic Croats in regard to obtaining Croatian citizenship compared to representatives of national minorities: ethnic Croats-foreigners or persons without a citizenship must comply with only one of the five conditions that are mandatory for everybody else, more specifically — "to respect the legal order and customs of Croatia, as well as to have a connection to the Croatian culture." These requirements are discriminatory towards the representatives of national minorities, although many of them have been living in the country for a long time, some even for generations. This is especially true for Roma, some of which are simply not literate and have poor command of the Croatian language, which can be regarded as a weak link and even disrespect to Croatian culture. Many applicants for citizenship, especially older ones are accustomed to using the Cyrillic alphabet for writing and for them transition to the Latin alphabet is a problem.

On October 21st 2011 the country adopted a new Penal Code, which came into force on 1.1.2013. In the new Penal Code Article 87 defines a hate crime as "a criminal offense committed on the basis of race, color, religion, national or ethnic background, disability, gender, sexual orientation or gender identity of another person." Thus, compared to the Penal Code active during the 2006–2012 period the list of grounds in the new code is more limited: some hatred qualifications that were very relevant for Croatia were excluded such as those concerning the language, political beliefs, as well as social status and age. Also excluded is citizenship, which is very relevant for Croatia.

The same problem is present in the Anti-Discrimination Act of 2008 (came into force on 1.1.2009), which also excluded citizenship from the list of characteristics that classify a crime as committed on the basis of hatred.

Additionally, as pointed out by ECRI in its report, the Penal Code of Croatia also includes Article 328, which stipulates liability for the organization of a criminal association, but does not include racism in the list of objectives of such associations.

An important moment in the discriminatory legislation of Croatia is that the country, similar to Latvia and Estonia, recognizes citizens of the country as its ethnic minorities. This directly affects the Roma, many of whom do not have Croatian citizenship.

In Croatia, there is no legislation prohibiting history revisionism and denial of war crimes, including the Holocaust, which allows all

sorts of nationalist historians to promote policies and practices of the Ustashe — Croatian Nazis during the Second World War who were Hitler's allies.

Since 2005 religious organizations pay tax on the purchase of real estate, unless it is not a house of worship. It discriminates against minority confessions, which have no houses of worship and are forced to acquire office or residential premises for the performance of religious rites. [1]

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

  Croatian legislation does not contain such restrictions.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

  Such norms were not recorded by monitoring in 2013.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

According to the population census in 2011 Croatia's total population is 4,284,889 people, 90, 42% of whom are Croats.

According to the Constitution Croatia is home to 22 ethnic minorities. These are Serbs, Czechs, Slovaks, Italians, Hungarians, Jews, Germans, Austrians, Ukrainians, Ruthenians, Bosnians, Slovenes, Montenegrins, Macedonians, Russians, Bulgarians, Poles, Roma, Romanians, Turks, Albanians and Vlachs.

The largest minority are Serbs (4.36%), the number of which decreased in by alsmost three times in 1991. The number of the other minorities of the country is less than 1%.

Despite significant improvements in terms of equality, which took place in Croatia in recent years, there are still discriminatory practices. First of all, it concerns the Serbs and Roma.

Discrimination of Serbs:

According to the Human Rights Watch (HRW) Serbs, once driven from their homes, encounter serious administrative and other barriers when trying to restore their rights for property. [2] Additionally, the right of Serbs to use their native language is infringed. On November 6th 2013 after massive nationalist demonstrations, Vukovar City Council decided to recognize this town as a "special memorial of the victims of the war" and change the statute by declaring Latin script Croatian as the sole official language of the city. The first paragraph of the proposed amendments did not allow changing the historical image of the city and particularly to install new signs and notices. The second paragraph allowed

preserving the monopoly of the Latin alphabet in the city.[3] Changes have been made in order to lawfully abandon putting out bilingual (Latin-Cyrillic) notices, because it is believed that Serbs use the Cyrillic alphabet. Also unresolved is the issue of compensation to Serb refugees. Serbs also complain about discrimination in respect to labor and employment.[4]

Discrimination of Roma:

Roma face difficulties in accessing basic public services including health, social care and education.[5] They find it hard to obtain an identity card. According to the Office of the United Nations High Commissioner for Refugees (UNHCR) there are about 500 Roma without citizenship in Croatia and about 1,000 can be added to the list.[6] Roma children are discriminated against at schools, which is primarily expressed by forced segregation: they still attend schools and classes for pupils with "mild mental retardation."[7] Furthermore, the amount (in percentage terms) of Roma children attending school is two times lower than the number of non-Roma children doing the same.[8]

The number of minority representatives in governmental bodies continued to be significantly lower than their numbers in relation to the rest of the population (3, 5 and 5, 5%, respectively).[9]

There have also been discriminatory practices against immigrants, among which Serbs and Roma prevail. On May 1st 2013 the National Office of Reconstruction and Housing was organized in Croatia responsible for the construction and return of property to refugees and returnees. However, their office was only active in Zagreb, making it difficult to filing claims in the regions. The number of housing allocated to returnees has also decreased: in 2013 it decreased by 25 (!) times compared to 2011. The Regulation adopted in October 2013 on the conditions of the definition of immigrant status established that this status is lost after 6 months of entry. Thus, people who arrived before 2013 and did not receive housing as returnees are automatically excluded from the queue because of their loss of status.

Additionally, in 2013, the Government of Croatia as in previous years continued to refuse signing an agreement with the Protestant Church "Word of Life" and the Full Gospel Church, which would allow religious activities in educational and health care institutions, prisons, law enforcement agencies, and recognizing the legality of marriage ceremonies carried out by them. They kept refusing despite the presence of a special resolution of the ECHR on the subject, adopted back in 2010.[10]

In 2013 according to the Commissioner for Human Rights 57 complaints about discrimination based on race, ethnicity, color or national origin were noted, accounting for 23% of all complaints about discrimination. Furthermore, it was reported that 6 complaints about discrimination were based on political opinion, 5 — based on religion, 4 — on the basis of sexual orientation.[11]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–10	–10

2. Xenophobia and inflammatory statements by members of the authorities and media

In general, the level of xenophobia in Croatia continued to remain low in 2013.

On September 2nd leader of the oppositional Croatian Democratic Union Tomislav Karamarko made a statement about the idea of bilingualism in toponymy, which implies the presence of inscriptions in Croatian and Serbian languages in areas densely populated by ethnic Serbs: "Such printings should appear only where they promote cooperation and understanding between the Croatian majority and Serbian minority. At the moment this is not happening. The government merely annoys people and insults their feelings."[12]

Deputy Chairman of the Croatian Council (parliament) and a member of the Presidium of the CDU Zeljko Reiner on December 2nd said that his party is against same-sex marriage and are for "respect for traditional values of the people and the state." According to him adding the provisions about marriage to the Constitution will not cause discrimination of anyone's rights. The politician expressed dissatisfaction with agitation, which was carries out by defenders of LGBT rights, calling it "a big political game."[13]

Large repercussions were caused by the xenophobic initiative of nationalist social movement the "Defence Staff of Croatian Vukovar,"

which includes veterans of the war for the independence of Croatia, to hold a referendum to ban inscriptions in the Serbian language in Vukovar. Vukovar was the last stronghold of the ethnic Serbs during the military conflict in the mid 90s.

Nationalists handed over more than 680 thousand signatures to the parliament for the restriction of the use of native languages of national minorities in official purposes. Activists tried through a referendum to amend the relevant legislation. Under current rules, the authorities of the village are required to duplicate the official inscription in the language of national minorities, if its share is not less than 33%. The "Headquarters" wanted to raise that bar to the currently unreachable 50%. Such changes would affect primarily Serbs living in Vukovar in the east part of the country. There, according to the last census conducted in 2011, the Serb population reached 9,654, accounting for 34.87% of all city residents. On December 20th, the Croatian Parliament only because of the protests of one of the coalition parties — the Croatian Democratic Union of Slavonia and Baranja (HDSSB) — could not accept amendments prohibiting running a referendum on topics that, among other things, "refer to limit or reducing human rights and fundamental freedoms."[14]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

There is anti-racist legislation in Croatia, which, except for the times specified in Section 1, fully meets European standards.

In addition to the Constitution, which guarantees every person and citizen of the Republic of Croatia rights and freedoms regardless of race, color, sex, language, religion, political or other opinion, national or social background, property, birth, etc., anti-racist and anti-discrimination legislation includes the constitutional law on the rights of ethnic

minorities, the Anti-discrimination Act, theAct on teaching and learning of the languages and literature of ethnic minorities, the Act on the Election of Deputies to the Croatian parliament and the Criminal Code.

One should also highlight the Constitutional Law on the Rights of Ethnic Minorities. Its provisions ensure the exercise of special rights and freedoms of members of ethnic minorities, which they enjoy individually or together with other persons belonging to the same national minority, as well as the right to cultural autonomy (preservation and expression of their cultural identity, preservation and protection of their cultural values and traditions), the right to self-organization and association for the purpose of pursuing common interests and the right to access the public media and communications in the language they use. Any form of discrimination based on the status of a national minority shall be prohibited (Article 4). Members of national minorities are guaranteed equality before the law and equal protection on behalf of the law.

Article 23 of the Constitutional Act foresees that in order to improve the preservation and protection of the rights of national minorities, members of national minorities elect their representatives to participate in public life and conduct affairs at the local level through the councils and representatives of national minorities in the local and regional government.

The law also guarantees minorities the right to be represented in parliament.

In 2013, changes were made to the Aliens Act, which introduced a simplified procedure for obtaining citizenship for foreigners who were born in Croatia, at least one of whose parents had Croatian citizenship. [15]

Since 2012, Croatia also participates in the program "Integration of Roma 2005–2015," which can have a positive impact on its status in the EU. [16] In June 2013 it became the host of the annual meeting of its members.

In summer 2012 the status of the Ombudsman has increased substantially. The Croatian Parliament has strengthened the role and importance of this body, which now independance more independence compared to other government agencies. In addition, it was merged with the Centre for Human Rights and has become a central government body responsible for human rights. [17]

It is important that in Croatia propaganda of racism is also a crime — a public statement of an idea of inferiority or superiority of any race, ethnic or religious community, gender, people or ideas of superiority or inferiority based on skin color or sexual orientation or other characteristics aimed at inciting racial, religious, national or ethnic hatred or hatred based on skin color or sexual orientation." [18]

The Public Prosecutor's Office of the Republic of Croatia adopted a special statement, according to which hate crimes have received increased attention and specific documentation is currently being gathered on such crimes.

- Presence and development of anti-discriminatory legislation.

Croatia has a developed (by European standards) anti-discrimination legislation. To it belongs: the Act on Gender Equality, Act on Free Legal Aid, Labour Act, the Act on Foreigners, Act on Asylum, Act on Government Officials, the Gender Equality Act. Moreover, Croatia is one of the few countries that have adopted the law on same-sex partnerships, which regulates the issue of same-sex unions and the legal consequences of such unions and also prohibits any form of discrimination, both direct and indirect, on the grounds of sexual orientation.

The right to education with the use of languages and scripts of national minorities is regulated by the Education Act of National Minorities, which foresees the learning with the use of languages and scripts of national minorities, the establishment of schools that operate using the languages and scripts of national minorities, hiring employees who are members of ethnic minorities with the aim of teaching, publication and translation of textbooks in the language and script of national minorities and the implementation of special programs for the preservation of linguistic and cultural identity. Minorities in the Republic of Croatia choose the form of education which uses their own language and script, i.e. they choose a program of complete training using their language and script, provided the compulsory study of the Croatian language or "preservation form" — the study of language and culture as an additional educational program, which includes five national subjects (language, history, geography, music and art of national minorities).

Roma in Croatia profit from all rights of minorities, but the schooling of Roma is not carried out on any of the Roam dialects.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

In general, the law is complied with, except for some cases of discrimination against Roma and Serbs. However, over the past few years effective steps were taken by the authorities to eradicate these phenomena. Serbs have representation in parliament and are actively encouraged by the authorities to participate in the political life of the country, including the work of the government.

With regard to Roma authorities in recent years have taken a number of steps to eliminate segregation in schools and carried out big in-

formational campaigns among the Roma in order to integrate them into the educational system of the country.

In accordance with the Constitutional Law on the Rights of ethnic minorities the Council on National Minorities was formed, established at the national level, and councils and representatives of national minorities, whose members are elected by national minorities into local and regional government, which is one of the forms of "minority self-governments." The Council for National Minorities has at its disposal funds allocated from the central government budget for the implementation of programs of cultural autonomy of associations and institutions of national minorities. It has the right to propose to the parliament and the government to hold discussions on issues that are considered important, particularly in relation to compliance with the Constitutional Law and special laws regulating the rights and freedoms of national minorities.

However, to a large extent, these measures have been taken by Croatia on the eve of entering the EU in order to meet European standards. The report of the Commissioner for Human Rights in Croatia and in the reports of international non-governmental organizations it was noted that the legislation on the protection of minorities and combating xenophobia performed consistently enough. HRW representatives pointed out the need to continue monitoring the situation in Croatia and after joining the EU, adding that otherwise the EU will receive a "second Hungary."[19, 20]

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

In 2013, Croatia has intensified its fight against hate crimes. 14 cases of crimes motivated by xenophobia were brought before the courts in 2013. 9 convictions and 5 acquittals were delivered. Courts have also been examined 63 cases of discrimination based on race, ethnicity, color or national background, 16 — discrimination based on sexual orientation, 3 — based on religious beliefs, 9 — based on political beliefs. In 2012 there were 55, 15, 3 and 3 such cases respectively. An increase in the number of cases may be due to increased incidents of discrimination, which become known.[21]

Croatian law enforcement practices concern such issues as "sports related racism." On November 22nd famous Croatian footballer who currently plays for the team "Dinamo" (Zagreb) Josip Simunic was fined by the prosecutor's office of the Republic for 25 thousand kuna ($ 4,400) for inciting ethnic hatred.[22]

It is important that Croatian courts have adopted the practice of protecting the rights of victims from among the representatives of national minorities who suffered during the military conflict in mid-90s.

In January a local court ordered the state to pay compensation to child victims of Serbian attacks on Varivode during operation "Storm" in 1995.[23]

It is also extremely important that in November 2013 the court ruled the changes in Vukovar's statute that forbode bilingualism as unconstitutional. On November 29th bilingual inscriptions have been reinstated.[24]

- Unlawful use of anti-extremist legislation.

Facts of unlawful use of anti-extremist legislation have not been recorded by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	2.5	5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	15	17.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

On May 12th a solemn ceremony dedicated to the 68th anniversary of the mass escape of prisoners from the concentration camp of Jasenovac, which was run by Croatian Ustashe-fascists during World War II. The event was held at the memorial complex Jasenovac 60 kilometers from Zagreb. "We can be proud of anti-fascism and the victory over Nazism," — said the President of Croatia, Ivo Josipovic, speaking to the guests of the ceremony. He stressed that the ideology of evil and hatred

directed against people of other nationalities and faith will never be reborn. He added that we should not forget the fact that representatives of the Croatian people took part in the crimes.[25]

On September 2nd Croatian Prime Minister Zoran Milanovic has rejected demands to renounce bilingual labels. "The state should treat all its citizens equally," — he said.[26]

Croatian President Ivo Josipovic added that all citizens have the right to participate in peaceful protests, but one must respect the Constitution and the law. "The language issue in Croatia has been solved. If someone is unhappy, they can fight for amendments in the legislation," — said the president.[27]

Vesna Pusic, Minister of Foreign and European Affairs, in December reminded that by signing the Treaty of Accession to the European Union Croatia is committed to protect the rights of national minorities. "We would have to leave the EU if we want to reduce the level of minority rights," — she said and urged the authorities to conduct a thorough check of signatures collected by activists.

MP from the Croatian People's Party Goran Beus Rihemberg called the initiative on linguistic referendum "a circus and irrational attempt to prevent part of the identity of one of the national minorities." Deputy Chairman of the independent democratic Serbian party in Croatia Milorad Pupovats described the events as "demonization of Serbian writing."[28]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

In April 2013 the Minister of Internal Affairs issued a new Regulation regarding driving licenses, allowing citizens to be photographed in the headgear worn for religious or medical reasons. This removed the problem of discrimination against Muslim women who made photos wearing the hijab.

In 2013 there was an increase in the number of passports issued to minorities in their native language (a total of 726 documents have been issued).

In December 2013 EU recommendations for the integration of Roma have been adopted. [29]

Center-left government and the country's president Ivo Josipovic opposed holding a referendum on same-sex marriages. [30] It is known that December 2nd 2013 65% of the citizens spoke in favor of marriage being defined in the Constitution as a union between a man and a woman.

One can note the activity the Human Rights Commissioner. In January, at the House of the Human Rights Commissioner in Zagreb a lecture was held on the legal framework for protection against discrimination and the role of the Commissioner.

Commissioner for Human Rights in the framework of the project "Establishment of a comprehensive system for protection against discrimination" organized four regional roundtables at the regional and local level, where local authorities, NGOs, members of minority groups could get information about the activities of the Commissioner and to exchange experience. Roundtables were held in Pula (May 8th), Rijeka (May 10th), Split (June 3rd), Osijek (June 4th). The Human Rights Council was established in November under the Commissioner, including representatives of NGOs, the media and minorities. The Council is an advisory body providing cooperation between the Commissioner and the society.

In June, the Commissioner for Human Rights gave a lecture at the Police Academy on "the importance and role of the Commissioner in the promotion of human rights and the protection of vulnerable groups." [31]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

The Republic of Croatia is now at the crossroads of migration flows between East and West. In the 1990s the country was left by more than

500,000 thousand refugees, many of whom still have not returned home, although Croatia unlike many other countries in the world is ready to accept refugees who do not belong to the ethnic majority, with whom this minority fought with weapons in their hands just fifteen years ago. In addition, about 10,000 annually move to work in countries of the "old EU."

At the same time Croatia is already a host country for refugees. In 2013 Croatia 1,226 asylum seekers were noted — mostly from Muslim countries. Such a relatively small number of refugees is largely due to the fact that the major wave of refugees is stopped by Bulgaria and Greece.

When joining the EU Croatia mainly brought its immigration legislation into line with European norms of migration as well as the Geneva Convention on Refugees of 1951 (Asylum Act of 2010).

Although the government has not yet made a decision on joining the International Convention on the Protection of the Rights of All Migrant — Workers and Members of Their Families, Croatia has adopted a broad legislative framework for the protection of human rights — migrants and their families, based on both national legislation and international treaties, which it is a part of.

The basis of the Croatian migration legislation is: the Labour Law, the Law on Foreigners, the Asylum Act, the Social Security Act, the Criminal Procedure Law, the Law on Health Protection, the Act on Mandatory Health Insurance and various education laws. For illegal entry into the country there is a punishment — one month imprisonment. The penalty for aiding illegal migration is assigned even when its aim was not profit. The definition of complicity even foresees humanitarian assistance to migrants. Landlords who let their property to illegal migrants are also subjected to punishment. The penalty can be a fine or imprisonment. [32]

At the beginning of 2013 the Croatian Parliament adopted the program of migration policy for 2013–2015 and Plan of Action for eliminating barriers for the integration of foreigners. [33]

- Government's compliance with such legislation (law enforcement practice).

In 2013, Croatia has experienced difficulties in complying with this legislation, which was due to a sharp increase in the number of refugees who arrived in the country this year — according to the Ombudsman's there were 1,226 asylum seekers — mostly from Muslim countries. [34] This number turned out to be off the charts for Croatia, which was clearly not ready for their arrival.

The inflow of refugees has led to the fact that the reception centers were overcrowded. In Zagreb a refugee reception center instead

of 100 people whom it should have accommodate, in December 2012, turned out to contain 300 refugees with illegal migrants in detention centers for illegal immigrants. As noted in the report of Human Rights Watch specialized systems for the protection of unaccompanied migrant children (children traveling without a parent or guardian) remain inadequate. Guardians assigned to such migrant children do not have the necessary training. The criteria for the appointment of such guardians are unclear, but appointed guardians often are employed in social assistance centers that are located in the southern and eastern Croatia. Street children — migrants, however, are allocated to Zagreb and their appointed guardians have limited contact with the children. Children under 16 are either placed in with older refugees or in Zagreb boarding schools for children with behavioral problems. [35] In 2013 not a single course of Croation language was organized for refugees. [36]

- Discriminatory practices against immigrants.

As already mentioned in section 1, the new edition of the Citizenship Act creates preconditions for discriminatory practices against migrants, especially against Roma. However, in 2013, the discriminatory practices against migrants in this category were not recorded. Nevertheless, as mentioned in the previous section, such practices have occurred in relation to refugees, which resulted in being unprpared to receive a relatively large number of refugees.

Additionally, the new amendments to the Citizenship Act state that those who have reached the age of 60 are exempt from the requirement of knowledge of the Croatian language, as well as the test about Croatian culture and social structure of Croatia. This greatly facilitates the access to citizenship for older people, especially among the Roma population, many of whom are illiterate.

- Use of ethnic crime as justification for discrimination against immigrants.

We can not say that the theme of ethnic crime is widespread in Croatia; however, nationalists sometimes use it in order to intimidate the local inhabitants regarding the prospects of joining the EU.

- Social assistance for immigrants.

In general, social support extends to migrants in Croatia.

In the Social Security Act it is foreseen that Croatian citizens, foreign citizens and stateless persons permanently residing in the Republic have the right to social security. Exceptions are those with a temporary residence permit, who received it on humanitarian grounds. These persons are not entitled to social security and must pay for health insur-

ance. Until 2012, this category of persons were repatriates who did not represent the ethnic majority, but after coming into force of the amendments to the Citizenship Act and the Aliens Act such repatriates were grantedd a simplified procedure for obtaining a *permanent* residence permit with the corresponding right to social security and health insurance.

In accordance with the Law on Asylum and laws on education school education is open for all persons in the Republic of Croatia. Primary education and equal rights for the completion of education in accordance with the laws is guaranteed to foreign nationals, asylum seekers, migrants and others.

The right to pension insurance, including disability insurance and insurance for work-related injury and occupational disease is acquired and exercised regardless of citizenship, nationality, color, race, religion or ethnic background. In the area of pension insurance the Republic of Croatia uses a system with international treaties on social security.

The procedure governing the legal employment of foreign nationals in the Republic of Croatia is anchored in the Aliens Act. Article 86 of the Act foresees that the Croatian Government decides the annual quota of work permits based on the proposal of the minister in charge of labor issues and in accordance with the current migration policy and the state of the labor marke. People, who have a residence permit in Croatia, also have a work permit.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to surveys conducted in April-July 2013 maximum negativity residents of Croatia express towards Roma, followed by Serbs and Bosnians. There is also a high level of migrantophobia regarding migrants, who are unlikely to get to Croatia (Chinese). A clear example of migrantophobia — neighbors of a Zagreb shelter for refugees in 2013 filed petitions filled with xenophobic attacks to move the center further away from them.

According to a public opinion poll conducted by the Center for Peace Studies (CMS) in Zagreb in May and June 2013, 20% of respondents experienced feelings of hostility towards all non-Croats, 44% — towards Roma, 38% — towards Serbs, 32% — towards Chinese and 27% towards the Arabs. 14% of respondents have a negative attitude towards immigrants from Western Europe. [37] 63% of respondents have a negative attitude towards migrants in general. [38]

About a third of the respondents expressed a negative attitude toward Islam, suggesting that Muslims are a threat to the security of Croatian citizens and their property. 17–18% expressed xenophobic feelings towards atheists. [39]

The country has a high level of homophobia. 66% of referendum (held on December 1st to permit same-sex marriage) participants voted against it. In accordance with the result of the referendum a more clear definition of marriage as the union between man and woman will be made in the Constitution.[40]

On December 16th representatives of the "Defence Staff of Vukovar" movement passed more than 680 thousand signatures to the parliament regarding the restriction of the use of minority native languages for official purposes.[41] They propose to leave this right only to areas where minorities make up at least 50% of the population, significantly raising the threshold set by the Framework Convention for the Protection of National Minorities (currently the threshold is 33%, and in addition there is a clause that bilingualism can be administered by international agreement).[42]

Currently five minority languages are in official use in 27 cities and municipalities. In the case of an amendment, this number will be reduced to 17.[43]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
–	Government's compliance with such legislation (law enforcement practice)	5	0
–/×	Discriminatory practices against immigrants	0	2.5
–/×	Use of ethnic crime as justification for discrimination against immigrants	–5	–2.5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	5	5

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In 2013 seven criminal cases of public incitement to violence and hatred on various grounds were opened (5 on the basis of nationality and 2 on the basis of sexual orientation).[44]

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Very popular in Croatia is a rock musician called Marko Perkovic, who back in 1991 the alias Thompson mirroring the eponymous American Thompson submachine gun, which he was given in the army when he participated in the Serbo-Croatian war of 1991–1995. Later he gave this name to his rock band.

Since 2002 Perkovic performs songs of the Scond World War Ustashe — Croatian Nazis who supported the Third Reich. In particular, one of these songs — "Jasenovac i Gradiška Stara" — praises the actions in the Ustasha Jasenovac concentration camp during the Second World War, which destroyed Serbs, Jews and other "racially inferior" people.

In 2004, Thompson, commenting on the accusations of anti-Semitism and a ban on his performances in Amsterdam, said: "I have nothing against Jews, but they crucified Christ."

Thompson uses the support of the neo-Nazi music promotional network "Blood and Honor" (from the motto of Hitler Youth "Blut und Ehre").

In 2013 M.Perkovich spoke at the "anti-Cyrillic" meeting on April 7th in Zagreb.[45] His concert was also organized on July 1st in Split in honor of Croatia joining the EU.[46]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

Nationalist opposition in Croatia is divided into a systematical, i.e. one that corresponds to the idea of a democratic parliamentary system

of the Republic, and non-systematical, that represents from the anti-democratic, extremist positions.

Among the former is the Croatian Democratic Union, which in the early 2000s цфы completely taken over by moderate nationalists — Croatian Party of Rights and in due time a fracture from this party — the Croatian Pure Party of Rights. In the last parliamentary elections of 2011 representatives of the systematic nationalist opposition received a total of 9% of the votes. The main directions of their ideology: ethnocentrism, conservative populism, euroscepticism, strengthening the role of the Christian church in the state. Based on these ideological attitudes, we can conclude that this category of nationalists as a whole can be classified as moderate.

The second group includes the Association of Croatian Nationalists, previously split from the Croatian Pure Party of Rights, the Croatian National Front and the "Croatian Association of World War II and the National Resistance" (Ustashe), which recently demanded from the government of the country to ban the red star as a symbol of Red Partisans from the times of I. B. Tito.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

If the nationalists of the first group have little or no discriminatory requirements in relation to minorities, the representatives of the second group include these issues in their programs.

Strictly speaking the non-systematic rightist radicals do not have clearly defined political goals. They often claim that they are followers of the Ustashe ideology. Croatian law allows that, because as already pointed out, it does not foresee liability for the glorification of Nazism. Many of them believe their goal to be the construction of an authoritarian nationalist Croatian state. They consider the regime of President F. Tudjman from 1990–1999 liberal.

Meanwhile, like most modern neo-Nazis, the non-systematical radical nationalists categorically deny any parallels between themselves and the Nazis, claiming that they are "patriots" and are not associated with Nazism or communism. For example, it is officially stated on their website by the Croatian National Front and its leader (Stjepan Penc).[47]

Ideological components include the euroisolationism in foreign politics and the thesis of the messianic role of the Croatian nation in the Western European Catholic civilization.

A compulsory part of the programs of these parties is the slogan "Croatia for Croats," by which they express their desire to collect all Croats in Croatia and deport all national minorities.[48]

The very same Pents, for example, has repeatedly accused the Serb minority in the cited blog of the fact that they steal jobs from the Croats and covertly influence the local authorities and the country's financial system. [49]

Additionally, homophobic views and ideas of historical revisionism, associated with the glorification of the Ustashe and their slogans in an environment of radical nationalists are very popular.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

The influence of radical nationalists on civil society in recent years has declined. The nine percent of votes that the systemic nationalist opposition got in the parliamentary elections of 2011 was mostly due to euroscepticism, which in recent years has spread widely in Croatia.

Croatian nationalists succeeded to organize a few mass protests against Croatia's enterance into the EU, but it did not affect the results of the referendum. In general, the Croatian society is rather indifferent to the problems raised by the nationalists. Nevertheless — euroscepticism and homophobia are the two factors around which right-wing radicals manage to form a sypport group.

The Catholic Church actively supports two initiatives of the nationalists — the fight against Cyrillic script and struggle against same-sex marriage. [50]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

In the elections to the local authorities, neo-Nazis and extreme nationalists did not get representation. Elections were won by the conservative coalition consisting of moderate-nationalist Croatian Democratic Union, the Croatian Peasant Party and the Croatian Socio-Liberal Party.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

Croatian ultra-nationalists are not represented in the Croatian Parliament. Moderate nationalists who have received 9% of the seats in the election of 2011 have no effect on the central legislative and executive authority in the country. Illustrative in this respect were the events of December 2013 when the nationalist activists of the "Defence Staff of the Croatian Vukovar," which includes veterans of the war for Croatian independence, tried to initiate a referendum to limit the use of native minority languages in official matters. The purpose of the referendum was to eliminate the signs in Serbian language in the city of Vukovar. The parliament rejected the initiative.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	0	0
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–10	–10

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  Such actions were not recorded in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

A number of public events were organized by the nationalists surrounding the issue of signs written in Cyrilli, which, according to the requirements of the EU, should be located in areas heavily populated by Serbs. One of these places is Vukovar — a symbolic city for Croatian nationalists, which came under Croatia's control during the wars in the 1990s.

On April 7th an "anti-Cyrillic" rally took place in Zagreb, attended by about 20,000 people, mostly veterans of the Croatian conflict of 1991–1995. Representatives of the Defence Staff (against Cyrillic alphabet) Vukovar, which unites 300 communities of war veterans demanded that until November 18th (the anniversary of the day when the troops of the Yugoslav army entered Vukovar) a law should be passed that declares the city of Vukovar an everlasting memorial, where Cyrillic will never be administered. One speaker, Tomislav Yakich said: "The German national anthem is not played in Oswiecim. Similarly the Cyrillic alphabet will never stand in Vukovar."[51]

In early September rallies and protests against the introduction of Cyrillic alphabet took place in Vukovar and Dubrovnik. The largest demonstration took place in Vukovar on September 1st — it gathered 20,000 people.[52] On September 2nd four police officers were injured in Vukovar during the riots.[53]

On November 18th, a massive nationalist demonstration took place in Vukovar, commemorating the victims of the war. They did not allow to lay wreaths to Croatia's leadership.[54]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

  Such facts were not recorded in 2013.

- Presence of "football xenophobia" and racism amongst sports fans.

Football xenophobia and sports related racism is prevalent in Croatia. Croatian fans on October 11th 2013 during the match of their team against the Belgium team used Nazi symbols, greetings and yelled out slogans of racist character from the tribunes.[55]

On November 19th after the match between Croatia and Iceland, which ended with the victory for the Croats with a 2:0 score and ensured their participation in the World Cup, national team player Josip Simunic picked up the microphone and turned to the stands with the words "For Motherland!", fans answered by shouting "Ready." The same greeting was used by the pro-fascist Ustashe organization, which operated in Croatia from 1929 to 1945. The football player issued a statement after the match, claiming he had done nothing wrong and only wanted to support their country. To those who disagreed with him Shimunich advised to learn history.[56] As a result the FIFA committee on ethics disqualified him for 10 matches and the prosecutor's office of the Republic fined him for 25 thousand kuna ($ 4,400) for inciting ethnic hatred[57]

Overall, four Croatian football clubs were fined in 2013 on the basis of racism for the amount of 118,000 euros.[58]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	–5	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–15	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013 monitoring recorded four cases of xenophobic vandalism. Three were of anti-Serb character, and 1 was Islamophobic.

On January 2nd a Serbian cemetery was desecrated in Knin. [59]

On September 2nd hundreds of demonstrators in Vukovar willfully dismantled signs written in Serbian from a number of government buildings chanting anti-Serb slogans. [60]

On September 4th protesters against the use of Serbian Cyrillic script in Dubrovnik wrote offensive slogans on an Orthodox Church of the XIX century. [61]

On May 27th a group o people stoned an Islamic center in the third largest city in Croatia — Rijeka. [62]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

  Such facts were not recorded during the observed period.

- Cases of violence, including murder on racial, ethnic and religious grounds.

During 2013 the Ministry of Internal Affairs and the State Attorney's Office recorded 57 cases of hate crimes (48 cases — hatred based on race, ethnic or national origin). Of these, 35 were classified as criminal offenses. The victims were 19 Serbs, four Roma and three Croats. [63] Unfortunately, as in previous years such statistics were not kept, it is difficult to say what the trend is in the number of crimes in this area.

- Nationalist or religious terrorist attacks.

  Such facts were not recorded by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	0	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–5	–10

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

With the aim of monitoring the cases of crimes committed based on racism and neo-Nazism the Margelov Institut was formed in Zagreb in 2007.[64] Its employees fight against racism and often send open letters to the government to improve the situation in this area.

The following organizations have been rather active in recent years — "Croatian Anti-Fascist League," "Anti-Nazi Union," "Young Anti-Fascists,"[65] organization of the anarchist wing, which fights with the glorification of Nazism, monitors right-wing radicalism and organizes concerts of anti-fascist rock groups, the Association of Independent Media, Association of anti-fascists and anti-fascist fighters (veterans of Tito's partisan squads), as well as the organization in support of LGBT "Queer Zagreb Pride" and "Organization Lori" ("Organizacija Lori"), which provided the organization of a gay parade in Split on June 9th.

A strict anti-fascist position is held by representatives of the center-left coalition Kukuriku, as well as the parties of the socialist and communist orientations.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

In 2013 several anti-fascist events took place in Croatia. Here are some of them:

On May 1st a mass demonstration by opposition parties was held in Zagreb, which was attended and anti-fascist organizations. [66]

On April 16th 2013 in the village of Ahmici, where in 1993 a crime against innocent Bosnians was committed by soldiers of the Croatian Defence Council, a memorial service was held, which was attended by representatives of various anti-fascist and veterans' organizations. [67] On June 10th 2013 anti-fascists of the "Croatian Anti-Fascist League" an anti-fascist rally dedicated to the same event was organized in Zagreb. [68]

In May and June memorial events and social events have been held to commemorate the victims of the Jasenovac Nazi camp 60 kilometers from Zagreb. They were attended by anti-fascist organization. [69]

On November 30th representatives of the LGBT community and related organizations under police guard marched through the streets of Zagreb, urging citizens to vote against the amendment of the Basic Law. "The Constitution is not a toy," "Whose rights will be next?", "Stop Fascism," "In the Name of Love" — they chanted. [70]

- Presence of anti-racist and anti-fascist civic initiatives.

In cooperation with NGOs in the summer of 2013 a football match was organized with a team of refugees in Zagreb.

In May the conference "Implementation of the rights of minorities — Integration or confrontation and division?" took place, organized by the Center for Peace Studies. In July in Osijek the roundtable "Discrimination — guarantees of rights to equal treatment" was organized by the Centre for Peace, Non-Violence and Human Rights, the Serbian Democratic Forum, the Center for Peace and the Center for Peace Research. [71]

In November, protesters from the Church "Word of Life" and the Full Gospel Church held a protest in front of the government building and the Ministry of Justice in order to achieve the legalization of their activities. [72]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

In the 1990s the first president of independent Croatia F. Tudjman actively carried out the rehabilitation the Ustashe (his policy was called Ustashefication). Streets were rename, monuments were erected, Ustashe survivors were given titles and awards, monuments to anti-fascists were destroyed. However, seeking to join the EU, Croatia in the 2000s led an active process of De-Ustashefication — streets were given back their names, propaganda was stopped, etc.[73]

However, with the absence of legislation prohibiting history revisionism and denial of war crimes, "low" popularizers the Ustashe are active. Rock musician Perkovic Thompson, for example, actively promotes the Ustashe, singing their songs. In one of these songs — "Jasenovac i Gradiška Stara" — he praises the action in the Ustashe Jasenovac concentration camp during the Second World War, which destroyed Serbs, Jews and other "racially inferior" people. In 2013 a concert was organized by Perkovich on July 1st in Split after Croatia's entrance into the EU.[74]

In July 2013 a memorial plaque in honor of the victims of the concentration camps during the Second World War, who died on the Croatian island of Pag, was desecrated. The attack took place just a few weeks after the plaque has been replaced with a new one.[75]

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such facts were not registered in 2013.

- *Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.*

  Such facts were not registered in 2013.

- Historical revisionism, Holocaust denial.

  Cases of Holocaust denial were not registered in Croatia in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
–	Historical revisionism, Holocaust denial	–5	0
	Total for the section 12	–10	–5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such facts were not registered in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such facts were not registered in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such facts were not registered in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

The Republic of Croatia joined the following international agreements relating to this section: International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the European Convention on Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment, the European Charter for Regional and Minority Languages, the Framework Convention for the Protection of National minorities, the Convention on Action Against Human Trafficking, the Convention on the Protection of Human Rights and Human Dignity in relation to the application of biology and medicine, which have not suffered any amendments.

Also, Croatia signed a few dozen bilateral and regional treaties that govern questions regardingthe anti-discrimination and anti-racism.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the period Croatia has not joined any new international treaties and resolutions of the UN or other international organizations aimed at combating Nazism, racial discrimination, the protection of minorities and so forth.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

Such initiatives were not registered by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
×	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	5	5
	Total for the section 14	10	10

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Croatia has improved its position in the ranking of radical nationalism as compared to 2012 — it is the most tolerant country in 2013. This was primarily due to intensifying the fight against hate crimes. The government now publishes official statistics on crime and no longer hides the details of the nature of such crimes and those convicted. The number of hate crimes that qualify as domestic has decreased.

On the other hand, the emergence of statistics led to a formal increase in the number of crimes. In particular, this year acts of vandalism directed against ethnic and religious minorities became publicized.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Croatia recognizes the existence of minorities in the country and is consistently creating a legal framework designed to assure them against any form of discrimination.

At the same time, in the Croatian legislation contains a number of points that create conditions for discrimination. In particular, the Law on Citizenship of the Republic of Croatia creates a preference for naturalization of ethnic Croats at the cost of members of ethnic minorities. Moreover, the legislation defines belonging to the national mi-

norities of the country only to its citizens, which takes a significant portion of people who are not nationals of the Republic but living on its territory from under Croatian international obligations, in particular the Roma.

In addition, in the Croatian legislation does not liable for discrimination on the basis of nationality, which opens up the possibility for discrimination of minorities, formerly living in Croatia, but due to military operations have taken the citizenship of other countries. These primarily include the Serbs and Gypsies.

Additionally, the Croatian legislation does not foresee liability for discrimination on the basis of nationality, which opens up the possibility for discrimination against minorities, who used to live in Croatia but due to military operations have taken the citizenship of other countries. These are primarily Serbs and Roma.

Not signed are the European Agreement on the Legal Status of Migrant Workers, Convention on the Participation of Foreigners in Public Life on a Local Level.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Croatia has ratified and generally complies with the provisions of the main international instruments aimed at combating discrimination, including the Framework Convention for the Protection of National Minorities and the European Charter of Regional Languages. However, itthis compliance is done with reluctance and it is likely that without continued pressure from the EU legislation will be observed less strictly.

Serbs and Roma continue to suffer discrimination during implementation of the rights of property ownership, education, during employment and in realizing other economic and social rights.

Croatia's dismissal of the European Convention on Nationality creates the conditions for discrimination against migrants in the provision of citizenship and political participation. In particular ethnic Croats have advantages compared to representatives of national minorities who had previously lived in Croatia in regard to obtaining citizenship.

Certain difficulties arise with Croatia's refusal to join the European Agreement on the Legal Status of Migrant Workers and the Convention on the Participation of Foreigners in Public Life at Local Level, which objectively promotes discriminatory processes in respect to

those categories of citizens of Croatia, many of whom are stateless, especially the Roma.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such discrimination is present and concerns, above all, the rights of national minorities, among those who formerly lived on Croatian territory, to citizenship.

- *Legislation enshrining inequality of minorities.*

Belonging to legislation, that perpetuates inequality of minorities are some of the provisions of the Citizenship Act, which describe different conditions required for obtaining citizenship for ethnic Croats and ethnic minorities, as well as certain provisions of the Penal Code and the Anti-Discrimination Act, which derive citizenship from the list of parameters, which can be discriminated against. In addition, the Croatian law does not extend the Constitutional Law on National Minorities to citizens of other countries and stateless persons who reside in Croatia.

- *Rulemaking in protection of minorities.*

In 2013 no rulemaking in protection of minorities has been recorded.

- *Freedom of speech violations.*

During the monitored period no freedom of speech violations have been recorded.

- *Legislation and law enforcement practices concerning migrants.*

In Croatia there is migration legislation, but it can not be considered entirely satisfactory, since it carries with it a certain discriminatory component related to foreigners of non-Croat origin and stateless persons permanently and legally residing in the country. It concerns different conditions for granting citizenship to ethnic Croats and ethnic minorities who previously lived in Croatia.

At the same time, the recent amendments to the Citizenship Act and the Aliens Act largely, though not completely fill this gap by facilitating the process of granting such persons a permanent residence permit.

There is also the issue of social welfare for persons with a temporary residence permit.

In addition, there are hidden practices of discrimination in Croatia against national minorities, notably from the number of repatriates, in matters of education and employment.

2. Legislation and law enforcement practices concerning migrants

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

To date, about 65% of all IDPs have returned to Croatia. Meanwhile, the unresolved issues related to the provision of housing to such migrants, compensation for lost property, the restoration of the rights of repatriates as tenants, as well as the issues of the development of education in the languages of ethnic minorities — all combine to create a ground for the growth of nationalist and dissent among them. At the moment these protests can be contained due to swift actions of legislative executive power controlled by international organizations. It was especially effective on the eve of joining the EU. However, if the problem is not resolved in the nearest time, the protest movement can capture areas densely populated by national minorities. Given the still high level of distrust between the indigenous people of Croatia and certain minorities, the problem could be one of the threats to national security of the country.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias)*

Projects "Anti-Cyrillic referendum" and the refrendum on same-sex marriage, for which enough signatures were easily collected from 15–20% of the adult population, have shown that in Croatia there is a aggressively minded part of the population, which is ready to impose their way of life and "Croatize" the rest.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The financial and economic crisis that began in Europe in 2008 has not spared Croatia. Due to objective economic reasons the standard of living in the country fell. Nevertheless Croatia is now in quite high 53rd place in the world according to the standard of living.

- *Economic impacts and instability.*

Croatia's economic problems are mostly connected to the rise in unemployment (in 2013 — 22% of the population[76]), and are not re-

lated to xenophobia in any way, however for minorities the situation is exacerbated by discrimination in employment, when Croats are favored.

- *Decline in production growth, emigration of the labour force.*

The emigration of the working population of Croatia occurs but is purely because of economic reasons.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Over the past decade the Croatian authorities, who have made it their main task of joining the EU, have done much to improve the political stability of the country. A legal framework concerning the rights of national minorities was created plus anti-racist, anti-discrimination and migration legislation has been modernized. All this, taking into account the particular law enforcement practices aimed at improving the situation of minorities, at satisfying the legal needs of immigrants returning to their homeland after the military conflict of the first half of the 1990s, paved the way for long-term political stability in Croatia.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

Policies of the Croatian leadership in recent years which were aimed at improving the situation in the region, as well as to improve bilateral relations with former Yugoslavian republics, especially Serbia, led to the fact that its foreign partners have almost no issues regarding human rights in Croatia. The return of refugees, the realization of their socio-economic and cultural rights — all of this is being achieved in recent years in a positive way. Some shortcomings remain, but the Croatian government promises to solve them in the near future.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

To overcome the problems of national minorities in the provision of Croatian citizenship compared with ethnic Croats, it is recommended to join the European Convention on Nationality, which contains the common European standards in this regard.

With Croatia's accession to the European Union, as well as taking into account the possible occurrence of labor migration in the country, it is recommended to the Republic to join the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which is a universal document protecting the rights of this social group.

The problem of non-citizens of Croatia, as well as difficulties in obtaining citizenship by many non-Croat nationality refugees returning home may be partially solved by the accession to the Convention on the Participation of Foreigners in Public Life.

Given that the country foresees no liability for the denial of war crimes, including the denial of the Holocaust, which creates prerequisites for whitewashing and the glorification of Nazi past, it would be useful for Croatia to support the UN General Assembly resolution A/RES/67/154 "glorification of Nazism : the inadmissibility of certain practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance" and similar resolutions against neo-Nazism, which are considered in the UN every year. The resolution is directed against the glorification of Nazism and revision of the postwar realities and also corresponds to the General Comments № 34 to Article 19 on International Covenant on Civil and Political Rights.

2. *General recommendations for adjustments to the legal framework*

Croatia should review its legislation on citizenship in the direction of ensuring equal opportunities for immigrants belonging to the titular nation and national minorities, as well as to simplify the language test for applicants.

In the Anti-Discrimination Act and the Criminal Code a provision should be added stating that discrimination based on nationality should be treated as an aggravating circumstance when crimes are committed. Also the Criminal Code should include the deleted grounds for prosecution for discrimination.

It is also important to make a position in Article 328 of the Criminal Code of Croatia which states that the creation of a criminal group with the aim of promoting racial discrimination is an offense.

Also, Article 5 of the Constitutional Law on National Minorities, which only allocates citizens of the country to the ethnic minority group, should be change.

Croatia should also adopt a law regarding liability for the denial of war crimes, including the denial of Holocaust.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Preventive work with local population on combating anti-ethnic hatred and preventing hate crimes needs to be strengthened. Also it is

important to develop a system of training for law enforcement officials to promptly identify and respond to hate crimes.

The system to counter latent discrimination against national minorities in education and employment should be worked on in order to increase their representation in the civil service and the private sector.

Local authorities have to accept the necessary steps towards the legalization of Roma settlements and socialization of the Roma themselves.

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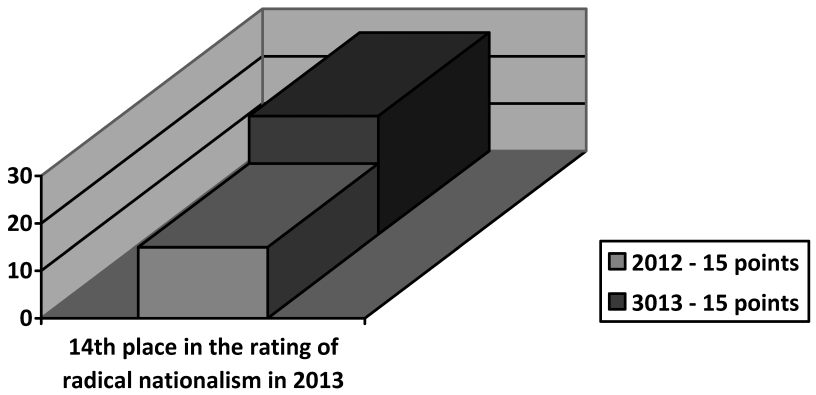
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–10	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	15	17.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	5	5
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–10	–10
9	Extremist and radical nationalist public actions	–15	–10
10	Racist attacks, violence and terror	–5	–10
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–10	–5
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	10	5
	Total	–10	–7.5

CZECH REPUBLIC


30
20
10
0
14th place in the rating of radical nationalism in 2013
2012 - 15 points
3013 - 15 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

As partially discriminatory one should recognize the Religious Organizations Act of 2005 of the Czech Republic, which significantly limits the right of religious communities to establish their own organizations — charities, schools and medical facilities.

It is worth mentioning Article 405 Penal Code, which foresees for liability for "approving crimes of the communist regime," along with the liability for denying the Holocaust. In the context of the imperfections of the law on lustration, as well as imperfect definition of "crimes of the communist regime," this article makes it possible to discriminate against a wide range of people, including members of the Communist Party of the Czech Republic, which has an opposition faction in parliament. In addition, the adjustment of the communist and Nazi regimes is clearly political in nature, is not correct and diminishes the value of the Holocaust as an exceptional manifestation of genocide against certain populations.

In 2013, at the initiative of the Ministry of Internal Affairs of the Czech Republic amendments were adopted to the Act on Residence of Foreigners, which came into force on 1st of January 2014. According to human rights activists, changes in the law are discriminating against foreigners, because they:

— introduce an obligation for all foreigners, including EU citizens, to gain permanent residency in the country (not to be confused with registration) in the case of being in it for more than 90 days;

— give officials the authority to deny a residence permit to any foreigner in the event of his debts or non-payment (for example, fines for traffic violations or non-payment of insurance companies), and other (!) information that law enforcement agencies may not like it;

— introduce special visas for foreign workers for a period of less than 1 year obliging to leave the Czech Republic after the expiration of the visa, as well as not providing the possibility of family reunification and not counting this period towards the residence time required to obtain a permanent residence;

— Ministry of Internal Affairs received the right to veto, according to which foreigners who have obtained the refusal to obtain a residence permit will not be able to find out the cause of failure and to challenge it in court;

— set new requirements for the financial income of foreigners. In such a way, foreigners residing alone are required to provide confirmation of receipt of a monthly income equal to the amount of at least 4 times the subsistence minimum, for a family of two people — 7 subsistence minimums, for a family of three — 10 minimums and for families of 4 or more people — 13 subsistence minimums.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

At the time of monitoring in the Czech Republic there was no such legislation.

- Presence of legal norms and other regulations that legalize the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

At the time of monitoring in the Czech Republic, there was no such legislation.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

In 2013, the discriminatory practices were primarily applied to members of the Roma minority. Roma population in the Czech Republic is 250 to 300 thousand people, which is about 3% of the population. They are one of the poorest ethnic groups who live in large quantities in places of compact settlement, mainly in the north (the region with one of the highest unemployment rates). In the period under review

the practice of discrimination against citizens of Roma ethnicity continued regarding rights to education, housing, health, labor, social security, etc.

Many Czech citizens believe Roma to be the main culprits in the rising crime rate Homeowners often deny Roma in the rent of housing, and if they do it is at an inflated rate. According to a survey conducted in May and June 2013 in five European countries to compare the opportunities available to various marginalized groups in finding housing, in the Czech Republic Roma are discriminated against in 62% of cases. [1]

Employees of human rights organizations pay attention to the fact that the vast majority of Roma children are enrolled in the so-called "practical schools," which teaches children with mild mental disabilities. Police often do not intervene when Roma are attacked, or do not investigate such crimes seriously.

At the same time it should be noted, that some progress has been done in this regard in 2013, as the practice of evictions of Roma from their homes to more expensive housing or without provision of suitable alternative accommodation almost stopped, in comparison to 2012.

The practice of segregation of Roma children continues in schools. Back in 2007, the European Court of Human Rights ruled that the separation of Roma students from students of other ethnic groups in special schools is a form of unlawful discrimination. Nevertheless, the situation in the Czech Republic remains the same, the education system continues to defend separate education of Roma children and in this sense, the situation in the Czech Republic is the worst compared to many other European countries.

In November 2012, the Commissioner for Human Rights of the Council of Europe Nils Mujzhnieks said that segregation continues to thrive in Czech schools, including inequality and racism against Roma. He called to close all those schools and replace them with general educational institutions, which would be willing to accept and support all students, regardless of their ethnicity.

In December, the Committee of Ministers of the Council of Europe expressed concern that in the Czech Republic virtually nothing has been done to address the causes of discrimination against Roma in schools. The Committee noted the declared commitment from the Czech authorities to put an end to the segregation of Roma in the education system. [2]

According to a study of the Czech Helsinki Committee in the Czech Republic there was discrimination in hiring. Although the job ads do not directly express desire to hire Czechs specifically, many vacancies required provision of photos and the 100% knowledge of the Czech language.

The ads regarding accommodation often explicitly state the undesirability of ethnic minorities and foreigners as tenants.

In November 2013 the Senate of the Czech Republic refused to approve the proposal of the European Commission on the Social Measures to promote the integration of Roma. The Commission recommended the EU countries to take steps to ensure equal treatment of Roma in terms of education, employment, health and housing. Senators felt that in the Czech Republic there is no discrimination in access to healthcare, education and social welfare on the basis of ethnical background is in conflict with the Constitution of the Czech Republic.

Senators also rejected a proposal to introduce mandatory quotas for Roma in the public and local government. [3]

There have been cases of discrimination against Muslims at the level of individual institutions and departments. Two Muslim students of a medical school had to leave training in November 2013, because according to the rules of the institution, the hijab is prohibited in its walls. Despite the lack of Czech laws prohibiting the wearing of the hijab in public places, schools have the right to establish its own internal rules regarding the appearance of the students. The headmaster Ivanka Kohutova already underwent accusations of discrimination against Muslims from a number of liberal media. Nevertheless, she continues to insist that the rules of the institution cannot be changed because of religious preferences of individual students. [4]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–2.5	–5
–	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	0	0
–	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	0	0
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–7.5	–10

2. Xenophobia and inflammatory statements of the government and the media

In the period under review a number of xenophobic statements from Czech politicians were noted, which leads to the conclusion that populism and racist attitudes became an acceptable part of public discourse in the Czech Republic.

The leader in xenophobic discourse in 2013 was the leader of the political bloc "Usvít" ("Dawn of direct democracy") Tomio Okamura. He repeatedly acted to limit the presence of foreigners in the country. His phrase "the Czech Republic does not need inadaptable foreigners or religious fanatics," he said in an interview in April 2013.[5] This became the main slogan of his party. According to him, foreign workers are taking away the jobs of Czech citizens and foreign (Ukrainian) mafia controls the market of foreign labor.[6] Okamura was one of the people who promoted amendments to the Act on Residence of Foreigners.

After the anti-Roma statements in August 2013, he said that the Roma should return to the land of their ancestors, for example ... to India.[7]

Organization for Aid to Refugees in the person of its director Martin Rozumeka characterized statements of Okamura about foreigners and Roma as racist and xenophobic.[8]

In July 2013 the Czech society was shaken by an anti-Semitic scandal. Famous Czech politician, MP Michal Babak made anti-Semitic remarks, describing in an interview for Czech TV former finance minister Miroslav Kalousek. "No Jew can do worse for the state treasury than did Kaloushek," — said Babak.[9] It must be held in mind that Kaloushek is himself Catholic, and the new Minister Jan Fischer — a Jew.

In August 2013, after a series of anti-Roma statements in Czech towns MEP from the Czech Republic, former spokesman for Prime Minister V. Klaus Ivo Strejček, actually justified the actions of neo-Nazis, which he considered as a response to aggression on the part of the Roma minority and media bias.[10]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

According to Article 3 of the Charter on Fundamental Rights and Freedoms, which is part of the Constitution of the Czech Republic, the fundamental rights and freedoms are guaranteed to all regardless of sex, race, color, language, faith and religion, political or other opinions, national or social background, association with a national or ethnic minority, property, family or other circumstances. The Charter also states that "everyone has the right to freely determine their nationality. It is forbidden to have any influence on this decision and any pressure on "deprivation of nationality." Article 15 guarantees freedom of thought, conscience and religion, Article 16 — freedom of religion and independence of the church from the state. Separate chapters have been devoted to the rights of minorities. P. 24 declares that belonging to any national or ethnic minority must not cause harm to anyone. According to Article 25 members of minorities are guaranteed the right to develop their own culture, to disseminate and receive education and information in their native language, use their own language in proceedings and form national associations. [11]

According to Article 42 of the Penal Code of the Czech Republic xenophobia is an aggravating circumstance when committing crimes. The following qualifying terms have also been introduced in Article 140 ("Murder"), Article 145 ("Serious bodily injury"), Article 146 ("Injuries"), Article 149 ("Torture"), Article 170 ("The deprivation of liberty"), Article 171 ("Restrictions on freedom of movement"), Article 172 ("Forced export abroad"), Article 175 ("Solicitation"), Article 183 ("Violation of privacy"), Article 228 ("Vandalism"), Article 352 ("Violence against an individual or group of persons"), Article 329 ("Abuse of power by public officials") and Articles 378–383, devoted to military offenses. Directly devoted to the fight against xenophobia is Article 355 "Defamation of a nation, race, ethnic or other groups" and Article 356 "Hatred speeches," as well as Article 403 "Creating and supporting movements aimed at suppressing human rights and freedoms" and Article 404 "An expression of sympathy for a movement aimed at suppressing human rights and freedoms."

Holocaust denial is punishable under Article 405, but, as already mentioned, it also contains a passage about the punishment for the

approval of the "crimes of communism," thus equalizing the communist and Nazi system and thereby indirectly rehabilitating the latter. Article 176 is devoted to the punishment for the violation of freedom of religion.

Since 2006, the Czech Republic has a law legalizing same-sex couples registered partnerships. [12]

- Presence and development of anti-discriminatory legislation.

The main legal act of anti-discrimination legislation is the "Law on equal treatment and legal protection from discrimination" (№ 198/2009) adopted in 2009. The law prohibits direct or indirect discrimination on grounds of race, ethnic origin, nationality, gender, sexual orientation, gender identity, age, pregnancy, maternity, disability, religion, faith or belief. Article 10 of the Act establishes the rights of a person affected by discrimination, access to a court in order to eliminate the effects of discrimination and to obtain compensation. [13] In addition, the law gives the Ombudsman the functions of the national equality bodies. In general, the anti-discrimination law meets the standards of the European Union Directive 2000/43/EU.

There is also the Act on the Ombudsman for Human Rights in 1999 (№ 349/1999), which describes the terms of reference for the Ombudsman to protect individuals from discrimination.

Elements of anti-discrimination legislation are included in the Law on Service in the Armed Forces, in the Law on Service in the Security Services, as well as employment law and other laws of the Czech Republic.

It is important that the Czech Republic recognizes that it has 18 ethnic minorities, some of them are the so-called "new" minorities, i.e. active in the country over the past decade. Looking ahead, we can say that in 2013 Belarusians and Vietnamese received such recognition. Their representatives together with Bulgarians, Croatians, Russians, Greeks, Serbs, Ukrainians, Germans, Poles, Slovaks and other minority representatives will sit on the Board of the Government of the Czech Republic for National Minorities. Due to this they will be able to participate in the formulation of laws concerning the rights of national minorities.

In November 2012 the Government approved the draft law on combating discrimination in the workplace. Under the new bill employed citizens who will inform the government of a committed crime or violation of the law during the working process fall under the protection of the state. We are talking about the corrupt activities or any other activities related to the infringement of the rights of the employed. The law came into force on the 1st of January 2014. [14]

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

According to the amendment to the Law on the Ombudsman for Human Rights adopted in 2009, its jurisdiction also touches on the protection from discrimination and the right to equal treatment. He received the right to conduct research on this issue to assist victims of discrimination in legal terms, publish reports and make recommendations. [15]

Police officially put the fight against crimes motivated by xenophobia among the most important priorities. [16] In 2013, law enforcement authorities of the Czech Republic took an active part in the prevention of right-wing radicalism. In particular, 86 criminal cases were initiated for taking part in radical demonstrations that were mainly directed against the Roma.

On the other hand, on January 1st 2013 President Vaclav Klaus announced an amnesty, under which radical nationalists were also condemned. Czech Republic remains one of the most troubled countries in the EU in matters of discrimination of Roma children in education. In addition, the Czech Republic has not ratified the protocol № 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms that provides a general prohibition of discrimination, despite the appeal of the PACE. In such a way, as well as in 2012, it should be recognized that the Czech authorities comply with anti-racist, anti-radical and anti-discrimination legislation only partially.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

In the Czech Republic detailed statistics on hate crimes are conducted. According to the Statistical Office of the Police of the Czech Republic of the Ministry of Internal Affairs in 2013, there were 211 reported hate crimes, which is 38 cases more than in 2012 [17] (in 2011, there were 238 cases). Disadvantaged areas of the country contributed to an increase in the number of crimes and a series of radical demonstrations. The head of the human rights organization "In Iustitia" (www.in-ius.cz) Clara Kalibova reported that victims of crimes committed out of hatred are often Roma. [18]

Human rights defenders were able to make contact with the 58 victims of such crimes. In 22 cases, the crimes were committed on the basis of hostility towards the Roma, in two cases the attack was against Czechs, six times the criminals choose their victims based on their religion, and the remaining 4 were against the homeless. Statistics show that more often it was a physical assault (15 cases). Cases of blackmail, intimidation or harassment via the Internet were also common. [19]

On the facts of these crimes prosecutions were made. In 86 cases, they were associated with participation in the activities of the extreme right.

- Unlawful use of anti-extremist legislation.

  Such cases were not recorded by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
×	Presence and development of anti-discriminatory legislation	5	5
–/×	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	2.5	2.5
×	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	5	5
–	Unlawful use of anti-extremist legislation	0	0
	Total for the section 3	17.5	17.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

Czech President Miloš Zeman strongly condemned the organizers and participants of anti-Roma statements in August 2013, identifying them with "neo-Nazi militants." According to him the country has intensified "white mafia," whose members deliberately increase the rent in homes where Roma live in order to force the state of demand for housing. Poverty and poor living conditions of Roma in comparison with the Czechs according to the president can be solved only by "investing in the creation of new jobs." "When I hear the slogan "Czech Republic for Czechs!", I always think of another slogan, distributed in Nazi Germany, "Jews — be gone!"" — he said.[20, 21]

Nevertheless, only the Green Party clearly condemned anti-Roma statements, as well as the newly established Democratic Party of the Roma people. Its chairman Miroslav Tancoš, speaking in August, said

that "mayors have the primary responsibility for the escalation of the situation." He said that the mayors have enough information to show people the positive aspects of Roma life, but "they are infected with prejudice."[22]

Chairman of the Green Party Ondřej Liška has urged the government to take immediate measures for Roma integration.[23]

On November 17th 2013 representatives of the opposing Czech Social Democratic Party Senator Jiří Dienstbier, the Minister of Justice in the shadow government, and Michaela Marksová-Tominová, the shadow Minister for Labour and Social Affairs in the same party supported the anti-Nazi demonstration of the organization "United against Racism" in Prague. M. Marx-Tominova stated that "anti-social policy right-wing governments always promote the growth of racism and xenophobia" and expressed the need for anti-racism initiatives by the government.[24]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

In 2009 the Czech Republic has adopted the concept for the integration of Roma in 2010–2013 "in order to improve the social, economic and political position of the Roma." In terms of this program, the program of social housing was carried out in review period.

Representatives of the Ministry of Education, Youth and Sports created a website in 2012, which should serve as a guide for teachers to prevent the dissemination of racist ideas in schools. Police and experts in conflict resolution have trained teachers in the framework of "Neo-Nazism: threats and danger."

In January 2012 the Ministry of Foreign Affairs of the Czech Republic issued a "Proposal for the further steps in the implementation of integration policy under the motto "Living Together-2012"."[25]

However, no new initiatives were put forward in 2013 by the government and the ruling party on, for example, integration of the the Roma. Czech authorities recognize that integration has not yet reached

success. They associate that "with prejudice against Roma by the majority of the population, as well as a lack of confidence among the Roma people in public institutions."[26]

A wave of anti-Roma statements that swept the Czech cities in the summer of 2013, clearly shows that the previous government initiatives in this regard have not succeeded. According to an expert on Roma in the Czech Republic Dr. Nadezda Demeter, changes in the social policy of the Czech Republic is the only way to solve the "Roma question,"[27] but not a single of yhe initiatives in this regard has been fulfilled in recent years. Nothing has been done to change the attitude of the Czech towards Roma. For example, according to N. Demeter, years after the war on a pig farm and a hotel for tourists had already been built on the bones of those killed by the Nazis in a Roma concentration camp. Even in our time, the authorities not only did nothing to perpetuate the memory of the victims, but also removed the memorial stone of the prisoners of the concentration camp.

Presence of Criteria	Indicator	Score	
		2012	2013
–/×	Activities aimed at promoting tolerance and preventing extremism	5	2.5
	Total for the section 5	5	2.5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Article 14 of the Charter on Fundamental Rights and Freedoms guarantees freedom of movement and entry. In the Penal Code Article 340 ("Organization and maintenance of illegal border crossing"), Article 341 ("Promotion of illegal residence in the country"), Article 342 ("Illegal employment of foreigners") concern migration.

The main law governing migration is till the "Law on Residence of Foreigners in the Czech Republic" adopted in 1999, which has undergone some changes in the direction of tightening the rules of stay for foreigners in 2011 and in 2013, thus increasing the number of many human rights activists' accusations of the Czech authorities of discrimination against foreigners (see section 1).

In 1999 the government adopted two Resolutions — "Main principles of the integration concept integrate for foreigners in the Czech Re-

public," as well as the "Concept of foreign citizen integration." The main target group of immigrants, which the integration measures concern are those coming to the Czech Republic for permanent residence. The basic principles of the integration policy proclaim equal access and equal opportunities for newcomers. The Government thus takes on the responsibility for creating an enabling environment for the integration of immigrants in the labor market and in social life.

In addition, the Refugee Act operates in the Czech Republic, which regulates the conditions of entry and residence of asylum seekers, as well as the decision-making procedure on applications for refugee status, the rights and obligations of the asylum seeker and refugee as well as the competence of the various ministries and the police in relation to asylum seekers.

In June 2013 an amendment to the Law on Citizenship of the Czech Republic was made. According to this change, foreigners who acquire citizenship of the Czech Republic now will not have to renounce their previous citizenship. [28]

- Government's compliance with such legislation (law enforcement practice).

Czech Republic serves a dual role. On the one hand, it is the donor country for labor migration in countries of the "old" EU. On the other — it is quite attractive for immigrants from the east. As of 2013, there were 441,000 legal immigrants (in 2012 there were 438,000), representing 4.2% of the population. Of these, about 40% are from the EU, almost 28% came from Ukraine, 13.5% from Vietnam and a little over 7% from Russia. [29, 30] Compared to 2012 the number of immigrants from Ukraine and Vietnam decreased slightly, and the number of immigrants from the EU and Russia has increase. This is associated with the adoption of amendments to the Act on Residence of Foreigners in the 2013 edition, which holds a discriminative nature, especially for the poorest countries.

Control of migration in the Czech Republic is carried out by the Police Service of Immigration Interior Ministry and its field offices. Additionally, the Council for decision-making on matters of foreigners is active on behalf of the government.

According to the Amnesty International report for 2013 the Czech police in some cases very reluctantly looked into cases of fraud, human trafficking and extortion of foreign migrant workers in the forest industry. Additionally, the lawyers of the victims were concerned that the delay in the criminal proceedings lead to the loss of important evidence. [31]

- Discriminatory practices against immigrants.

Foreigners living in the Czech Republic still do not have access to public health insurance.

According to the report of the Czech Helsinki Committee serious problems remained in the decision-making process of the Department of Migration Policy. Because of staff turnover in the tens of thousands of cases visas and residence permits were overdue.

In 2012 the Ministry of Labor and Social Affairs (MLSA) has issued a series of instructions, significantly limiting the rights of foreign workers, reducing the duration of the work permit, requiring proof of education, etc.

In the summer of 2013 the Parliament adopted amendments to the Act on Residence of Foreigners who have severe restrictions on residence in the country of foreign workers and their families. Moreover, it was actually introduced significant financial requirement for stay in the country for foreigners.

All these measures have led to massive layoffs of migrants as employers do not want to incur additional costs.

At the same time the parliament in its resolution of May 29th 2012 did not recommend ratification of ILO Convention 189 on Decent Work for foreign workers in the household, claiming that "from the point of view of the national practice in the Czech Republic ... work of foreigners in the family does not require the signing of individual conventions."[32] And the problem persists overtime along with sexual harassment by employers against immigrants.[33]

According to a number of human rights defenders there are discriminatory requirements in order to obtain a permanent residence permit for EU citizens, in the case of stay in the Czech Republic for more than 90 days instead of the usual registration of the residence permit, which creates problems, especially for the citizens of Slovakia, who had previously lived in a free country.

- Use of ethnic crime as justification for discrimination against immigrants.

Basically the Czech media associates ethnic crime with the Czech Roma and not migrants. This theme is exploited by almost all radical nationalist parties and groups. It occupies a prominent place in their ideology.

- Social assistance for migrants.

As already mentioned, foreigners living in the Czech Republic do not have access to public health insurance. Otherwise, the Czech Republic meets the criteria for the EU to provide social assistance to immigrants.

The country has five integration centers for asylum-seekers.[34]

As part of the integration program for 2012 it was supposed to make a special emphasis on the integration of children of migrants by facili-

tating the organization of learning programs for Czech language, teacher training, and publishing of textbooks. It was also proposed to expand the formats of the same courses for adults. To improve the access of foreigners to the labor market job search was supposed to be simplified. In addition, it was proposed to ensure the continuous improvement of the socio-cultural and professional competence of employees of ministries and other concerned agencies working with foreigners. Importance of integration programs at the local level was also stressed.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

According to a survey conducted by the Center for Public Opinion Research in March 2013, 48% of Czechs believed that their country has too many foreigners. The opposite view is held by only 2% of the population and 43% believed that the number of foreigners is quite reasonable.[35]

According to the same survey, 89% of respondents have a negative attitude towards the Roma (in 2011 — 83%, in 2012 — 78%[36]), and 6% said it is absolutely unacceptable to coexist with them.[37] Analysis of the data showed that the vast majority of the population is of the opinion that the Roma were guilty of the increasing rate of crime and the abuse of social benefits, with the predisposition that they cannot become full members of society[38] Largely Roma-phobia is a consequence of the deteriorating economic situation in the country and the attempts of the population to find simple answers to questions about the perpetrators of the decline in living standards. Many easily perceived xenophobic clichés about allegedly high level of criminality among Roma. More than 60% of Czechs believe that the government does not address the problems associated with the Roma.[39]

Following Roma on a scale of hatred are Afghans (82% negative attitude) and Chechens (81%)[40] (in 2012 it were the Afghans and Ukrainians[41]).

The Czech Republic is a country with a population relatively tolerant towards sexual minorities. There the LGBT movement has managed to establish a fairly effective cooperation with state and public institutions. The state financially supports activities of the Czech organization of sexual minorities SOHO (the only mass organization of its kind in Eastern Europe). However, up to 36% of respondents said they had experienced discrimination or harassment related to their sexual orientation. 13% experienced discrimination when looking for work, 27% — in other areas.[42] According to a survey in March 2013, 23% of Czechs do not wish to see their neighbors being gays and lesbians (in comparison with 2003, when the same view was held by 42% we can speak of a significant forward motion).[43]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government's compliance with such legislation (law enforcement practice)	5	5
×	Discriminatory practices against immigrants	–5	–5
×	Use of ethnic crime as justification for discrimination against immigrants	–5	–5
×	Social assistance for immigrants	5	5
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	0	0

7. Incitement of ethnic and religious hatred

Indicators

- Incitement of ethnic and religious hatred in mass media and mass communications, graffiti.

In the Czech Republic a number of mass media representatives, who spread ethnic hatred and hostility towards foreigners were registered. A striking example of such sites is the resource http://www.white-media.info, which also distributes the defamatory information about the aliens being the main distributors of crime and viral diseases in the Czech Republic.

Also, these sites post personal information on the anti-fascists and those public figures who do not share the radical right-wing views. [44]

In June 2013 a number of Czech media representatives published information that the initiative group of 1,900 residents Duchcov filed a petition to the Government of the Czech Republic, demanding the deportation of Roma from the country, or to force them to obey its laws. The signatories claimed that their life, health and property are threatened by violence and threats that come from the Roma living with them in the neighborhood. According to the authors of the petition, the Roma, existing on benefits, which are taken from their taxes cannot adapt to a normal life in the Czech Republic, and therefore should be deported from the country. [45]

The reason for writing this petition was an attack of Roma on a young teen Czech couple in May 2013. The petition was joined by many residents of the neighboring Litvinov, who declared it a city of "zero tolerance" towards Roma. [46]

A number of anti-Roma publications appeared in the Czech media in July 2013 after a quarrel broke out on a playground between the children of Roma and Czechs in Ceske Budejovice. Ethnic clashes between adult residents of the city occurred.[47]

The situation in these cities was used by extremists from the neo-Nazi Workers' Party of Social Justice and the right-wing organization "Czech Lions," who managed to lead the protest making a radical anti-Roma slogans.[48]

In 2013 double-digit growth of anti-Semitic material on the Internet was recorded. If in 2011, 26 anti-Semitic articles videos, etc. were found, in 2012 — 82, then in 2013 it was revealed there were 156 articles with anti-Semitic content.[49] And if in 2012 the Jewish community explained the growth of anti-Semitic publications in Internet as a consequence to the response to the operation in Gaza in November 2012 and the participation of Jewish J. Fisher in the presidential election,[50] then in 2013 nothing particular happened and the Jewish community tried to explain the increase in anti-Semitism the network this year as "the general strengthening of the influence of right-wing parties."

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

In the Czech Republic there are several small pro-Nazi rock bands that are not very popular. Most notably, Russian nationalist group "Kolovrat" is very popular among the Czech.

The latest trend among the extreme right is the use of the term "hard bass" as a "means of uniting the masses." "Hard Bass" is the name of the dance with the use of masks in public places. The number of participants varies from 10 to 50 people and includes representatives of ultra-right groups "Free Youth" and "Independent Nationalists." This phenomenon is widespread in the regions of Moravia-Silesia, Olomouc and Prague.[51] In 2013 the Czech Republic 36 neo-Nazi concerts were recorded.[52]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–2.5	–5
	Total for the section 7	–7.5	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the center and in the localities).

Right-wing radicals from the "Working Party of Social Justice" (RPSS) play a key role in the environmen. RPSS chairman since the 20th of November 2010 Tomáš Vandas who earlier in 2003 founded the "Workers' Party."

RPSS is the strongest right-wing party in the Czech Republic (about 600 members). Since 2010 it has made contact with the German neo-Nazis of the National Democratic Party.

There are also smaller organizations: Patriotic Front (founded in 1993), continuing the tradition of fascist organizations in the interwar period, "Free Youth," "Autonomous Nationalists,"[53] "Independent Nazis," "National activists," some groups that fractured from the "Independent Nazis" in 2010. Namely, "National Resistance," "Popular Front," association "Blood and Honor," "Women protest movement," regional groups "National Resistance — Ruda," "National Resistance of Bohemia."[54] "The Czech League Defensive" found a close connection with the "Christian Defensive League" that was formed in the social network Facebook on the basis of the "English Defensive League." It has about 60,000 followers, who oppose the Islamization of the Czech Republic. The association is trying to prevent the creation of better conditions for the life of Muslims (a state program in 2014) and deprive them of their public funding.[55]

According to the Ministry of Internal Affairs of the Czech Republic the core of neo-Nazi groups consists of 500 people, and about 4,000–5,000 people support them.[56]

In 2011 the central idea of RPSS party program was the slogan "Czech Republic — for Czechs," implying that the country is currently occupied by non-Czechs.

RPSS is actively cooperating with the anti-Semitic journalist Peter Kalinouski publishing his texts on his own server www.radnicelitvinov.cz.[57]

In 2013, the organization "Czech Lions" declared itself as far-right, which amounted to breakaway RPSS activists intending to focus on the fight against "multiculturalism."

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The program contained RPSS Roma-phobic and migrant-phobic passages. "We do not want to be a nation of immigrants, immigrants from the former Soviet Union, the Balkans, Asia, Far East, etc. Political asylum or a residence permit should be granted only to persons who can adapt to national traditions and habits of the citizens of the Czech Republic and will be able to fully assimilate" — was stated in the program of this party. Nationalists accused the migrants of taking jobs that belong to the indigenous population, abusing free treatment in hospitals, etc.[58]

The party advocates a return to the "conservative moral and spiritual values" and demands not only to not give permission for same-sex marriage, but also to cancel the legalization of same-sex partnerships and permission for adoption of children by LGBT people. Nationalists also demanded to cancel the mythical "benefits depending on the color of skin," which allegedly employs workers and, in particular, to stop paying for treatment of immigrants.[59] They argue that the "inadaptable" (i.e. Roma) supposedly "live in a privileged position at the expense of others" and enjoy de facto immunity from crimes.[60] The program of RPSS also demands blocking the way into the country for "criminal" nationalities and deport foreigners who have committed a crime.[61]

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organizations.

Despite the fact that the extreme right could not get seats in parliament, they do not despair. Thanks to the media, they have the ability to disseminate their ideas and views. Many representatives of the political parties represented in parliament, not only respond to the attacks of the extreme right, but sometimes even take their position with regard to the Roma, as anti-Roma sentiment is popular among voters.[62]

RPSS is quite popular among the youth. According to surveys conducted in 2012, 12% of teens said they would vote for the party after turning 18 (in 2010, there were only 6% of such people).[63]

In 2013 nationalists managed to establish control over a number of anti-Roma appeals and petitions, such as the so-called "Duhcov petition," demanding the deportation of Roma, as well as leading anti-Roma demonstrations in the summer of 2013, which swept more than ten cities of the Czech Republic.

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Influence of extreme nationalists on local authorities is insignificant. At local elections in 2012 the nationalists of RPSS in several areas

came close to overcoming the 5% threshold: in Usti nad Labem, they received 4.37%, in Karlovy Vary — 3.34%, in Moravia — 2.15%. Currently RPSS is presented only in the northern Czech town of Krupka. [64]

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

The popularity of nationalist and xenophobic ideas have not yet converted to an increase in votes in the Czech Republic. In the elections to the Chamber of Deputies in 2013 RPSS did not overcome the electoral threshold. Party leader T. Vandas tried to run for president, but did not collect the required number of signatures. Party "Dawn of Direct Democracy," which can be attributed to the populists and its leader T. Okamura, attributed to moderate nationalists, scored only 6.88% of the votes and won 14 seats. Consequently, the influence of radicals on the organs of the central government remains minimal.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
–/×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–2.5	–2.5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	0	0
–	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	0	0
	Total for the section 8	–12.5	–12.5

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

In 2013 none of the activities of nationalists were forbidden by the authorities.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

In 2013, right-wing extremists organized 68 demonstrations, mainly anti-Roma oriented.[65] To a large extent these actions took place in the summer when the country was swept with a series of anti-Roma statements. It all started back in May when Roma teenagers in Duchcov made an attack on a young couple of Czechs. This caused an explosion of public outrage and a petition demanding the deportation of Roma from the country. In June, a children's quarrel in Ceske Budejovice escalated into clashes between adults. Attempts to resolve the situation and the mayor's office were ineffective. In July radically minded citizens led by activists of nationalist organizations, especially RPSS, regularly conducted anti-Roma campaigns in the city, involving a total of more than 1,000 people. Arrests of anti-Roma activists were made for disorderly conduct.

Peak performances came in August, when the 13 cities of the Czech Republic held massive anti-Roma campaigns. The biggest anti-Roma rallies were held on August 24th 2013 in eight cities in the Czech Republic. They were attended by about 1,500 people. The most dramatic situation was in Ostrava, where dozens of right-wing radicals tried to enter a Roma district. The police stopped them with tear gas. More than 75 people[66] were detained and there were injured among the protesters and police. Extremists also conducted protests in Brno, Ceske Budejovice, Duchcov, Plzen, Jicin, Decin and Varnsdorf. Police did not let the radicals go to the streets inhabited by Roma. In Brno 9 people were arrested and in Plzen — 25.[67]

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

In 2013 authorities were not involved in the actions of the nationalists.

- Presence of "football xenophobia" and racism amongst sports fans.

In 2013, several incidents of racism occurred in the Czech Republic, although their number has slightly decreased compared to previous years. Here are some of them.

In February 2013 stickers were posted in Prague, calling the football team "Slavia Prague" a "Jewish team."[68]

In March 2013 the Prague court banned eight fans of the hockey club "Chomutov Pirates" from visiting matches in the Czech League during the year. They insulted black hockey player from the team of

"White Tigers" (Bílí tygři) of Liberec Wayne Simmonds, who played in the Czech Republic in the lockout period in the NHL. "Pirates" paid a fine of $ 1,500 and apologized to the hockey player.[69]

On June 14th 2013 a match between the football clubs SK "Roma" (Neratovice) and "Čečelic" was stopped because of the application of racial slurs against one of the players of SK "Roma." The coach of "Čečelic" denied these claims.[70]

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
–	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	0	0
×	Presence of "football xenophobia" and racism amongst sports fans	–5	–5
	Total for the section 9	–10	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism in cemeteries, attacks on religious buildings.

In 2013 there was one case of vandalism against the Islamic religious institutions in Czech Republic. In Brno during the night of the 19th of December someone had left a pile of pig bones in front of the mosque. The vandal hung a piece of pork on the doorknob. Those who committed the act obviously wanted to offend Muslims, whose religion strictly forbids eating pork. This is not the first attack on a mosque on Videnska street in Brno. In the past, an unknown assailant has broken windows and doors, as well as painted its walls with paint from spray cans.[71]

According to the Jewish community in 2013 there were 3 cases of vandalism against synagogues, the Holocaust Memorial, etc. (in 2012 there were 6 such cases and in 2011 — 5 cases).[72, 73]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

In 2013, a wave of anti-Roma statements, coupled with street clashes on ethnic grounds, ride through the cities of the Czech Republic. In late June, after an argument at the playground in the city of Ceske Budejovice, a conflict erupted between the parents, the neo-Nazis managed to provoke mass street clashes between Czechs and Roma, which were attended by hundreds of people. Only the intervention of the police prevented bloodshed. [74]

The most violent clashes that had led to riots occurred in August. On August 24th anti-Roma actions in Ostrava, Plzen, Ceske Budejovice and Duchcov were attended by 2,500 people. This day was declared by the Czech neo-Nazis as the "Day of Resistance." Organizers were activists from neo-Nazi groups. A total of 101 participants were detained for racist acts. The most difficult situation was in Ostrava. There, the demonstration has ended with the battle with police. Neo-Nazis raided Roma property, torched cars and attacked police officers, chanted "Bohemia for the Czechs!". The police did not allow the rioters in the area of compact settlement of Roma by using tear gas. As a result, 21 policemen were injured, 12 cars were smashed. [75] The neo-Nazi organization "National Rebirth of Poland" took place in the riots.

In general, organized anti-Roma performances were held on August 23–24 in 13 Czech cities.

High Commissioner for Human Rights of the Council of Europe Nils Mujzhnieks urged the government of the Czech Republic to take urgent measures to protect Roma from racist extremism. [76]

- Cases of violence, including murder on racial, ethnic and religious grounds.

In 2013 211 violent crimes of an extremist nature were recorded, which is 38 crimes more than in 2012. In 58 cases the victims were Roma, among whom one died (in 2012 — 47 cases and 5 deaths). [77, 78, 79]

According to the Jewish community in 2013 156 cases of anti-Semitism were recorded on the Internet, 3 cases of vandalism and one case of physical and verbal harassment (Jewish school in Přelouč). [80]

- Nationalist or religious terrorist attacks.

In 2013, there was one case of murder on racial grounds on the 24th of May, a group of Czechs — sausage vendors in Teplice after a conflict with a group of Roma racially motivated to beat one of them, a 49-year-old Roma Ivan Vivid. The attackers stabbed him 21 times after which he died. According to witnesses, the killers shouted out Nazi slogans, shouting "Heil Hitler" and raised their hands in a Nazi salute." Attackers themselves argue that it was a domestic conflict on the basis of theft and they were themselves victims of a crime. [81]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
×	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	–5
×	Cases of violence, including murder on racial, ethnic and religious grounds	–5	–5
×	Cases of hate crimes	–5	–5
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–15	–20

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

A number of anti-fascist organizations operate in the Czech Republic. These include "Anti-fascist Network Prague," "the Czech Union of Freedom Fighters," youth group "Anti-fascist Action" taking anarchist positions, "Czech Helsinki Group," the Association "InIUSTITA," which monitors hate violence, and also specializes in the provision of services and legal assistance to victims of racism,[82] civil association "Konexe," which specializes in defending Roma League rights, which is engaged in anti-racism education of teachers and informing potential victims of discrimination of their rights, the Czech branch of the International Christian Embassy of Jerusalem and many others.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

Anti-Nazi and anti-racist organizations are engaged in a wide range of Czech activity — from organizing mass protests to provide legal assistance to victims of hate violence.

In 2013, which marked the special activity of right-wing parties and groups, the anti-fascists have made some effort to organize a mass counter-demonstration. Those held in Teplice on the 7th of June was dedicated to the memory of Ivan killed by racists, on July 27th in Prague, where anti-fascists managed to thwart a racist rally of the radical organization "Czech

Lions,"[83] on November 17th, the anti-fascists from the organization "Unite Against Racism" organized a counter-demonstration for the "struggle for Freedom and Democracy" — the day when the neo-Nazis and right-wing radicals traditionally hold their meetings and demonstrations. The counter-action was attended by about five hundred people.

During the anti-Roma riots in the Czech Republic anti-fascists managed to organize several counter-demonstrations. Anti-racist actions took place on August 24th in Prague (50), Plzen (300–350 people.), Brno (about 500 people) and in several other cities.[84]

- Presence of anti-racist and anti-fascist civic initiatives.

Against the background of an almost complete lack of anti-racist initiatives from the state and parties the initiatives of civil society are highlighted, most notably against anti-Roma riots during the summer of 2013.

Thus, in June 2013 a public campaign "Say goodnight white pride" (GNWP) was launched, which was attended by a number of well-known athletes, in particular the winners of the European Championship in canoe racing doubles Philip Dvorak and Jaroslav Radon, who turned to the Internet with anti-racist slogans.[85]

In 2013, against the backdrop of mass anti-Roma statements on the Internet at the initiative of civil association "Konexe" a group of "Lock the" (Blokujeme.cz)was created, the purpose of which is to organize counter-demonstrations in places where the declared racist marches. On July 30th amid growing sentiment of riots and start of demonstrations against the so-called "Roma dominance" and "black racism" groups, which included politicians, public figures, ordinary citizens and even a few members of the government, appealed to the government to an open petition calling for an end to anti-Roma marches.

"We refuse to passively monitor the situation, when hatred arising from lack of information and social frustration is growing day by day," wrote the initiators of the group for its website. "We urge the government, politicians at all levels and especially the representatives of civil society: let's stop this series of marches against Roma!".[86]

Anti-fascists in Brno under the leadership of anti-racist activist Barbara Antonova were able to gather a group of people through Facebook, about 500 people who took to the streets in protest against anti-Roma campaigns of neo-Nazis. On behalf of right-wing radicals a few dozen people took part in the march, but at the sight of a clear superiority of the enemy neo-Nazis (mostly teenagers) dispersed. In the future, this group organized the site www.nicneznazor.cz on the Internet, which began publishing the views of leading politicians regarding the state of Roma in the country.[87]

Also noteworthy is the initiative of the local anti-fascists, who in 2013 sent for ordinary personal letters to members of the neo-Nazi RPSS urging to quit the party.[88]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

  Such facts were not recorded by monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

  Such facts were not recorded by monitoring in 2013.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

  Such facts were not recorded by monitoring in 2013.

- Historical revisionism, Holocaust denial.

The Czech Republic is one of those European countries where the thesis "the Nazi genocide and communist regime are equivalent" is highly popular, including support from the government. Despite its incorrectness (from 1938 to 1945 240,000 people were destroyed by the Nazis in the Czech Republic, while from 1948 to 1989 the total number of executions in Czechoslovakia was 284), criminal liability (Article 405 of the Penal Code of the Czech Republic) is foreseen for the denial of this thesis. Such historical revisionism indirectly leads to the rehabilitation of Nazi crimes and directly diminishes their historical significance for post-war Europe.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	0	0
–	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	0	0
–	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	0	0
–/×	Historical revisionism, Holocaust denial	–5	–2.5
	Total for the section 12	–5	–2.5

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such facts were not recorded by monitoring in 2013.

- Restrictions on human rights and anti-fascist organizations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

  Such facts were not recorded by monitoring in 2013.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

  Such facts were not recorded by monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	0	0
–	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	0	0
	Total for the section 13	0	0

14. International Aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

To date, the Czech Republic ratified the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Agreement on the Participation of Foreigners in Social life at the Local Level, the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages.

- Accession to new international agreements and resolutions of various international organizations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

During the reporting period, the Czech Republic did not join to any new international treaties and resolutions of the UN or other international organizations to combat Nazism, racial discrimination, the protection of minorities and so forth.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

On the part of the Czech Republic no international initiatives and declarations on the fight against racism and discrimination were noted.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Czech worsened its position in the ranking in 2013, moving up from 15th to 14th place and lost an additional 10 points, which indicates a serious negative trend. The main reason for this reduction was the ethnic clashes that have taken place in areas where the Roma reside in the summer of 2013. Ethnic clashes, active incitement to hatred on the part of the nationalist forces and the apparent lack of readiness for such an eventuality in tolerance by the authorities of the Czech Republic — all of this has led to increased xenophobia in society and the growth of radical sentiment.

One should also pay attention to the changes in the Act on Residence of Foreigners, which are discriminatory for certain categories of citizens of other countries.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Minorities in the Czech Republic are protected from discrimination by individual articles of the Charter of Fundamental Rights and Freedoms, which is part of the Constitution, the Penal Code, as well as "the Equal Treatment Act and legal protection against discrimination" and certain provisions of other laws of the country, such as the Employment

Act, the law of service in the armed forces, the service in the security services and a number of others.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Formally, the Czech Republic has signed all major international agreements that protect the rights of minorities. Problems arise with the actual implementation of these agreements especially with regard to the rights of the Roma.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

The main problem faced by the minorities, especially the Czech Roma, is the question of inequality in education, discrimination at work and unfair housing conditions.

- *Legislation enshrining inequality of minorities.*

There is no such legislation in the Czech Republic.

- *Rulemaking in protection of minorities.*

In the period under review such facts were not recorded.

- *Freedom of speech violations.*

In the Czech Republic, as well as in many other countries, there are quite stringent restrictions on freedom of speech, related to the promotion of Nazi and neo-Nazi views, racism, ethnic and religious intolerance, including in the media and communications.

- *Legislation and law enforcement practices concerning migrants.*

In the Czech Republic there is advanced migration legislation, as well as large-scale programs for the integration of migrants. The only problem is the lack of access for foreigners to the state health insurance. However, amendments made in 2013 to the Act on Residence of Foreigners make a definite element of discrimination in the migration legislation.

2. State of the society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Danger to Czech society remains a formal execution of anti-discrimination legislation in relation to specific groups, especially the Roma, discriminatory requirements regarding long stays of foreigners in the country, including foreign workers, as well as the absence of anti-Nazi government initiatives in relation primarily to the growth of anti-Roma sentiment in society. In this regard, can be interesting initiatives of the government and in the lands to support anti-fascist NGOs to counter neo-Nazi organizations. Against the background of an extremely high level of Roma-phobia, this situation has turned around in 2013, a series of anti-Roma riots that literally shook the entire country.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

In the face of strong Roma-phobia the vast majority of the population of the Czech Republic actually got used to the stereotype of "Roma crime," "Roma-parasites," etc. Discriminated members of minority groups, in turn, find themselves in a vicious circle — they cannot change their position without the support of the authorities, and the government, following the mood of the voters actually locks them into a ghetto.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

According to the "Rating of prosperity," conducted by a popular institution "Legatum Institute," the Czech Republic in 2013 took 29th place (in 2012 — 26th) of 142 countries, ahead of a number of countries such as Italy, Kuwait and Israel.[89] Based on this, we can conclude that the manifestations of xenophobia for the year did not affect the standard of living of the population.

- *Economic impacts and instability.*

Xenophobia does not lead to mass emigration of able-bodied and employable population of the Czech Republic, and its (xenophobia) level is such that it is not provided in 2013 as a noticeable effect on the economy. However, there was a different process: the deteriorating economic situation in many ways was the impetus to the growth of xenophobia, as people began to look at Roma and migrants as competitors who take away their jobs.[90] In 2013, the Czech GDP adjusted to prices, seasonal and calendar effects, decreased compared to the previous year by 0.9%.[91] In 2012, it fell by 1.2% (in 2011 growth by 1.7%was recorded). Unemployment was 8.2%[92] (in 2012 — 9.4%).

- *Decline in production growth, emigration of the labor force.*

The emigration of the working population is not related to the growth of xenophobia in the Czech Republic and occurs mainly in relation to more attractive countries (economically), primarily to Germany and the UK, but it is evened out by immigration from less affluent countries of Eastern Europe.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Czech Republic remains one of the most politically stable countries in Europe. However, the constant injection of anti-Roma hysteria does not add to the stability of the country, and investors fear that their investments will be at risk because of regular riots. Chances that radical nationalists will come to power are still very small, but the danger is "intercepting" the rhetoric of "systematic" policies.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

So far there is no doubt in the political stability of the Czech Republic in the international community and the level of xenophobia is still not high enough to affect this stability. The Czech Republic has no border disputes with neighbors. A single exception is Germany, still demanding compensation for the evicted Sudeten Germans in 1945.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Czech Republic should sign the Protocol № 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms provides for a general prohibition of discrimination. In addition, the Czech Republic, a country that has suffered from the Nazis, as well as experiencing increasing problems with the growing influence of xenophobic sentiments in society, would speak in support of the Russian Federation introduced resolutions on combating neo-Nazism.

2. *General recommendations for adjustments to the legal framework*

Czech Republic is recommended to liberalize the rights of religious organizations to establish charitable foundations, schools and medical

facilities and for this purpose to amend the law on religious organizations in 2005.

In addition, it is important to revise Article 405 of the Penal Code of the Czech Republic, equating the crimes of communism and Nazi regimes, given the political and historical incorrectness of this thesis. This article is the vagueness of the law and in its legal reasoning carries a risk of indirect discrimination for certain groups and actually contributes to the rehabilitation of Nazism and the devaluation of the historical significance of the Holocaust.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Given the high level of xenophobia in the Czech society and, therefore, increased risk of violation of social stability, the following actions are recommended:

a) developing a range of social programs aimed at the development of tolerance in Czech society;

b) developing a program of social adaptation of Roma, providing their traditional way of life and the development thereof.

c) actively and informally investigating cases of discrimination against Roma;

d) no impunity for cases of hatred statements in the media and communications;

e) introducing special training for law enforcement officers involved in the service opposition to hate crimes.

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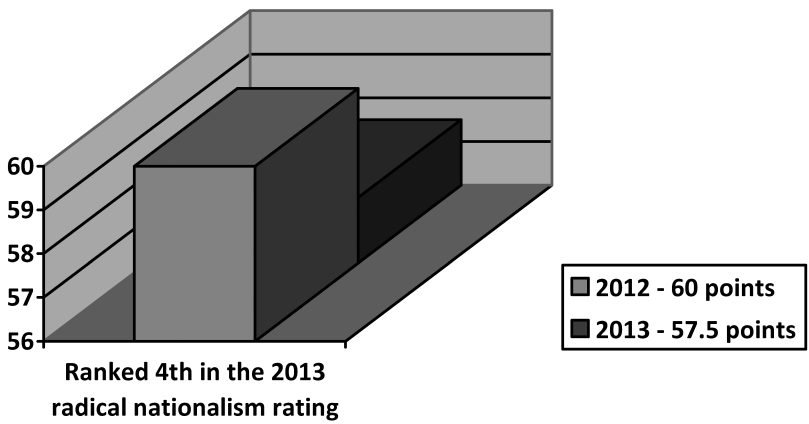
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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–7,5	–10
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	17,5	17,5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	2,5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	0	0
7	Incitement of religious and ethnic hatred	–7,5	–10
8	Radical nationalist groups and parties	–12,5	–12,5
9	Extremist and radical nationalist public actions	–10	–10
10	Racist attacks, violence and terror	–15	–20
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–5	–2,5
13	Persecution of veterans and partisans of the anti-Hitler coalition	0	0
14	International aspects	5	5
	Total	–15	–25

ESTONIA


60
59
58
57
56
Ranked 4th in the 2013
radical nationalism rating
2012 - 60 points
2013 - 57.5 points

ASSESSMENT CRITERIA FOR FACTORS OF STABILITY/INSTABILITY

1. Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism

Indicators

- Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.

Minorities in Estonia are discriminated on the ideological basis of occupation theory, according to which modern Estonia is an extension of the first Republic of Estonia (1920–1940s), and the period of the Estonian SSR was a period of occupation of Estonia by the Soviet Union.

Based on this basic assertion, Estonia adopted a Citizenship Law in 1992, which only recognises those who had a pre-war Estonian citizenship and their descendants. All inhabitants of Estonia who settled in the country after June 16, 1940, were denied citizenship. Thus 32% of the population (around 500 thousand) were deprived in fundamental human and civil rights — the same as in neighbouring Latvia. This is a unique case in modern history.

Residents of Estonia deprived of citizenship were commonly called "non-citizens." Non-citizen problem quickly became the problem of discrimination on ethnic and linguistic grounds. New Estonian government ignored the fact that Stalinist USSR did not allow for freedom of movement and residents of other Soviet republics were forcibly moved to Estonia as part of a direct government policy. As a result, majority of Russian-speaking residents who moved to Estonia during the Soviet period were deprived of civil rights. Besides Russians, non-citizens consist of Belarusians, Ukrainians, Jews, and other ethnic groups.

Establishment of the "non-citizenship" institution turned Estonia into an ethnocratic state, similar in its procedures to the South African apartheid regime — access to democratic practices and institutions is largely available only for titular nation.

When the Citizenship Law came into force in 1992, Estonian parliament (Riigikogu) became 100% represented by ethnic Estonians. The principle of complete domination of the titular nation in government institutions and administration exists in Estonia to this day — out of 101 MPs in the current parliament, only 8 represent national minorities. [1] It is worth pointing out that around a third of Estonian population are not members of the titular nation.

Non-citizenship in Estonia brings the following violations of rights and manifestations of discrimination:

First, Estonian non-citizens are deprived of freedom of movement. Non-citizens are limited in visa-free entry to a number of countries that have visa-free agreements with Estonia (but may move freely within the Schengen territory with some restrictions).

Second, they are subject to a number of restrictions in employment. They have no right to hold positions in government and local authorities. In addition, they are not allowed to serve in the law enforcement, found a private security firm, hold a notary or attorney position, be a sworn translator, air traffic controller, pilot, etc. Restriction in employment extends also to the private sector — non-citizen is not allowed to be head of internal security or any private security service; non-citizens are not allowed to work in aviation security, navigation, pilot, attorney, etc. Amnesty International pointed out that these restrictions are an indirect form of discrimination of the Russian-speaking population in Estonia. [2]

Third, non-citizens do not have the right to vote or be elected in Estonian or European parliament, or any municipal governments. They are not allowed to participate in referendums, establish or be part of political parties.

Fourth, naturalised non-citizens cannot receive dual citizenship, unlike those who received Estonian citizenship automatically.

Fifth, Estonian non-citizens are restricted in property rights and privatisation. They have no right to purchase privatised property on credit (unlike citizens). In the period of privatisation, only Estonian citizens received additional 10 years of service for national capital bonds.

Non-citizenship became a crucial tool in eliminating the Russian-speaking population from economic and political competition. Non-citizens, were also deprived of the right to own large property and Citizenship Law prohibited them from participating in privatisation. Danish researcher Eric Andersen writes that the privatisation period in Estonia was the period of losses for non-citizens and elimination of Russian-language public property, which was then divided between

members of the titular nation. This caused economic stratification of Estonian society along ethnic and linguistic lines — Russian-speaking community had a higher level of poverty, financial alienation, unemployment and poor conditions to engage in business.[3]

When it comes to eliminating Russian-speakers from political competition, former Prime Minister Mart Laar openly declared that the Citizenship Law in needed to remove "foreigners" from the process of building an Estonian nation state, because Russian "occupiers" may interfere with the "wrong" vote in elections. The International Foundation for Human Personality Bertelsmann Stiftung states, "Even though Estonia maintained serious national controversy, restrictive citizenship policy was intended to provide Russians with much less political rights, otherwise they could slow the pace of reforms."[4]

To obtain Estonian citizenship, non-citizen must pass naturalisation — i.e. pass exams on Estonian language, history and legislation. However, naturalisation process has been gradually tightening towards discrimination. In 1993, the Law on Requirements for Estonian Language Proficiency for Citizenship Applicants came into force. The law established privileges for ethnic Estonians who could not take Estonian language exam. In 2006, 25.3 thousand of people received Estonian citizenship under the simplified procedure, as ethnic Estonians. Thus, ethnic discrimination was enshrined in legislation.

Since 1995, the requirements for knowledge of the Estonian language have been complicated and tests for the knowledge of the Estonian Constitution and the Citizenship Act were introduced. At the same time, the law was amended with a ban on naturalisation of former officers of foreign armies, unless they are married to an Estonian citizen by birth. These provisions were openly directed against the former officers of the Soviet Army.

At the same time, the legal status of non-citizens has been gradually improving since late 1990s. First improvements were caused by negotiations on the accession to the European Union, when criticism of international human rights organisations could no longer be ignored. In addition, by late 90s, the process of social transformation in Estonia had ended — market reforms were finalised, privatisation of former Soviet property ended, and a new political system had been formed. As a result, after lowering the Russian-speaking population's ability to influence socio-political processes, Estonian ethnocratic regime could afford certain amendments to legislation that improved Russian-speakers' position.

Naturalisation was slightly more facilitated towards graduates of high schools, vocational schools and children born after February 26, 1992, whose parents lived in Estonia for at least five years. Language exam was then equated to naturalisation exam on Estonian language.

Furthermore, Estonian non-citizens received the right to vote in municipal elections. In this regard, Estonian legislation is well ahead of legislation of Latvia, which also has non-citizens.

Nevertheless, 6.2% of the Estonian population (92,000 people) are still classified as "non-citizens." It is particularly noteworthy that no-citizenship is hereditary — children of non-citizens are born non-citizens, giving Estonian society features of the caste system. Furthermore, those who obtained citizenship through naturalisation are still discriminated in certain legislative provisions compared to those who received citizenship automatically.

Article 8 of the Estonian Constitution states, "no person shall be deprived of Estonian citizenship obtained by birth." However, any person who obtained citizenship through naturalisation may be deprived of if he/she enters service in a foreign army or attempts to forcibly change the constitutional order of the country. Article 28 states that non-citizens may be treated unequally in the sphere of social benefits. Article 29 has the same provision towards non-citizens' right to choose a profession. Article 31 provides for unequal treatment of non-citizens in entrepreneurship. [5]

Another tool for discriminating national minorities in Estonia is the state language policy. Officially, it is aimed at supporting the single official language — Estonian. However, in practice, support for Estonian language turns into combating Russian, which is the language used by the third of the population and the use of which is prohibited in all public fields.

Language Act in Estonia has been changed 17 times since its adoption in 1995. The law defines Estonian language as a state language, determines regulatory limits and control over the use of Estonian language both in official and public fields. Changes in 2011 tightened the supervisory roles. The law contains provisions on which persons are required Estonian language proficiency and specifies the specialised exam of Estonian language proficiency. Language Inspection is a supervisory body that monitors the use of the state language in various areas, such as business. Language Inspection has the authority to impose sanctions for lack of language use or poor language proficiency. Estonian language is regarded as important tool for the consolidation of the society. However, in practice, it becomes a tool for assimilation.

An important consequence of the language policy is consistent elimination of Russian-language education in Estonia — children from ethnic minority families are increasingly restricted in the right to study in their native language.

Higher education in Russian language has been completely eliminated in Estonia. Governments prohibited Russian language education in private schools — two large private Russian-language universities —

ECOMEN and EABA — have been shut down.[6] In 2012, Estonian parliament supported a government decree that equated private schools to public schools, allowing the government to convert the former into Estonian language.

Reduction of school and pre-school education in Russian language has started since Estonian independence. This process intensified in 2007, after the "Bronze Night"[7] and subsequent appointment of a member of extreme right organisation Pro Patria and Res Publica Union (IRL) Tonis Lukas as Minister of Education. In one of his interviews, Lukas said, "If the conversion to Estonian language of education depended on me alone, this would have been done tomorrow. In the name of unity and quality of education in Estonia, it must be conducted in the state language."[8] In accordance with this policy, since 2007, Russian-language schools must teach 60% of curriculum of 10th grade and onwards in Estonian. The aim of this reform is the elimination of education in Russian language. This is true for pre-schools as well — in May 2008, education in Estonian is mandatory as soon as child reaches three years of age.

Government language policy causes criticism not only among the Russian-speaking population, but also among attorneys and human rights activists, who argue that the "school reform" contradicts both the fundamental children's rights to study in their mother tongue and specific provisions of Estonian Constitution, as well as various international agreements singed by Estonia.

'Estonisation' of schools violated Article 21 of the Law on Elementary Schools and Gymnasiums, according to which the education in public schools and gymnasiums is governed by the regional or city assembly. Article 37 of the Estonian Constitution was also violated, according to which minority schools have the right to decide their language of education.[9]

In addition, Estonia is a party to the European Framework Convention for the Protection of National Minorities, which establishes certain rights for the use of minority languages in education. In 2013, Estonia signed an agreement with Russia, where it undertakes to "provide organisational, pedagogical, educational and financial support for public education institutions that teach in a foreign language, at the same level as those that teach in the state language."[10]

All these legislative norms and international agreements are blatantly ignored by Estonian government during these reforms.

- Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin.

Non-citizens and Russian citizens residing in Estonia do not have the right to vote and participate in elections to the Estonian Parliament,

the European Parliament or local governments. However, unlike Latvia, non-citizens and Russian permanent residents may elect the representatives of the local government councils. However, they cannot compete in the elections to these government bodies.

- Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication.

Citizenship Act and the Education law facilitate forced Estonisation of education and essentially legalise the ideology of radical nationalism, since they deprive an entire category of permanent residents of basic civil rights. Moreover, most of these people were born on the territory of the country. These laws also discriminate against minority languages, particularly Russian, which is a native language of more than 30% of the population.

- Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.

Orthodox Christmas and Easter are not considered an official holiday in Estonia (unlike Protestant holidays), even in places densely inhabited by Orthodox Christians. At the same time, while there is some opportunity to celebrate Orthodox Christmas, as it usually comes during vacation time, for Orthodox Easter, for example, it is completely impossible. [11]

Discrimination of Russian-speakers in employment is also common. This situation occurs even when a job seeker demonstrates great Estonian language proficiency and sufficient professional skills. As a result, unemployment rate among Russian-speakers remained higher than that of ethnic Estonians (18.2% and 9.7% respectively, as of 2011). Roma are also subjected to discrimination in employment. [12] Television broadcasts in a foreign language must not exceed 10% of the weekly volume.

"Ethnic and linguistic segregation in employment has drastically increased. There are employers, whose workers are only Russian-speakers — they don't recruit anyone else. If we compare wages, and level of integration in terms of relations at workplace — there is a huge difference compared to organisations that do not recruit on ethnic basis," professor at the University of Tartu Marju Lauristin noted in 2013. [13]

Since 2006, the legal acts adopted by the Estonian government are not translated into Russian language, while access to the already translated Russian versions of the legal acts is paid. As a result, almost a third part of Estonian population has to pay to get access to legislation in their mother tongue. [14]

Following government instructions, Ministry of Justice did not order any translation of legal acts to the Russian language in 2013, explaining this with lack of finance. Thus, almost a third of Estonian population has to purchase the translation of laws to their native language. At the same time, there are funds for translating legal acts to English language.

Another commonly violated norm in Estonia establishes that an appeal submitted in a minority language shall be replied in the same language, provided that the respective national minority constitutes for more than 50% of the population of the region or county. Proportion of the Russian population, in Ida-Viru County particularly, is significantly higher, but local courts deliver their verdicts exclusively in Estonian.

According to the Framework Convention for the Protection of National Minorities and the Law on Cultural Autonomy of National Minorities (1993), only citizens of Estonia can be officially part of an ethnic minority; non-citizens and Russian nationals are not regarded as minorities.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Discriminatory legislation affecting minorities residing in the country in the field of registration, mobility, business, employment, education, housing, healthcare, worship, etc.	–5	–5
×	Legislation restricting the voting rights of permanent residents of the country on the basis of ethnicity or country of origin	–5	–5
×	Presence of legal norms and other regulations that legalise the radical nationalist ideology, its attributes and practices, as well as their distribution in the mass media and mass communication	–5	–5
×	Discriminatory practices against minorities in the field of registration, mobility, business, employment, education, housing, healthcare, religion, etc.	–5	–5
	Total for the section 1	–20	–20

2. Xenophobia and inflammatory statements by members of the authorities and media

Anti-Russian rhetoric in Estonia is caused by the official ideology of building a state for ethnic Estonians. Minister of Defence Urmas

Reinsalu (Pro Patria and Res Publica Union) said, "When building an Estonian state, the main focus should lie on Estonians. This is not a question of compromise."[15]

Founding member of NGO Native Estonians (MTÜ Põliseestlased) Urey Toompuu, known for his Russophobic positions, published an open letter in June 2013, where he called all Russians in Estonia "Putin's fifth column." He criticised the Estonian government for providing Russians with the right to obtain Estonian citizenship and urged to deny citizenship to all ethnic Russians, to "maintain Estonian culture for the millennium."

"They strengthened the fifth column of Russians in Estonia with two thousand of Putin's colleagues and twenty thousand Red Army soldiers, added to hundreds of thousands of Russians and their families that hate Estonia," Toomepuu believes. "Moratorium on citizenship! The only way Estonians remain masters — stop granting Estonian citizenship to Russians!" According to him, "If the number of [Russians] with voting right exceed 50%, we can consider that Estonians became an ethnic minority in Estonia and Putin can annex the country by completely democratic means."[16]

In autumn, Estonia held elections to local municipalities. Right-wing parties traditionally built their electoral campaigns on the confrontation between the Estonian majority and the Russian minority. Russians, in their opinion, are a "fifth column" and "Moscow's arm" — they are disloyal to Estonian statehood. Centrist party and its leader — Mayor of Tallinn Edgar Savissar — were also subjected to the smear campaign that the party's main electorate are Russians.

Candidate for Tallinn mayor from IRL Eerik-Niiles Kross — former head of Estonian intelligence, wanted by Interpol — made several statements to this end. "I was never wanted. Russians only managed to place a two-year-old warrant on Interpol's website."[17] He promised to recruit the "worthy representatives of the Russian-speaking community" in his team. This statement is an example of a traditional comparison between the "right Russians" (socially successful and assimilated) and "Lasnamäe Russians" (a term for poorly integrated non-citizens, called after a Tallinn district of Lasnamäe).

During electoral debates, candidate for Tallinn mayor from Estonian Conservative Party Mart Helme refused to talk about possible rapprochement of Estonian and Russian communities, refusing to respond to his counterpart in Russian. Mart Helme made previous statements that his dream is if Russians in Estonia forgot Russian language and spoke in Estonian only.[18] Presenting his electoral programme, Helme said that he want to make Tallinn a city, where paperwork is conducted only in Estonian language. According to him, people who do not know this language (mostly older generations) should buy transitions in the

city hall. He believes that Estonian taxpayer should not support bilingual principles. "It is up to the person — did not bother to learn the language, buy the service."[19]

Estonian politicians, officials and diplomats continued to justify the educational reform, which implies gradual elimination of Russian language in education. "School is not a standalone structure, it is part of the society. In Estonia, the official language is Estonian — everyone must know it. Everyone must be capable of working in this language and study in university," said press attaché of the Embassy of Estonia in Moscow Indrek Kiverik.[20]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Xenophobia and inflammatory statements made by members of the authorities and media	–5	–5
	Total for the section 2	–5	–5

3. Legislation and law enforcement practice preventing the development of radical nationalism

Indicators

- Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country.

Article 12 of the Estonian Constitution states, "No person shall be discriminated based on his nationality, race, colour, gender, language, origin, religion, political or other opinion, property or social status or other circumstances. Incitement of national, racial, religious or political hatred, violence or discrimination is prohibited and punishable by law. Incitement of hatred, violence or discrimination between social strata is also prohibited and punishable by law."[21]

The Penal (Criminal) Code of the Republic of Estonia contains Article 151, "Incitement of Hatred," as well as Article 152, "Violation of the principle of equality." Both establish liability for violation of the above-mentioned articles of the Constitution.

Estonia has the Law on Cultural Autonomy of National Minorities (1993), but it does not apply to non-citizens. National minorities have certain rights. For example, the Language Act (adopted in 1995, last edition — 2011) guarantees communication with the state authorities in minority language, if half of region's population represents a certain

national minority. However, because non-citizens are not regarded as ethnic minorities, they do not have access to this right. Vast majority of non-Estonians in these areas are also non-citizens.

Antiracist elements are also present in the law on employment contracts, which prohibits discrimination based on race, ethnicity, language proficiency, religious or other beliefs.

On December 11, 2008, in order to implement the EU Directive 2000/43/EC (June 29, 2000) on equal treatment regardless of race or ethnicity, Estonia adopted the Law "On Equal Treatment." Its goal is to protect individuals from discrimination on the grounds of nationality (ethnicity), race, colour, religion or belief, age, physical and/or mental disability or sexual orientation.

- Presence and development of anti-discrimination legislation.

Article 9 of the Estonian Constitution establishes equal rights of Estonian citizens, foreign nationals and stateless persons residing in Estonia. However, the Citizenship Act and other legislation favours the citizens (see Section 1), bringing these provisions to naught. Joining the Framework Convention for the Protection of National Minorities (1997), Estonia made a reservation that only persons possessing Estonian citizenship mau be attributed to national minorities.

On June 29, 2000, the Council of the Europe adopted Directive 2000/43/EC "On the enforcement of the principle of equality of persons irrespective of racial or ethnic origin." According to EU rules, all EU candidate countries had to bring their legislation in line with this Directive. Thus, Estonia adopted the Gender Equality Act in 2004, just before its accession to the EU. In the same year, Estonia amended the Employment Contract Law, which only covered the private sector. Nevertheless, it included the concept of direct and indirect discrimination. Estonia also adopted the Law on Legal Chancellor, which turned the Estonian Bureau of the Ombudsman into an anti-discrimination body.

The Equal Treatment Act, which was originally intended to bring the national legislation of the country in compliance with the EU Directive, was adopted only in December 2008, after a series of failed votes in the Parliament. The Act defined the direct and indirect discrimination, harassment and other provisions contained in the EU Directive. Furthermore, these provisions covered not just the private sector, but government officials as well. Thus, Estonia introduced legislation that protect public sector workers from discrimination on such grounds as race, colour, religious beliefs and even language skills. In addition, the law was later amended with rules relating to victimisation (protecting victims of discrimination, who have initiated a lawsuit against their employer).

However, the Estonian legislative introduced an amendment to the Estonian Public Service Act that has practically neutralised the anti-discriminatory provisions of the Equal Treatment ACT. Article 36-1 of the Public Service Act states that unequal treatment on the basis of language cannot be considered discrimination if such treatment is permitted by this Act or the Language Act. By introducing this exception, Estonian parliament has refused to fully comply with the Directive 2000/43/EC. Thus, Estonia only partially follows the European anti-discriminatory norms.

- Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation.

The contradictory nature of Estonian legislation in combating extremism and radical nationalism leads to selective law enforcement practice when enforcement bodies notice public and political organisations that are disloyal to the ruling regime. Meanwhile, discriminatory and xenophobic statements by Estonian officials and public activists remain not investigated.

An example of such selective practices is the verdict of Harju County Court, which sentenced an ex-KGB and Security Police officer Vladimir Veitman to 15 years imprisonment. The pensioner was accused of treason — transfer of information to Russian intelligence.[22] However, former and current ethnic Estonian Security Police officers receive much milder punishment. For example KaPo officer Indrek Poder, who extorted bribes from Russian-speaking entrepreneurs, threatening to deprive their families of residence permits, was sentenced to four years.

In March 2013, KaPo (Security Police) refused to start a criminal investigation into parties of neo-Nazi skinheads from Estonia and Finland in Tartu, under Nazi symbols. "In this case, there is no point talking about some crime," KaPo Press Secretary Harris Puusepp reported.[23]

In general, Estonian Security Police often uses the pretext of anti-extremism to prosecute Russian-speaking civil society (see below). This activity cannot be considered a struggle to enforce anti-discrimination, anti-Nazi or anti-extremist legislation.

- Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts).

Despite multiple cases of incitement to ethnic enmity, there have been no criminal proceedings related to hate crime in 2013.

- Unlawful use of anti-extremist legislation.

Misuse of anti-extremist legislation originates from Estonian Security Police (*Kaitsepolitsei* or *KaPo*). Its activity has a clear political char-

acter — KaPo prosecutes mainly oppositional political or public activists and journalists who often express interests of the Russian-speaking community. Thus, the policy of Estonian state security service can essentially be qualified as the struggle against the Russian-speaking minority and its most active members.

There were multiple cases of unlawful use of anti-extremist legislation by Estonian Security Police in 2013. On January 16, KaPo conducted a "special operation" against a magazine of Russian compatriots "Baltic world." In one of the Russian-language schools of Narva, KaPo police officers conducted an operation to remove issues of the magazine from the school library. KaPo employees stated that "Baltic World" is a political magazine, which has no place in schools of Estonia.[24]

"Criminal prosecution on false accusations, 'informing' of civil rights activists' business partners about the undesirability to conduct business with them, wiretapping, surveillance, extrusion of protest movement leaders from the country, public defamation of antifascists online and, finally, bans to entry for anti-Nazi movement activists from other counters — all of which contradicts the principles of freedom of speech and open borders in the EU — all this is a simple set of tools used by Estonian Security Police and its head Raivo Aeg, to stifle dissent in Estonia."[25]

"Virtually the whole Estonian society is permeated with espionage throughout," E. Savissar writes in his book, *Truth About Estonia*. "Sometimes, activities of law enforcement agencies in Estonia can be compared with what happened in 1920–1930s. The comparison is quite correct. KaPo gradually degenerated into political police, albeit under a different name. Its activity is slightly limited by the fact that we are under European law, but its influence weakens every year."[26]

Traditionally, the main tool in the fight against dissent is the annual Security Police report. Previously, KaPo public reports constantly led to litigation on charges of defamation, initiated by persons who were accused of being "agents of Russian influence." For example, Vice Mayor of Tallinn on Culture, Education and Sport Mihhail Kolvart and MP Yana Toom won their lawsuits against the Security Police. This was probably why the report published in 2013 did not provide any specific names. However, the report was still aimed against the Russian-speaking community in Estonia.

"Consideration of the Russian-speaking diaspora as loyal to Russia and the desire of the Estonian government to integrate its Russian-speaking inhabitants are opposing concepts, and this is clearly understood by the ideologists of the Russian compatriot policy. This policy entails the preservation of a special status for the Russian lan-

guage and Russian education system outside of Russia. They hope through this to maintain the long-term political influence of Russia in the Baltic States, and have the possibility to mobilise the local Russian-speaking population as political pressure. Diplomats from the Russian Embassy in Tallinn meet with local opponents of high school education in state language and offer cooperation with the Fund for the Legal Protection and Support of Russian Federation Compatriots Living Abroad. Professional so-called antifascists and *other radicals* are involved in this as well. However, they were unable to attract the students of Russian schools, their teachers and their parents, or any other real target group." (Taken from KaPo report, April 2013). [27]

Thus, any struggle for national minorities and their right to receive education in their native language is considered anti-state activity by Estonian state security services.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-Nazi, anti-racist and anti-extremist legislation; legislation aimed against the incitement of ethnic and religious hatred in the country	5	5
–/×	Presence and development of anti-discriminatory legislation	2.5	2.5
–	Compliance of the government (central, regional, municipal), law enforcement and judiciary with anti-Nazi, anti-racist, anti-extremist, anti-discriminatory and hate crime legislation	0	0
–	Struggle against hate crime (criminal cases against organisers and participants, guilty verdicts)	0	0
×	Unlawful use of anti-extremist legislation	–5	–5
	Total for the section 3	–2.5	–2.5

4. Statements of government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism

These statements usually originate from moderate parties such as the Centrist Party and, to a lesser extent, Social Democratic Party.

On January 22, 2013, MP from the Centrist Party Mihail Stalnuhin said, "Estonia has already become a police state, in which getting even

with political rivals with the hands of KaPo is a normal thing, and the involvement with a ruling party gives absolution of all sins." MP believes that Estonian state was initially built on the inequality of citizens and non-citizens, Estonians and ethnic minorities.[28]

"Preservation of Estonian language can be done not by witch-hunt, but by enforcing a humane social policy and building a state friendly to its people. There is no such internal war that would defeat one language and culture, and I am sorry if Minister of Defence thinks otherwise," Centrist Party MP Yana Toom stated in February 2013.[29]

In an article in *Russian Reporter* Yana Toom wrote, "When you live with Estonians for a long time and you know these people, you understand that it could not have been different. Estonian history is seven hundred years of slavery, which will never be forgotten. This nation survived because it was constantly in all-round defence, rallying against a common enemy. Now there is no enemy, but the habit to resist remained. Against whom? Local Russians, of course. Now, we are in the same place, where Estonians have been for seven hundred years — always resisting something."[30]

Social Democrat MEP Marju Lauristin stated in 2013, "Because I am a Social Democrat myself, I am very happy that social democratic values — solidarity, mutual understanding, humanity — are starting to be perceived not as something "red," "leftist," "post-Soviet," but as something related to the future."[31]

Social Democrat MP and current Minister of Education Jevgeni Ossinovski also advocated for Russian-language education. "Translation of crucial laws to Russian language would improve the legal awareness of people and the effectiveness of legal assistance. It would also improve trust in the state."[32]

Member of the ruling Party of Reforms Laine Randyarv commented on the situation around Russian schools. According to him, "Schools with Russian language of education enrich Estonia in terms of cultural education and will certainly remain." Randyarv believes that special attention must be paid to Russian language and Russian literature, because possession of a "mother tongue is the basis for every educated person."[33]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
	Total for the section 4	5	5

5. Activities aimed at promoting tolerance and preventing extremism

On January 23, in one of the halls of Estonian National Library in Tallinn, the regular meeting of the Discussion Club of "Estonia without Nazism" took place, with the participation of the club members and the invited public figures and journalists. The gathered were invited to discuss the issues of the competition among the youth and students of the Baltic Sea countries for the development of creative videos and slide shows on the subject of World War II — "Tolerance and fight against falsification of history."[34]

At the end of the year, Council of Non-Citizens of Estonia was established. The non-governmental organisation is designed to defend the rights of Estonian residents that were deprived of citizenship in the early 1990s. Council of Non-Citizens is led by documentary director Oleg Besedin. "Our first goal is a visa-free regime for Estonian non-citizens with Ukraine and Belarus. This is an interim goal. The main goal, of course, is to ensure that all Latvian and Estonian non-citizens receive citizenship. Because, currently Estonia has 90 thousand people without citizenship. In Latvia, it is 300 thousand. Latvia and Estonia are the only two countries in the world, where people — many of whom were born and raised in these countries — have no citizenship."[35]

In 2013, a Russian Debate Club was established, which included well-known activists of the Russian-speaking community in Estonia. The club touched on the problems of national minorities — closure of Russian schools, restricted access to information in Russian language, non-citizenship and other issues.[36]

Non-profit organisation Russian School of Estonia plays an important role in defending the rights of Russian-speaking children to study in their native language. Throughout the year, the organisation conducted surveys among high school students, asking whether they think entrance exams in Russian language are necessary. Activists of the organisation ran of Tallinn city council (Vice Mayor Mihail Kylvart passed). They also translated Estonian education-related normative acts to Russian language, conducted lectures and competitions. Russian School of Estonia played a crucial role in saving Mustvee Russian high school, which the local government was planning to shut down.[37] NPO's activists also held several protest actions against elimination of Russian-language education in Estonia.[38]

Integration and Migration Foundation "Our People" (MISA), under Ministry of Culture, supports a number of projects for promoting tolerance and integration. MISA aims to facilitate integration processes in Estonian society, coordinate activities related to immigration, distribute relevant information and prepare reports. In 2013, MISA subsidised

25 Sunday schools of national cultural communities (9,903,520 euros). Subsidies were designed to support Sunday schools in payment of wages, purchasing education materials and literature in native language, and other necessities for education.[39] Furthermore, the Foundation allocated 200,000 euros to teach low-income non-citizens Estonian language and opened a new cultural-education programme on Estonian television.[40]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Activities aimed at promoting tolerance and preventing extremism	5	5
	Total for the section 5	5	5

6. Position of migrants and society's attitude towards immigrants, foreigners, different ethnic groups

Indicators

- Presence and development of migration laws.

Immigration is regulated by the Aliens Act, adopted in 1993 and repeatedly supplemented. Article 6 of the mentioned law introduces the concept of immigration quotas, stressing that the maximum number of foreign immigrants shall not exceed 0.05% of the permanent population of Estonia. Immigration quota is set by the government of the Republic.

Interior Minister may set the distribution of the quota via appeal and residence requirements, as well as its distribution throughout the year. However, this quota does not include ethnic Estonian immigrants and their relatives, as well as citizens of the United States and Japan. Foreign national's stay without a legal residence permit or a contract of employment is punishable by up to 300 penalty units. Similar offenses committed by a legal entity are punished by a fine of up to 50,000 kroon (3,200 euros). Immigration is governed by the Office of Citizenship and Migration Affairs — a bureau within the Estonian Department of Police and Border Patrol.

After joining the European Union, Estonia had to bring its legislation in line with the existing EU directives. Therefore, Estonia adopted 48 amendments to the above-mentioned law. The latest amendments were made in 2012. The law defines foreign nationals and stateless persons, including Estonian non-citizens as "aliens." In 1996, non-citizens received special "alien" passports. In 2006, the country adopted a law on EU citizens, which brought Estonian legislation in line with the EU Directive 2004/38.

In 1997, Estonia adopted the Law on Refugees, which regulates the refugee status in the Republic of Estonia in accordance with the accepted international standards and regulates the process of obtaining such status.

- Government's compliance with such legislation (law enforcement practice).

In 2013, 30% more people left Estonia than entered. According to official data, 6,740 residents emigrated to live abroad in 2013, while 4,098 people returned or entered the country, including foreign nationals. 95% of all emigrants are citizens of Estonia, while only 60% Estonian citizens returned. [41]

Therefore, Republic of Estonia does not attract labour immigration. According to some sources, 60,000 Estonian immigrants reside in Finland alone, and 15,000 more are there for work. [42]

At the same time, illegal immigrants use Estonia as a transit country to enter the more developed EU countries. These mainly include citizens of Russia, Georgia, as well as various Asian and African countries.

Estonia does have a law on refugees, however the country is not trying to attract refugees. Number of such persons in Estonia is one of the lowest in the EU. It should also be noted that there are not many requests for asylum in this country. In general, it can be concluded that immigration legislation in Estonia was observed.

- Social assistance for immigrants.

The 1997 Refugee Act guarantees them a state allowance, child benefit, the right to work and the right to receive unemployment benefits, social benefits, and others. [43]

Foreign nationals possessing a temporary residence permit enjoy the fundamental social rights and privileges equal to citizens.

Since August 2012, Estonia offers teacher help services for integration of new immigrants in Estonia (TULE). The aim of the project is to help legal immigrants who lived in Estonia for less than three years in the following areas:

(1) information about the various opportunities in language learning, finding employment and education, healthcare, and various social services in Estonia;

(2) information about the activities of the special MISA programme for adaptation;

(3) familiarisation with the Estonian lifestyle, culture and others through excursions;

(4) other support services (e.g. translation services, language support and so on);

(5) training services for job hunting and migrant workers' clubs.

The project is financed by the European Fund for the Integration of the Third Country Nationals, the Ministry of Culture and the Integration and Migration Foundation *Our People*.[44]

- Discriminatory practices against immigrants.

In this case, it should be noted that Estonia is a country of mass immigration. Estonian nationalist circles defined migrants and immigrants not as foreign workers, but as Russian-speaking residents who settled in Estonia during the Soviet period, as well as Russian citizens who reside in Estonia. In this regard, discriminatory practices against these groups are listed in section 1.

- Use of ethnic crime as justification for discrimination against immigrants.

  Such cases were not recorded by the monitoring in 2013.

- Negative attitude of the community towards immigrants, foreigners, various ethnic groups.

Xenophobia in Estonia is mainly targeted at non-citizens. CoE Human Rights Commissioner Nils Muiznieks published a report on January 15, which indicated that by the end of 2011, Estonia had 92,000 non-citizens, of them 1,500 children under 15 years old. Commissioner argued that Europe should not have stateless children, referring to UN Convention on Children Rights. According to Muiznieks, the best way to ensure children rights is to provide them with citizenship from birth.

On February 6, *Delfi.ee* (largest online news portal in the country) published a cartoon about the Tallinn Russian Lyceum. Cartoon depicted good, correct Estonian children and a bad Russian child (drunk, no teeth, smoking a cigarette in pioneer outfit and canvas boots). Image annotation read that this is a student in a lyceum with a Russian curriculum. NPO Russian School of Estonia commented on this, stating that we are dealing with a blatantly racist attitude towards the national minority living in Estonia, which can be considered a crime. Even worse is that objects of mockery are children.[45]

Russian and Russian-language media often encounters barriers in their activity. One of the largest media scandals in 2013 was related to an article in *Russian Reporter*, entitled "Estonian Disease." The article was dedicated to the estrangement between Estonian and Russian communities. Nationalist daily newspaper *Eesti Päevaleht* responded that the article in question was prepared with the involvement of an international media club *Impressum*, concluding, "This self-proclaimed media club is a project of *Komsomolskaya Pravda* ["Komsomol Truth"], which is closely tied to Russian foreign intelligence."[46]

Estonian politicians joined the scandal with loud anti-Russian statements. “Estonian Disease” by Olga Andreeva was mentioned in KaPo annual report. Eventually, Andreeva was denied entry to the country. Involvement in this article cause problems for other people mentioned in the article. Statements about the unhealthy situation in Estonian society have created a persecution campaign against Centre Party MP Yana Toom. “Since the preservation of Estonian language and culture is the basis of Estonian statehood, according to the Constitution, Toom — having declared these goals unreasonable and unrealistic — spoke out against Estonian statehood, and I will expect Centre Party’s assessment of whether it is appropriate for Toom to continue her political activity,” Professor Rein Raud of the Tallinn University stated. [47]

In general, Estonian national majority displayed an intolerant attitude towards media in Russian language, especially those who published criticism. In part, this was expressed in rapid approval to ban the First Baltic Channel.

There was also growth in homophobia over the monitored period, and this trend was observed in both Estonian and Russian communities. Thus, according to a survey conducted by *Turu-uuringute AS* in late 2013, 70% of Russian-speaking respondents have negative attitude towards homosexuality.

Furthermore, there were attempt to restrict and censor discussions regarding historical politics, as it was already done in Lithuania and Latvia. Party of Reforms MP Valdo Randpere said, “I have one concrete proposal — why don’t we make denial of occupation of Estonia punished by law? Both Russian and German, and another Russian. Let us stop these talks about liberation, so that we don’t have to listen to conversations of “useful idiots” about how Russia never attacked Estonia, but fulfilled its agreement obligations with Germany. If Jews could convince several dozen countries to criminalise denial of the Holocaust, why can’t we criminalise denial of the occupation of Estonia at least in this country?” [48]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence and development of migration laws	5	5
×	Government’s compliance with such legislation (law enforcement practice)	5	5
×	Discriminatory practices against immigrants	5	5
–	Use of ethnic crime as justification for discrimination against immigrants	0	0
–	Social assistance for immigrants	0	0

Table, cont.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Negative attitude of the community towards immigrants, foreigners, various ethnic groups	–5	–5
	Total for the section 6	10	10

7. Incitement of religious and ethnic hatred

Indicators

- Calls for ethnic and religious hatred in mass media and mass communications, graffiti.

In 2013, there were several calls for ethnic and religious hatred in Estonia, originating in both the media and communication. Examples of such calls are given in section 2 and section 4. Their common feature — portrayal of the Russian-speaking population as "occupants."

- Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts.

Copies of Nazi books published during the German occupation of Estonia in 1940s and containing anti-Semitic and anti-Russian views are freely distributed in Estonia. The same goes for calendars and posters of the Nazi occupation, glorifying Waffen SS legionnaires and mocking the leaders of the anti-Hitler coalition, such as Joseph Stalin and Winston Churchill. For example, some posters read, "Join the SS — protect your homeland from the Eastern barbarians! There are various music collectives and rock bands, such as P.W.A. and Revalers, which use neo-Nazi tropes in their works. In May 2013, these bands held a concert in Tartu bar called *Krooks*. To mark the occasion, the bar was decorated with swastika flags, iron crosses and other Nazi symbols. Estonian Security Police did not react to this event.[49]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Calls for ethnic and religious hatred in mass media and mass communications, graffiti	–5	–5
×	Presence and popularity of radical nationalist literature, films, music. Ultra-nationalist rock bands and their concerts	–5	–5
	Total for the section 7	–10	–10

8. Radical nationalist groups and parties

Indicators

- Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities).

The main party adhering to the ultra right-wing ideology is the "Pro Patria Union (Isamaaliit) and Res Publica" (created in 2006 by merging the two right-wing parties and led by Urmas Reinsalu).

Of the non-parliamentary parties, it is worth mentioning the Conservative People's Party of Estonia. The extreme nationalists also include the Julius Kuperjanov Society, Tallinn nationalist club, the Estonian Independence Party, the Freedom Party of Estonia — the Farmers Union and the Tenants Association Kristiine.

There is also a militant nationalist organisation the Estonian Defence League — "Kaitseliit" (the armed militia having 22,000 people is four times the size of the army), founded on ultra right-wing ideology. The organisation uses the Estonian Waffen SS soldiers as role models for educational purposes.

- Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities.

The manifestos of the organisations mentioned above would usually contain discriminatory requirements regarding minorities.

For example, the Pro Patria Union and Res Publica demanded complete "Estonisation" of schools and announced its support of the "fighters for independence" (i.e. the pro-Nazi collaborators) in its 2011–2015 elections manifesto. The programme also clearly indicated support of the current policy of discrimination regarding granting of citizenship: "We firmly believe that zero-option citizenship and reduced requirements for Estonian language do not suit the interests of Estonia."[50]

Estonian Conservative People's Party stands out due to its tough anti-immigrant ideology and Euroscepticism. Its leader Mart Helme distinguished himself with blatantly Russophobic rhetoric during 2013 municipal elections (see section 2).

The Estonian Independence Party also promotes nationalism and Euroscepticism. The party favours the dominance of Estonians in Estonia, as well as the exit from the European Union; it is also against the simplification of the process of obtaining citizenship. Yet the NATO membership is considered useful.

Other nationalist parties have similar demands within their political programmes.

- Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations.

The members of the "Pro Patria Union (Isamaaliit) and Res Publica" actively promoted various discriminatory initiatives of the authorities, including any further forced "Estonisation" of the education.

Nationalist views have gained considerable support within the community, as shown by the number of votes cast in favour of the nationalists in the elections. Thus, the elections in 2011, with an average figure of 20.5% of voters, the most support was received in the area of Tartu (in the city itself — 24%, and in the counties of Jõgeva and Tartu — 26%), as well as in the counties Järvamaa and Viljandi (23%). The least amount of support for the nationalists was observed in the region of Ida-Viru, where 10.7% of the population are of Russian origin. [51]

- Neo-Nazi and radical nationalist influence over the local legislative/executive bodies.

Non-citizens are allowed to participate in municipal elections, but only citizens of Estonia and other EU states can be elected; the latter have to have lived in Estonia for six months. In 2013, the Centrist Party was successful in local elections, gathering 58% of votes in Tallinn. Centrists also control majority of other Estonian municipalities. However, the second place was given to the extreme right Pro Patria and Res Publica Union (17.2%), its member Eerik Niiles Kross passed into Tallinn city council. Furthermore, several dozen of township heads and their assistants are members of the above-mentioned extreme right party. All in all, influence of radical nationalists over the local legislative bodies can be considered limited.

- Neo-Nazi and radical nationalist influence over the central legislative/executive bodies.

The "Pro Patria Union and Res Publica" is the only radical nationalist party, which is traditionally included in the Riigikogu and the government. As of 2007 it is a part of the ruling coalition. In the parliamentary elections of 2011 the party received 20.5% of the votes and 23 seats in the parliament. Compared to the elections of 2007 the party lost 6 seats yet still managed to retain third place.

In addition, E.Ene, a party member, is the head of the Riigikogu. Currently the members of the party have the following ministerial posts: Minister of Defence (U.Reinsalu), Minister of Economic Affairs and Communications (J.Parts), Minister of Education (J.Aviksoo), Minister of Agriculture (H-V.Sider), Minister of the Interior (K-M.Vaher), Minister of Regional Affairs (S.Kiisler).

Based on this it can be concluded that the extreme nationalists do influence the central authorities in the Republic.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of neo-Nazi and ultra-nationalist groups, movements, political parties (both in the centre and in the localities)	–5	–5
×	Presence of discriminatory demands in the programmes of these parties and in the statements of their leaders towards the members of minorities	–5	–5
×	Neo-Nazi and radical nationalist influence over the civil society, including oppositional and human rights organisations	–5	–5
–	Neo-Nazi and radical nationalist influence over the local legislative/executive bodies	–2.5	0
×	Neo-Nazi and radical nationalist influence over the central legislative/executive bodies	–5	–5
	Total for the section 8	–22.5	–20

9. Public actions of extremist and nationalist groups

Indicators

- Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities.

  Such cases were not recorded by the monitoring in 2013.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities.

Regularly in late July Neo-Nazi radicals conduct mass action, dedicated to the memory of veterans of the Waffen SS, in the town Sinimäe in Vaivara (Ida-Viru County) near Narva. In the course of operation of Narva in 1944 the largest battle of the Second World War took place in that area, where the soldiers of the Estonian Legion of the Waffen SS fought alongside Hitler's troops.

After gaining independence in 1991, monuments dedicated to the Estonian SS legionnaires and Belgian and Dutch SS men, as well as the memorials Norwegian and Danish collaborators, were erected next to the monument to the fallen soldiers of the Red Army in Sinimäe. The events in Sinimäe are traditionally attended by the SS veterans, nationalists and neo-Nazis from Latvia, Belgium, Lithuania, Norway, Denmark, Holland, Belgium and other countries. Nevertheless, due to the pressure of anti-fascist organisations and protests in several countries

(Russia, Ukraine, Belgium, etc.), as of 2011 these activities are of closed type, but journalists are allowed to attend.

- Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies.

In 2013, members of Estonian Ministry of Defence took part in events in Sinimae. Defense Minister Urmas Reinsalu (IRL) is sent a welcoming letter to the participants of the Nazi rally.

- Presence of "football xenophobia" and racism amongst sports fans.

  Such cases were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Neo-Nazi and radical nationalist participation in mass actions prohibited by the authorities	0	0
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities	–5	–5
×	Neo-Nazi and radical nationalist participation in mass actions permitted by the authorities, with the participation of representatives from the legislative or executive bodies, law enforcement and security agencies	–5	–5
–	Presence of "football xenophobia" and racism amongst sports fans	0	0
	Total for the section 9	–10	–10

10. Racist attacks, violence and terror

Indicators

- Vandalism of cemeteries, attacks on religious buildings.

On January 23, 2013, vandals attempted to set a Bethel Church on fire in Pelgulinna. They shattered its windows and set fire to the door.[52]

- Inter-ethnic clashes instigated by xenophobia and radical nationalism.

  Such cases were not recorded by the monitoring in 2013.

- Cases of violence, including murder on racial, ethnic and religious grounds.

  Such cases were not recorded by the monitoring in 2013.

- Nationalist or religious terrorist attacks.

  Such cases were not recorded by the monitoring in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Vandalism in cemeteries, attacks on religious buildings	–5	–5
–	Inter-ethnic clashes instigated by xenophobia and radical nationalism	0	0
–	Cases of violence, including murder on racial, ethnic and religious grounds	0	0
–	Cases of hate crimes	0	0
–	Terrorist attacks on the basis of radical nationalism and religious fanaticism	0	0
	Total for the section 10	–5	–5

11. Presence, popularity and size of anti-fascist and anti-racist movements

Indicators

- Presence of anti-racist and anti-Nazi movements and parties.

The Estonian anti-fascist community includes the "Night Watch" organisation, the Antifascist Arnold Meri Committee, Estonian Union of Non-Citizens, the NGO "People's equality" and "Together," a number of youth and veteran organisations. All of them entered the International Human Rights Movement "World without Nazism" in 2010, which operates in Estonia through its subsidiary — "Estonia without Nazism" (headed by Andrey Zarenkov). "Russian School of Estonia" demonstrated high activity in opposing the elimination of Russian gymnasiums. In 2013, Union of Non-Citizens of Estonia has been created to oppose mass non-citizenship of the Russian-speaking population. Human Rights Centre "Kitez" has also been active in protecting ethnic minorities.

- Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations).

NPO Russian School of Estonia was most active in 2013 in terms of public actions. It organised multiple rallies near government buildings, demanding preservation of Russian-language education in high schools.

On January 23, the regular meeting of the Discussion Club of "Estonia without Nazism" took place. Participants were invited to discuss the issues of the competition among the youth and students of the Baltic Sea countries for the development of creative videos and slide shows on the subject of World War II — "Tolerance and fight against falsification of history." The winning works will be awarded prizes by the international jury, and their subsequent rotations is planned in social networks. [53]

On April 26, one of the conference halls of the Tallinn hotel Dzingel hosted a round table on "Tragedy of the Bronze Soldier. Crime that remained unpunished." The event was organised by a Commission for Public Safety and interaction with a system of judicial and law enforcement bodies of the Public Chamber of Russian Federation and a Human Rights Movement "World Without Nazism." Maksim Reva, currently living in St. Petersburg and one of the then-activists of the "Night Watch," stated at a round table — "After six years, a strange situation emerged — the whole political elite in Estonia decided that everything is forgotten and a page with the Bronze Night and Bronze Soldier could be flipped. Unfortunately, this was instigated in Russia. This is what is most dangerous and hurtful." According to M. Reva, Estonian policies towards the Russian population has not changed. "The anti-Russian rhetoric in Estonian press also continues, and from Russia's side, we are not seeing an appropriate response to this. Also, of course, there is a great danger that there will really be some sort of warming, which the Estonian side will see as — nothing happened, we once again hit Russia on the nose — while from the Russian side, there will only be neighbourly feelings and smiles, and dinners and pianos, etc.", Reva concluded. [54]

In May 2013, Russian Ombudsman in Estonia Sergey Seredenko and Human Rights Organisation "Kitez" spoke against the closure of Ecomen institute — last private higher education institution with Russian-language lessons.

"According to the Framework Convention for the Protection of National Minorities, parties recognise that national minorities have the right to create and manage their own private institutions in the field of training and education. Ecomen was an excellent example that this convention works in Estonian. Furthermore, if Ecomen did not exist, it should have been conceived. By baiting the last Russian university Estonian government makes itself vulnerable to criticism of international human rights organisations," Ombudsman's statement said. [55]

In August 2013, Estonian antifascist activists took part in a three-day congress of Baltic antifascists, held under the auspices of the International Human Rights Movement "World Without Nazism" in Aluksne,

Latvia. Such gatherings were held since 2007, after Bronze Nights in Tallinn, when antifascist organisations of Latvia and Estonia were subjected to harsh persecution by authorities. Head of Estonia Without Nazism Andrei Zarenkov took part in the event.[56]

On November 10, 2013, film by Maxim Reva *The Hidden History of the Baltics* premiered in Tallinn. The film proves that Baltic elites, verbally supporting European values, in fact pursue the policy of national segregation and glorification of Nazism, justifying it with the horrors of Stalin's repressions.[57]

- Presence of anti-racist and anti-fascist civic initiatives.

Estonian Chamber of Representatives of National Minorities addressed an open letter to President Toomas Hendrik Ilves on October 24, where it criticised him for a "speech impermissible for a president." The subject was President's interview on *Adevarul*, where he noted that "On the basis of a secret pact with Nazi Germany, USSR annexed Estonia and established Russian as the language of the Soviet Government." He did not mention the fact that Russian language and Russian culture had existed in Estonia for several centuries.[58]

In March 2013, Constitutional Commission of the Republic of Estonia approved Estonia's accession to UNESKO convention on equal treatment in education. This was made possible by the initiative of NPO Russian School of Estonia Oleg Matveev.[59]

In April 2013, the European Commission considered the petition of the Russian Land Council on the preservation of Russian-language education in Estonia. "Commission wishes to note that according to Article 2 of the Treaty on European Union, respect for the rights of persons belonging to minorities, is one of the fundamental values of the European Union, which is common for all member states. Furthermore, Articles 21 and 22 of the Charter of Fundamental Rights of the European Union prohibits discrimination on the basis of belonging to national minorities and ensure cultural, religious and linguistic diversity."[60]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Presence of anti-racist and anti-Nazi movements and parties	5	5
×	Anti-racist and anti-fascist movement activities (pickets, rallies, demonstrations)	5	5
×	Presence of anti-racist and anti-fascist civic initiatives	5	5
	Total for the section 11	15	15

12. Glorification of German National Socialism and collaborators of Nazi Germany, historical revisionism, Holocaust denial

Indicators

- Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition.

The highlighted characteristics of the glorification of Nazism in Estonia are the annual meetings of Waffen SS veterans from around the world in Sinimäe, publication and wide distribution of calendars, notebooks, as well as playing cards with images of the Nazi occupation, glorifying the SS and prompting to join the fight against the armies of the anti-Hitler coalition, as well as the publication and republication of Nazi literature, including that dated back to the occupation.

All of this is aimed at developing various ideas among the Estonian population, among the younger generation, especially. The ideas include the perception of the SS legionaries as heroes "defending their homeland against Bolshevism." Another purpose is to maintain tense relations with Russia, as well as to split the Estonian society into ethnic groups, due to almost every Russian speaking family having someone who fought and died in the struggle against Nazi Germany, and almost every Estonian family has someone who fought in the Waffen SS.

- Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers.

In March 2013, Tallinn Museum of Occupation presented the newly published book, *Historical Speeches of Estonia*, which included speeches by Estonian Director of Reichskommissariat Hjalmar Mae. [61]

In May, a military sports game for children "Mini-Erna" was held on Saaremaa Island. [62] "Erna" for adults was regularly held in Estonia since 1993, with the support and participation of various military sports clubs from Estonia and other NATO countries. The game was supported by Estonian Ministry of Defence, Estonian Defence Forces, Kaiseliit militia and certain companies.

Children's "Mini-Erna" is similar to the adult version. Children have to recreate the battle of the subversive group "Erna" (subordinate to Abwehr). The group was sent by the Nazis to flank the Red Army on July 14, 1941. The group consisted fully of Estonian volunteers, who were trained in German training camps in Finland. According to Eston-

ian government, such military-patriotic games are crucial to bring up Estonian youth.

- Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities.

On July 6, the 21st gathering of the Union of Estonian Freedom Fighters was held in Polva. The Union consists of World War Two veterans who fought for Nazi Germany. Minister of Defence Urmas Reinsalu sent a greeting letter for participants of the gathering, where he expressed his gratitude for resisting the occupational totalitarian regimes and for their loyalty to high ideals of freedom. "Tens of thousands of Estonian men and women kept high ideals of freedom even in most difficult years of the occupation, they resisted occupational regimes in word and deed, including — for the lack of a better opportunity — in a uniform of another country."[63]

Union of Estonian Freedom Fighters unites veterans of Estonian Waffen SS and the Union of Forest Brothers (led by Arnold Ojaste), which combined anti-Soviet rebels many of whom were former Nazi police officers. Prominent Estonian political parties and government officials do not hesitate to contact these organisations. They operate legally and regularly receive ruling politicians' approval.

For example, on October 2 chairman of the Estonian Union of Forest Brothers Arnold Ojaste awarded Minister of Defence Urmas Reinsalu with an Order of Estonian Forest Brothers. Minister responded that people "who fought the invaders with arms are worthy of support and recognition."[64] Estonian Museum of Occupation hosted a Forest Brothers exhibition between April and October 2013.[65]

On July 29, Minister of Foreign Affairs of Estonia criticised the statement by its Russian counterpart about Waffen SS gatherings in Sinimae. Estonian diplomats hypocritically stated that people in Sinimae commemorated those who perished during World War Two.

- Historical revisionism, Holocaust denial.

Revision of history is one of the main policies of the nationalist parties and the government. The official interpretation of history of the 20th century is based primarily on the notion of the "Soviet occupation," therefore jumping to conclusions on heroism of the soldiers of the Waffen SS, as well as auxiliary police units who fought on the side of Nazi Germany and participated in the Holocaust. School history textbooks downplay or hide Estonians' participation in Jewish executions during the Holocaust and the destruction of Ukrainian and Belarusian civilian population; collaborationists themselves are presented as persons who fought for Estonia's independence, while Wehrmacht soldiers were portrayed positively in contrast to Soviet troops, whom, according to textbooks, "Estonians disliked."[66]

Presence of Criteria	Indicator	Score	
		2012	2013
×	Glorification of German National Socialism and/or its collaborators in the media, desecration and vandalism of monuments and memorials to soldiers of the anti-Hitler coalition	–5	–5
×	Glorification of German National Socialism and/or its collaborators with the support of local authorities, demolition of monuments to soldiers of the anti-Hitler coalition, erection of monuments to the soldiers of Wehrmacht and Nazi butchers	–5	–5
×	Glorification of German National Socialism and/or its collaborators in the decisions made by the authorities	–5	–5
×	Historical revisionism, Holocaust denial	–5	–5
	Total for the section 12	–20	–20

13. Persecution of veterans and partisans of the anti-Hitler coalition

Indicators

- Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists.

  Such cases were not recorded by the monitoring in 2013.

- Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities.

On July 27, Sinimae police was sweeping the territory to prevent antifascist protest actions. Police stopped a car with former Nazi concentration camp prisoners, who were heading to Sinimae to arrange an authorised protest action. Activists were taking banners talking about the role of SS in the destruction of Roma people during the Second World War. After repeated police stops, antifascist were invited to go to Jõhvi police department to obtain permission for the already registered public action.[67]

In 2007, Estonia imposed a 10-year ban on entry for foreign antifascist activists from other Baltic States and Finland. This ban is still in force.

- Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists.

In 2013, criminal investigation against activists of NPO Russian School of Estonia Oleg Besedin and Alisa Blinceva was discontinued for lack of evidence. Antifascists, who used their legal right to convert one of the Russian schools in Tallinn to education in their native language, were accused of forging their own signatures.

Presence of Criteria	Indicator	Score	
		2012	2013
–	Public calls for repression against the veterans and partisans of the anti-Hitler coalition, as well as anti-fascists	0	0
×	Restrictions on human rights and anti-fascist organisations, bans to entry or exit imposed on anti-fascists, inaction of the authorities	–5	–5
×	Criminal prosecution of veterans, partisans of the anti-Hitler coalition and anti-fascists	–5	–5
	Total for the section 13	–10	–10

14. International aspect

Indicators

- Participation in significant international agreements on combating racism and discrimination of ethnic minorities.

Estonia acceded to the major international conventions in this field, including the International Convention on the Elimination of All Forms of Racial Discrimination (1991), the Convention on the Elimination of All Forms of Discrimination against Women (1991) (Optional Protocol to the Convention has not been signed), and the Framework Convention for the Protection of National Minorities (1997).

At the same time Estonia ratified the Framework Convention for the Protection of National Minorities with the proviso, according to which national minorities are exclusively persons with the Estonian citizenship. Thus, about 100,000 people were not protected by the document. For example, on grounds of this the relevant authorities refuse to accept an application for giving a special status to the Russian language, even in places of dense residence of the Russian speaking minority. The fact that the majority of residents in these areas is non-citizens. For the same reason it is prohibited to file any of the petitions addressed to the authorities in Russian in the municipalities.

Estonia has not acceded to the European Charter for Regional or Minority Languages (under the pretext of "recent" development of lan-

guage minorities) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

- Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights.

In 2013, Estonia did not join any international agreements or resolutions aimed at combating Nazism, discrimination, or protecting minority rights.

- International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia.

  No such statements or initiatives were recorded in 2013.

Presence of Criteria	Indicator	Score	
		2012	2013
×	Participation in significant international agreements on combating racism and discrimination of ethnic minorities	5	5
–	Accession to new international agreements and resolutions of various international organisations, aimed at combating Nazism, combating discrimination, or protecting minority rights	0	0
–	International statements and initiatives of the monitored countries and their leading politicians, aimed against discrimination, neo-Nazism and xenophobia	0	0
	Total for the section 14	5	5

CONCLUSION

Implications for the development of the country and society, based on the analysis of factors and taking into account the aspects listed below.

Estonia has slightly improved its performance in the radical nationalism rating. This largely due to Centrist Party's victory and the defeat of radical nationalists in 2013 municipal elections. Extreme right influence of local governments has somewhat decreased as a result.

However, Estonia remains one of the most nationalistic countries in Europe, with discriminatory legislation against minorities, mass non-

citizenship, persecution of antifascist and human rights activists and glorification of Nazi collaborators.

1. Human Rights

- *Guarantees against any form of minority discrimination.*

Articles 9 and 12 of the Estonian Constitution that guarantee the rights of minorities, articles 151 and 152 of the Penal Code of Estonia, the Equal Treatment Act, the Employment Contracts Act and a number of other provisions of anti-racism and anti-discrimination legislation are all in conflict with the Law on Citizenship, Language Law and the Law on Public Service; and the refusal to sign the European Charter for Regional or Minority Languages creates the conditions for discrimination of the Russian language in areas of residence of the non-Estonians. Refusal to ratify the Framework Convention for the Protection of National Minorities actually takes 100,000 non-citizens resident in Estonia outside the scope of this document and negates its value for the same areas of compact settlement of the non-Estonian population.

Thus, ethnic minorities in Estonia do not enjoy the rights and freedoms guaranteed to them by the fundamental international agreements.

- *Adherence to norms of the fundamental human rights instruments (European Convention for the Protection of Human Rights and Fundamental Freedoms, European Charter on Human Rights, as well as in adherence to the Framework Convention for the Protection of National Minorities and the European Commission against Racism and Intolerance, etc.)*

Estonia does not comply with the fundamental provisions of the Framework Convention for the Protection of National Minorities, which together with the contradictions in the Estonian anti-discrimination legislation, creates the conditions for discrimination. Estonia's failure to accede to the European Charter for Regional or Minority Languages promotes the process of assimilation gaining momentum and supported by the authorities of the country.

- *Rights and freedoms of ethnic minorities compared to the titular nation.*

Such discrimination exists and concerns, above all, the right of national minorities to use their native language that is provided by the requirements of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, i.e. those international agreements to which Estonia has not acceded or it has ratified with reservations.

- *Legislation enshrining inequality of minorities.*

Inequality of minorities is embodied in the following Estonian laws:

— The law "on Citizenship," which creates prerequisites for the formation of the category of "non-citizens" and defines the priorities of the naturalisation process;

— The law "on Language," based on which the government issued a list of occupations in the private and public sector requiring a high level of proficiency in Estonian. This almost leads to replacement of non-Estonians from many areas of business and creates a punitive body — a language inspectorate, which controls the use of the state language, including in the public sphere;

— The law "on Public Service," which allows unequal treatment on the basis of language proficiency;

— The law "on Elementary School and High School" and the law "on Private School" both of which together with the amendments, endanger the existence of minority educational institutions;

— The law "on Vocational Training Institutions" which according to the latest amendments in 2012, provides full transfer of vocational education into the Estonian language.

- *Rulemaking in protection of minorities.*

No such rulemaking was recorded in 2013. Bills introduced by the Centrist party were not supported by the parliamentary majority.

- *Freedom of speech violations.*

Ban to entry imposed on *Russian Reporter* journalist Olga Andreeva for her article "Estonian Disease," which criticised the modern state of Estonian society. Political smear campaign and persecution against Centrist Party MP Yana Toom, who criticised Estonians in modern Estonia. Accusations that newspaper *Komsomol Truth — Baltics* is "tightly related" with Russian intelligence. Party of Reforms MP Valdo Randpere's proposal to criminalise denial of the Soviet occupation.

- *Legislation and law enforcement practices concerning migrants.*

The subject of migrants, despite high levels of migrantophobia in society, is not relevant for Estonia. High level of unemployment and barriers to employment make this country unattractive to immigrants. On the contrary, it recently became a country of mass emigration. At the same time, there is an obvious reluctance of the government to accept refugees and migrants. Minimal number of accepted refugees speak for themselves.

2. State of society

- *Risk of violation or non-compliance with the acting laws aimed at protecting the rights of minorities; risk of discriminatory practices against members of minorities.*

Estonia has a discriminatory legislation which implies daily discriminatory practices against ethnic minorities regarding them using their mother tongue. Furthermore, the presence of the so-called "non-citizens" in the country actually takes a large (almost 100 thousand people) group of people beyond the scope of Estonian anti-discrimination legislation.

Revealed facts of this kind, tough language policy backed by the refusal to accede to the European Charter of Regional languages and the presence of discriminatory laws against minorities lead to a decrease in opportunities for self-realisation of the Estonian residents, to assimilation and further splitting of the society, to "excluding" minorities from the social processes and, ultimately, to the weakening of the state.

- *Self-determination — how manifestations of xenophobia and extremism affect the identity of minorities; majority's attitude towards minorities (growth of social phobias).*

The segregation of the society into the representatives of the titular nation — the Estonians and the Russian speaking people occurred in Estonia in the beginning of the 1990s, when the country decided to follow the path of restoration of independence and to deprive the who came there after 1940 and their descendants of citizenship.

Today this split reinforced by the discriminatory legislation creates all the conditions for the high level of xenophobia, while the nationalist policies of the ruling establishment and the radical nationalist parties and organisations contribute to it.

3. Socio-economic development of the country

(Do manifestations of various forms of xenophobia and extremism affect the socio-economic development of the country.)

- *Standard of living.*

The standard of living in Estonia is better than that in the other Baltic countries, but when compared to the level of the Scandinavian countries and the other developed countries of the EU, it remains very low. According to IMF, Estonia is in 42nd place by GDP per capita (neighbouring Finland is in 18th place). Harsh language requirements, as well as the numerous bans on the occupation choice for non-citizens have basically thrown many professionals who cannot work in their field out

of the production process and economic activities, which certainly influenced the level of the economic development of the country and its scientific potential.

This together with the inability of non-citizens to participate in the Estonian privatisation on equal terms, in general, is reflected in the standard of living in Estonia.

- *Economic impacts and instability.*

The economic problems, as well as the economic instability, are both typical for Estonia. Many of these problems were caused by the hostile policy of the country's leadership toward Russia and Russian speaking residents of Estonia.

- *Decline in production growth, emigration of the labour force.*

The overall difficult economic situation was exacerbated during the financial crisis of 2008, accompanied by the mortgage crisis. The overall decline in production from 2008 to 2013 provoked the departure of many employable citizens of the country. In 2013, the number of entries to Estonia was 1.5 times more than the number of exits. Altogether, approximately 100,000 people left the country since its independence.

4. Security and geopolitical stability in the region

- *Political stability in the country.*

Estonian society is split into citizens and non-citizens, which, of course, affects the cohesion of the society. A society where the two communities are developed in isolation from each other (as in Estonia, even unlike in Latvia, it really is so) cannot be promising. For now, there is no effect of the disintegration on the political stability. The key to this is the high level of the police control and that of the special services which do not only allege accusations against famous politicians but also put together criminal cases against human rights activists, as well as interfere with the business sponsors of those organisations that are critical of the regime. In addition, the government and the intelligence agencies rely on the high level of nationalism and anti-Russian sentiments in the Estonian society that is of support in this case.

- *Impact of xenophobia and extremism in the country on external security, relations with third countries and the international security in the region as a whole.*

The policy of discrimination against ethnic minorities, the glorification of Nazism and such lead to the deterioration of Estonia's international image, and not only in relations with its nearest neighbour

Russia, but also with the other countries. The letter of the Assembly of Deputies of New York, directed in 2011 to Prime Minister Ansip was indicative in this sense. The Assembly criticised the glorification of Nazism in the country.

RECOMMENDATIONS

1. *General recommendations for the accession to international agreements and conventions*

Estonia should withdraw the reservations to the Framework Convention for the Protection of National Minorities, because those exclude nearly 100,000 members of ethnic minorities from the scope of the convention and therefore negate its importance in the areas of compact settlement of non-Estonians. Estonia should also accede to the European Charter for Regional or Minority Languages.

Estonia should also support resolution A/RES/67/154 of the UN General Assembly on "Glorification of Nazism: the inadmissibility of certain practices that contribute to fuelling contemporary forms of racism, racial discrimination, xenophobia and related intolerance" and other similar resolutions against neo-Nazism considered in the UN every year.

2. *General recommendations for adjustments to the legal framework*

Estonia should dismantle the discrimination legislation against minorities, by abolishing the discriminatory provisions of the following laws: the Act on Citizenship, the Act on Language, the Act on Public Service, the Act on the Elementary School and High School, the Act on Private School, the Act on Professional School.

While following the path of dismantling the discrimination legislation, Estonia should grant citizenship status to all inhabitants living in this country at the time of its independence as of 1991, as well as their children and grandchildren.

3. *General recommendations for the executive bodies in the field of enforcement of law and human rights*

Estonia should stop the practice of holding such events. Estonia, just like Latvia, should accept the provisions of the General Comment 34 of the International Covenant on Civil and Political Rights, which states that "two narrow limitation of rights are allowed" to the freedom of expression "which can apply either to respect of the rights or reputation of other persons, or for the protection of national security or public order (ordre public), or public health or morals."[68]

It would be quite relevant to monitor the governmental and public implementation of the rights of national minorities regarding their native language. It is needed to shut down or reorganise the Estonian Language Inspectorate, as the structure discriminates Russian speaking residents of the country and interferes with the affairs of business organisations, imposing large fines for lack of knowledge of the state language.

The government should suspend Estonisation of the minority schools and, at the very least, not hinder parents, boards of trustees, as well as municipalities petitioning to preserve the native language as primary in the tuition process at the educational institutions. This is a basic requirement contained in the recommendations of the international organisations in Estonia, which was piously adhered to even in the Estonian SSR regarding Estonian schools until 1991.

The Ministry of Justice and the law enforcement institutions of Estonia should check the activities of the radical nationalist parties for compliance of its activities, including public statements by leaders, to the statutes and the legislation.

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SUMMARY OF INDICATORS FOR 2012–2013

№	Criteria	Score	
		2012	2013
1	Legislation (central, regional, municipal) and law enforcement practices that contribute to the development of radical nationalism	–20	–20
2	Xenophobia and inflammatory statements by members of the authorities and media	–5	–5
3	Legislation and law enforcement practice preventing the development of radical nationalism	2.5	2.5
4	Statements made by government representatives, members of the ruling party and influential politicians against xenophobia and radical nationalism	5	5
5	Activities aimed at promoting tolerance and preventing extremism	5	5
6	Status of migrants and society's attitude towards immigrants, foreigners, different ethnic groups	10	10
7	Incitement of religious and ethnic hatred	–10	–10
8	Radical nationalist groups and parties	–22.5	–20
9	Extremist and radical nationalist public actions	–10	–10
10	Racist attacks, violence and terror	–5	–5
11	Presence, popularity and size of anti-fascist and anti-racist movements	15	15
12	Glorification of German National Socialism and collaborators of Nazi Germany	–20	–20
13	Persecution of veterans and partisans of the anti-Hitler coalition	–10	–10
14	International aspects	5	5
	Total	–60	–57.5

RATING TABLE

Level of radical nationalism in Europe (2013)

№	Country	Rating score
1	Greece	–65
2	Latvia	–65
3	Ukraine	–62.5
4	Estonia	–57.5
5	Moldova	–52.5
6	Lithuania	–47.5
7	United Kingdom	–45
8	Hungary	–42.5
9	France	–42.5
10	Russia	–35
11	Bulgaria	–32.5
12	Romania	–30
13	Poland	–25
14	Czech Republic	–25
15	Italy	–12.5
16	Finland	–12.5
17	Germany	–10
18	Albania	–7.5
19	Croatia	–7.5

Conclusion

Cumulative analysis of factors that have decisive influence on social development in 19 European countries during the year 2012 showed that the factor of hate (towards other social, national, religious, and other groups), including such manifestations as xenophobia, radical nationalism, neo-Nazism, discrimination, etc., is characteristic to all monitored countries without exception. Difference in scores is impressive. On the one hand, Greece and Latvia — both of which scored 65 negative points; and on the other hand, Germany and Italy — which scored –10 and –12.5 respectively. This gives food for thought and not comforting forecasts. In general, however, we can conclude that the level of radical nationalism in Europe remains incredibly high.

What are the causes?

The main reason is the **crisis of traditional European National State**, which was created in mid-19th — early 20th century on the ruins of former great empires. National state is a natural and irreplaceable institute of modern humanity. It protects the interests of the nation. The question is what is meant by the "nation"?

Nation can be regarded as an ethnic group. Such National State formed on the "principle of blood." This is something many radical nationalists and neo-Nazi aspire to, despite the fact that the only European experience of such state in 1930–1940s failed, resulting in a tragedy of millions.

Nation can also be considered as a community of people united by a common supranational (supra-ethnic) political or religious idea, tied to a common territory and common historical fates of members of the community. For example, establishment of the United States was based on Protestant messianic idea of exploration and democracy. On the basis of this ideology and universal mythology immigrant state, a new American nation was created. Its culture is based on British culture mixed with Irish, French, African, Latin American and other cultures, which gave it a unique *American* character.

Swiss nation was based on the idea of *neutrality*. In 1291, three cantons populated by different, primarily Germanic, ethnic groups united to defend themselves against Austrians, Burgundians and other troublesome neighbours. In 1513, they were joined by 10 more cantons (currently — 26). For a small country surrounded by large, constantly warring states, neutrality guaranteed safety and allowed to play an important role in the world arena. As a result, the desire for peace and economic prosperity outweighed the cultural and historical ambitions of various peoples, creating a new multi-ethnic nation that has four official languages and does not have any communicational or other difficulties in this regard. Switzerland, uniting several ethnic groups that previously fought amongst themselves, sets a classic example of how a supra-ethnic ideology could unite potential enemies within one country, the stability and cohesion of which is cause for envy of many European National States.

Class idea — the idea of dictatorship of the proletariat and proletarian internationalism -united almost all lands of the disintegrated Russian Empire and created a new country — the Soviet Union. Over the years, USSR almost concluded the process of creating a new multi-ethnic nation, or as it was then called — "a new historical community — the Soviet people." The *idea* then lost popularity, was discredited and substituted in several Soviet republics with nationalist ideas, which along with objective destructive processes characteristic for all empires largely contributed to the collapse of the Soviet Union.

Conventionally, such state can be called *international*, since it is not created around the traditions of a particular titular ethnic group.

However, in most European countries, a nation is a community of people who *regardless of their ethnicity* are united by a **common territory**, as well as a **common cultural** and **historical** identity.

This traditional perception allows member of any ethnic or religious group to become French, Greek or Italian, if he satisfies the strictly defined conditions for naturalisation. National states where ethnicity is irrelevant, but what is important, is the cultural unity, common historical destiny, common territory, are finally considered the countries created on the "principle of land," they are definitely based on cultural, historical and linguistic traditions of the titular ethnic group. In other words, to be a part of the French nation, resident of the French Republic does not have to be French by ethnicity, but must be fluent in French, accept the French history and culture as his own and feel his integral belonging to France. Calling things by their proper name, he has to voluntarily assimilate. The word "voluntarily" is key here. This does not mean that he has to forget his roots and native language. In France, for example, we find the descendants of the Russian immigration of 1920s, who preserved Russian language and carefully treat their

ancestors' culture, but they are actually French, in a cultural, linguistic and everyday sense of the word.

This state-forming principle is still considered a major achievement of European democracy, an essential tool in the struggle against racial and religious discrimination. This principle founded the majority of Old World countries. This state is what many post-Soviet countries strive for.

The crisis arose as a result of globalisation processes, when streams of immigrants poured into Europe unwilling to voluntarily assimilate. Tunisians in France wanted to stay Tunisians, and not become French. In Germany, the same happened with Turks. Yes, they enjoyed living in these countries, where their children were born; and they were ready to accept themselves as citizens of France or Germany, but not as French and Germans. However, European traditional National States, despite claims of commitments to the ideals of multiculturalism, were not ready to accept the new model. The situation in post-Soviet states was even more difficult, especially in those with large *irredenta*.

There is a difference between the term "*diaspora*" and "*irredenta*." American sociologist Rogers Brubaker uses the term "accidental diasporas" and differentiates between the terms "movement of peoples across borders" and "movements of borders across peoples."

Irredenta (*Italian: irredentismo*, "unredeemed"), or irredenta nation, is used to describe ethnic minorities inhabiting the territory adjacent to the country dominated by their compatriots. Unredeemed nation is left beyond the borders of its country after wars, annexations, border disputes or as a result of various colonial models — in this case, it was the fall of the Soviet Union.

Unlike a diaspora, whose members are scattered throughout the territories far from their historical homeland, members of irredenta are compactly settled in countries bordering their historical homeland, with particularly high concentration in the border adjacent regions. The main feature of irredenta is its large numbers at a relatively low level of internal consolidation.

Therefore, Russian-speakers living in the former Soviet Union should not be defined as "*diaspora*," but "*irredenta*," as they have long been living on their territory and are not migrants.

Irredenta are usually sensitive to any infringement of the majority on their rights, since they consider themselves autochthonous inhabitants of the territory they occupy. If discrimination takes on a systematic character, irredenta form a **movement for reunification with the territory of the ethnic majority** — irredentism.

In just Moldova and the Baltic States, more than a million of Russian-speaking inhabitants were artificially separated from the Eastern European civilisation, from their spiritual and cultural centre — Russia.

Instead, they were offered other national, cultural and political values alien to them. Furthermore, while in Lithuania and Moldova the imposed assimilation process was relatively voluntary — all residents at the time of independence received citizenship and equal rights — minorities in Latvia and Estonia were subjected to forced assimilation — they were not granted citizenship, they were deprived of many political and economic rights, education in minority schools was gradually phased out, they were dismissed form civil service positions under the pretext of poor knowledge of state language, etc. These countries created special language services, which monitored the use of state language in business activities.

This was met resistance and was rejected by most Russian-speaking people, which was the root cause of the crisis. Among other things, irredenta is dissatisfied with the foreign policy of these countries — leading towards confrontation with Russia; this group of people value not only the equality of their language and culture, but also the friendly relations with its historical homeland.

Thus, the course of these countries — multinational by their ethnic composition and with a large Russian irredenta — towards building a European nation state, geared towards friendly relations with Europe and confrontation with Russia, is a course towards a permanent crisis, where the Russian-speaking "accidental diaspora" is unwilling to assimilate and accept the national policy of their governments. Under certain circumstances, Ukraine could join the list of such countries, if it follows its national forces along the "Baltic path."

Crisis of traditional European National Stateis caused by the contradictions between principles which it was built upon and expectations of national and religious minorities.

Is there a solution to this crisis? Certainly, yes. There are two alternatives. Assimilation (in this case — forced, because voluntary assimilation is practically exhausted after multiple mistakes and objective consequences of globalisation) or changing the type of the state — a National Statecreated around the traditions of the titular nation must be transformed into an international state, united by a certain idea. This could be the European idea in the EU, idea of Ukrainian, Moldovan, etc. internationalism in CIS countries and so on.

There are serious doubts in the success of the assimilation project in today's globalised environment, when assimilation targets a large number of people who communicate with their historical homeland or are susceptible to foreign ideological movements (especially under government's isolation from these processes). Forced assimilation in such circumstances is hardly possible, given the number of subjects for assimilation, their solidarity and cautious (and sometimes, hostile) attitude towards the majority.

This leaves changing the type of the state. An international state can be built on the principle of federalism — delegation of powers between the centre and federal subjects — or on the principle of general internationalism, if there is a desire to keep the unitary character of the state. This is more difficult, because reform will affect all main state institutions and all residents of the country. Certainly, it will affect not just the economy and politics of the country, but also ideology, language, culture, education, etc. Therefore, the ideology of *primacy of the titular nation* must be replaced with another ideology.

When it comes to Europe, this process involves breaking the public identity of majority of Europeans, which they are definitely not prepared for at the moment. This is evidenced by the 2014 European Parliamentary Elections, where Eurosceptics and nationalists, including radicals, were quite successful. However, election of Jean-Claude Juncker as Head of European Commission indicates that Europe will continue its course towards federalisation, at least in the next five years.

We also see the rise of nationalist influence in such post-Soviet countries as Russia, Ukraine and Moldova. It seems that nationalists were fairly successful the latter two countries, despite their multinational nature. However, in Russia nationalists were met with government's strict resistance. After years of hesitation, Kremlin seems to have made a bit to preserve the international nature of its country and rejected the idea of Russian National Stateproposed by radicals. Many Russian citizens, infected with migrantophobia under unexpected globalisation, are not satisfied by this. Further complications arise from the support of Liberal opposition for Russian nationalists. Liberals were primarily concerned with creating a "united anti-Putin front" and provided nationalists with an oppositional tribune, thus contributing to their popularity and demarginalisation.

In the nearest future, we should expect further growth of nationalist tendencies in Ukraine and Moldova, which will aggravate the crisis in these countries. In Russia, antifascist forces supported by the government will continue to combat nationalists supported by the Liberal opposition.

What additional conclusions can be drawn from *White Papers of Hate 2013*?

First, we must conclude that EU institutions are so far ineffective in combating radical nationalism. This threat is underestimated in Brussels and other European capitals. Furthermore, the European Commission is not reacting to the fact that many countries have governments professing radical nationalist views, majority of EU countries have xenophobic parliamentary parties and in some countries, radical nationalists are part of the ruling coalition.

On the other hand, there is evidence that some EU leaders are realising the scale of the problem and its causes — crisis of traditional European nation-state. This was one of the underlying reasons for the European federalisation project, proposed by the former chairman of the European Commission José Manuel Barroso. In all likelihood, this movement will continue by the new EC leadership, headed by Jean-Claude Juncker. A possible alternative is the further growth of nationalistic tendencies, weakening of European institutions and disintegration of Europe. Nevertheless, the process of Euro-integration will be very difficult. For the next five years, federalisation will be objected by Eurosceptic MEPs, elected in 2014, whose ranks were supplemented with blatant nationalists from various countries — from Latvia to UK.

Attempts to create European-style nation states in Russia, Ukraine, Moldova and other post-Soviet countries is a road into the abyss of a crisis that is already rampant in Europe. For some CIS countries, especially Russia, these attempts risk disintegration of the country and the emergence of a number of traditional National States, which can lead to uncontrollable processes on the post-Soviet space.

In this situation, international organisations and certain leading countries play a special role. In conditions of weak civil society in countries most susceptible to radical nationalist influence, these organisations and countries still possess the necessary political and economic resources to eliminate nationalists' socio-political base. In order to achieve this, it is necessary to recognise the danger and introduce a system of measures aimed against radicals' influence on the government.

First Vice-President
IHRM "World Without Nazism"

Valery Engel, Ph.D.

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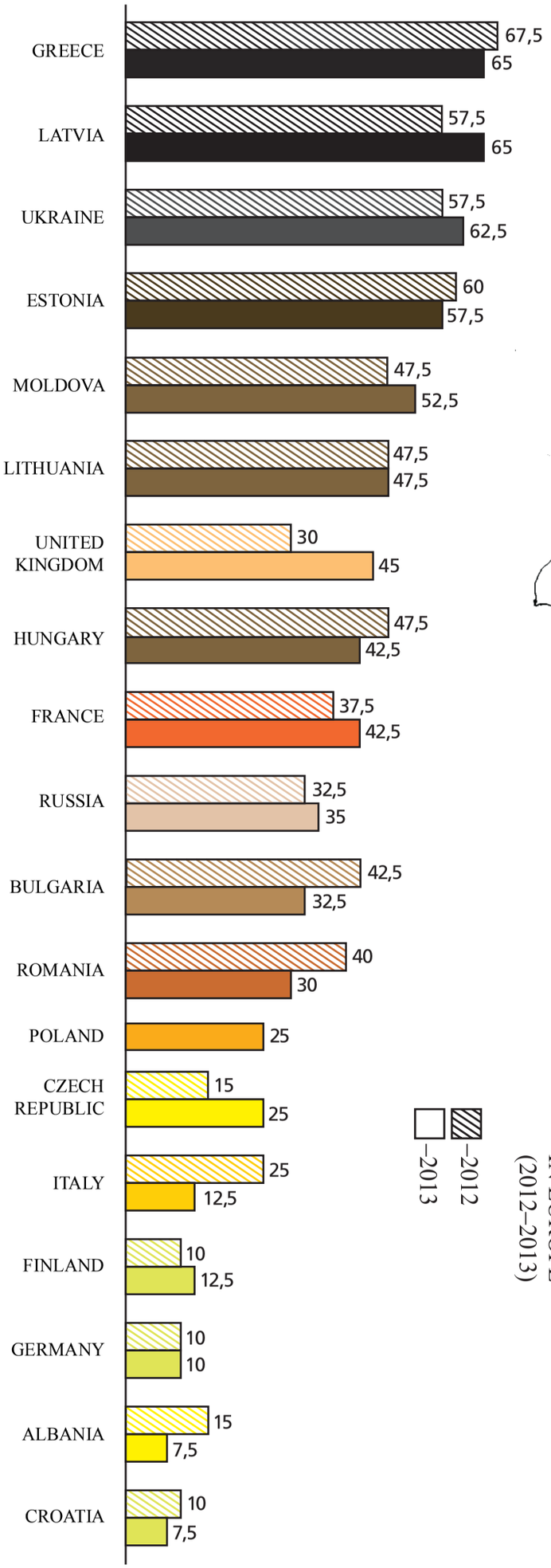
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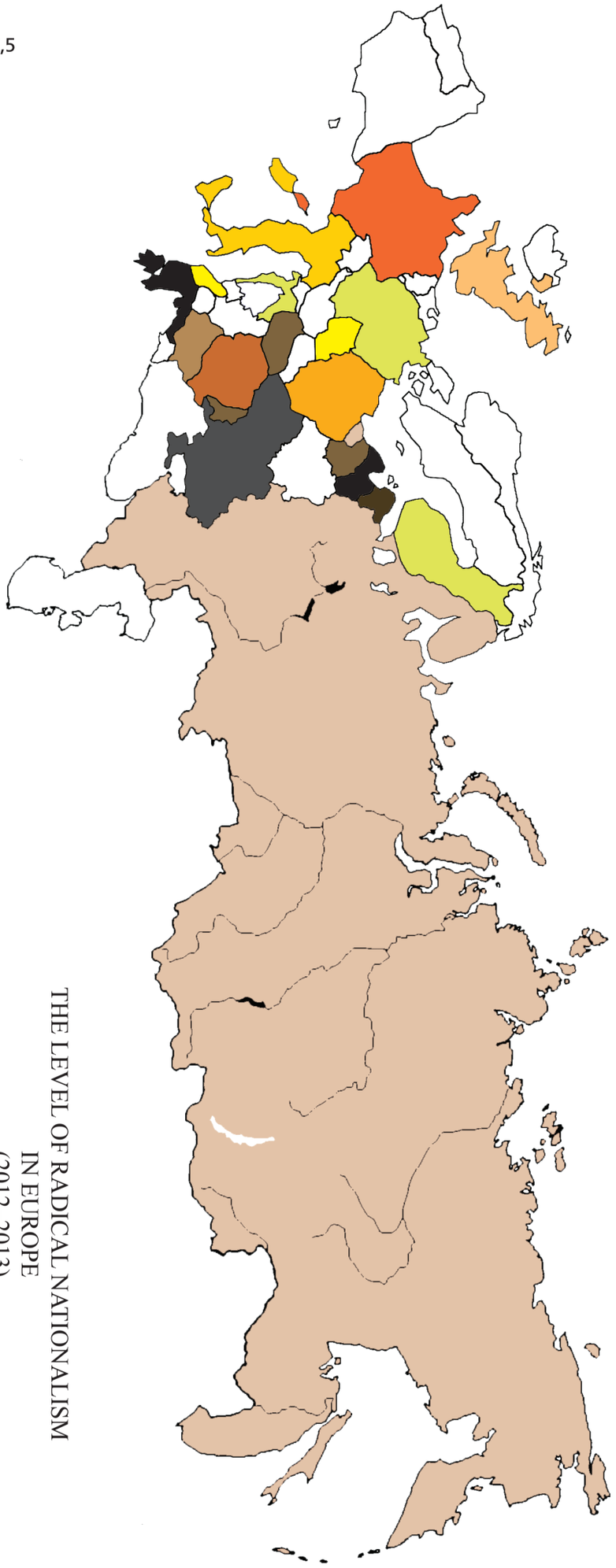
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