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Revealing the dark figure of unreported hate crime in the EU

Two new reports by the European Union Agency for Fundamental Rights (FRA) show the extent to which hate crime is a problem in the European Union.

Making hate crime visible in the European Union: acknowledging victims' rights adopts a fundamental rights perspective, focusing on victims' rights. Through a comparative overview of official data collection mechanisms on hate crime in the 27 EU Member States, the report highlights substantial differences between data collected in individual countries, as well as divergent approaches to hate crime in criminal law. It identifies difficulties faced by Member States in collecting data on hate crime and bringing perpetrators to account, to allow victims to seek redress.

This report complements *EU-MIDIS Data in Focus 6: minorities as victims of crime*. EU-MIDIS remains the first survey to specifically sample ethnic minority and migrant groups throughout the EU27. This report, which is the last of the EU-MIDIS reports, presents data on respondents' experiences of victimisation across five crime types, from theft through to serious harassment. It shows which ethnic minority and immigrant groups are most likely to be affected by racist crime, the proportion of victims who report incidents, and their reasons for not reporting them.

Taken together, the two reports help to clarify the 'dark figure' of hate crime. While *Making hate crime visible* shows the substantial gaps in national data collection methods, leading to a distorted picture of the scale of hate crime in individual Member States, the *Data in Focus* reveals the extent to which minority groups perceive themselves to be victims of racially motivated crime. This, and the fact that so many of these offences go unreported, suggests that countries need to improve their hate crime data classification and collection and work to increase trust in law enforcement authorities.

The findings of both reports support, among others, the efforts of Member States to implement Framework Decision 2008/913/JHA on racism and xenophobia, which will be reviewed in November 2013. This Framework Decision stipulates that Member States must take the necessary measures to ensure that offences motivated by racism or xenophobia are punished more severely than others. With the exception of Belgium, Estonia and Greece, the Framework Decision has been transposed into the legislation of all Member States.

KEY RESULTS

The 27 EU Member States differ in the data they record and publish on hate crime, resulting in gaps in data collection across the EU (Table 1). This means that official hate crime data often fails to capture the real situation on the ground.

Table 1: Official data pertaining to hate crime published in 2010 by bias motivation, by EU Member State

EU Member State	Racism / Xenophobia	Antisemitism	Sexual orientation	Extremism	Religious intolerance	Islamophobia	Anti-Roma	Disability	Gender Identity	Other / Unspecified
AT	✓ 64	✓ 27		✓ 335		✓ 8				✓ 146
BE	✓ 924	✓ 2	✓ 58							✓ 49
BG	✓ n/a									✓ n/a
CY	✓ 32									
CZ	✓ 226	✓ 28		✓ 252			✓ n/a			
DE	✓ 285	✓ 1,166		✓ 20,811						
DK	✓ 62		✓ 30		✓ 10					✓ 37
EE										✓ 86
EL	✓ n/a									
ES	✓ n/a		✓ n/a							
FI	✓ 741	✓ 4	✓ 43		✓ 52	✓ 15		✓ 20	✓ 5	
FR	✓ 886	✓ 466		✓ 127		✓ 100				
HU	✓ n/a									✓ n/a
IE	✓ 122	✓ 12								
IT	✓ n/a									✓ n/a
LT	✓	✓								✓

	n/a	n/a								n/a
LU	✓ 24									✓ n/a
LV	✓ n/a									✓ n/a
MT	✓ n/a									
NL	✓ 1,168	✓ 286	✓ 660	✓ 139	✓ 108	✓ 93	✓ 4	✓ 7	✓ 17	✓ 668
PL	✓ n/a	✓ n/a	✓ n/a			✓ n/a	✓ n/a	✓ n/a		✓ n/a
PT	✓ n/a									✓ n/a
RO										
SE	✓ 3,786	✓ 161	✓ 770	✓ 444	✓ 552	✓ 272	✓ 145		✓ 31	✓ 818
SI	✓ n/a				✓ n/a					
SK	✓ 114			✓ 51						
UK	✓	✓	✓		✓			✓	✓	
England, Wales & Northern Ireland	31,486	488	4,883		2,007			1,569	357	
Scotland	4,513	448			693			50	14	

Q: What is hate crime?

A: Violence, threats and offences motivated by racism, xenophobia, religious intolerance, or by a person's disability, sexual orientation or gender identity are all hate crimes. However, this is not a formal definition, as Member States all have their own, different descriptions and means of addressing hate crime.

Q: Which groups are the main targets of hate crime in the EU?

A: The data collection mechanisms currently in place in the EU make it difficult to determine the main groups targeted by hate crime with any certainty, as there are such enormous differences between Member States in terms of data classification and collection (see Table 1 above). The majority record racist/xenophobic crime (25 Member States), followed by antisemitic crime (12), crime motivated by someone's sexual orientation (8), extremist crime (7), religiously motivated crime (6) and then Islamophobic/anti-Muslim crime (6). Only four Member States record official data on crime motivated by the victim's gender identity, being a Roma or having a disability.

It is important to remember that people need not have any of the characteristics attributed to them to become the victim of a crime motivated by bias or prejudice, often referred to as 'hate crime'. It is sufficient for offenders to *perceive* that someone has a certain characteristic to motivate attacks.

Q: Who commits hate crimes?

A: While (violent) expressions of prejudice are often thought to emanate from people with extremist sympathies, there is ample evidence to suggest that those who commit such offences are drawn from a wide social spectrum. Moreover, the vast majority of victims and witnesses of such incidents or offences tend not to report them, enabling perpetrators to carry out their actions with relative impunity. Indeed, the almost exclusive focus on the behaviour of extremists keeps 'everyday' forms of prejudice and abuse – such as the bullying of people with disabilities – to remain unnoticed and therefore unaddressed.

Q: What impact does hate crime have on victims?

A: Victims of hate crime are abused for what they are perceived to be. Evidence shows that hate crimes have a strong impact on victims, in part because they cannot attribute their victimisation to bad luck. Instead, they are forced to accept that their social identity was targeted and that they remain at risk of repeat victimisation.

It is in the intensity of their fear, anxiety attacks and loss of confidence that their experiences differ most significantly from those of victims of other types of crime. The physical harm resulting from violence motivated by prejudice is often less significant than the powerful sense of violation and humiliation that accompanies it.

Hate victimisation does not only affect victims, but also their families and their wider communities. Fear can be contagious, due to the shared social identity of the family or group.

The report "Making hate crime visible in the European Union: acknowledging victim's rights" can be found at: http://fra.europa.eu/sites/default/files/fra-2012_hate-crime_embargo.pdf

The report "Data in Focus 6: Minorities as victims of crime" can be found at: <http://fra.europa.eu/sites/default/files/fra-2012-eu-midis-dif6-embargo.pdf>

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