

EUROPEAN COMMISSION AGAINST RACISM AND INTOLERANCE (ECRI)

COUNTRY MONITORING RECOMMENDATIONS

4th round of country monitoring

**COMPILATION OF RECOMMENDATIONS RELATING TO THE USE OF CRIMINAL LAW
TO COMBAT RACISM¹ AND RACIAL DISCRIMINATION²**

Legislation

24. ECRI recommends that the **Andorran** authorities strengthen the criminal legislation in place relating to racism and intolerance and introduce in the Criminal Code [a number of provisions which ECRI, in line with its General Policy Recommendation No. 7 (GPR No.7), considers essential in order to fight racism and racial discrimination], including a provision prohibiting public incitement to violence, hatred and discrimination.
21. ECRI recommends the **Armenian** authorities that the following acts be expressly criminalised, when committed intentionally: (a) the creation or leadership of a group that promotes racism (b) support for such a group and (c) participation in its activities with the intention of contributing to a series of offences enumerated in General Policy Recommendation No. 7.
22. ECRI recommends that the [**Austrian**] authorities take into account its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination when incorporating into Austrian law the obligations arising from the EU Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (2008/913/JAI).
19. ECRI recommends that the **Belgian** authorities assess the implementation of the criminal law provisions against racism in order to identify, including notably from recent case-law, any gaps that need closing or any improvements or clarifications that might be required, so that changes can then be made if necessary. In this respect, ECRI draws the authorities' attention to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination which contains guidelines in this area.
17. ECRI strongly recommends that the authorities of **Bosnia and Herzegovina** monitor the effectiveness of the criminal law provisions against racism and racial discrimination and that they complement these provisions as necessary to provide effective protection against racism and racial discrimination, taking into account the elements set out in ECRI's General Policy Recommendation No. 7.

¹ According to ECRI's General Policy Recommendation No. 7, racism is the belief that a ground such as "race", colour, language, religion, nationality or national or ethnic origin justifies contempt for a person or a group of persons or the notion of superiority of a person or a group of persons.

² According to ECRI's General Policy Recommendation No. 7, racial discrimination is any differential treatment based on a ground such as "race", colour, language, religion, nationality or national or ethnic origin, which has no objective and reasonable justification.

16. ECRI reiterates its recommendation to the authorities of **Bosnia and Herzegovina** that the law should explicitly provide that racist motivations constitute an aggravating circumstance in respect of all offences. It furthermore encourages the authorities at the relevant levels to complete as soon as possible the process of enacting a law banning fascist and neo-fascist organisations and their symbols and to bring to fruition the work under way to strengthen criminal law provisions against hate crimes, hate speech, discrimination, cybercrime and Holocaust denial.
25. ECRI again recommends that the **Bulgarian** authorities insert a provision in the Criminal Code expressly stating that racist motivation for any ordinary offence constitutes an aggravating circumstance.
26. ECRI recommends that the **Croatian** authorities amend the new Criminal Code to include citizenship as a ground in all the relevant articles and to make it an offence to create or lead a group which promotes racism, as in paragraph 18 g) of its General Policy Recommendation No. 7.
15. ECRI recommends that the [**Cypriot**] authorities pursue their goal of ensuring that new criminal legislation expressly states that racist motivation for any offence constitutes an aggravating circumstance.
22. ECRI recommends that the **Czech** authorities monitor the implementation of the new Criminal Code, in order to ensure that the new provisions relevant to the fight against racism, xenophobia and related forms of intolerance are at least as protective of victims of crimes motivated by hate as those previously in force.
41. ECRI urges the **Estonian** authorities to amend the Criminal Code in order to clearly punish all racist crimes. It draws their attention to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination in which it recommends, in paragraph 18, that criminal law should penalise the public incitement to violence, hatred or discrimination, public insults or defamation or threats against a person or a grouping of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin.
44. ECRI recommends that the **Estonian** authorities include in the Criminal Code a provision specifically prohibiting racist organisations as recommended in its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
23. ECRI recommends that the **French** authorities continue evaluating the effectiveness of the criminal law provisions to combat racism. This should involve identifying, notably on the basis of recent case-law, any deficiencies to be remedied or possible improvements and clarifications to be made and then amending the law where necessary. In this connection, ECRI draws the authorities' attention to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, which sets out guidelines.
41. ECRI recommends that the effectiveness of the penal transaction procedure in cases of racial discrimination in **France** be assessed on the basis of the results attained so far and that any adaptation measures which prove necessary be taken.
22. ECRI reiterates its recommendation that the **French** authorities extend the principle of aggravating circumstances constituted by racist motivation, which is only applicable to certain criminal offences, to all criminal offences.

11. ECRI again strongly encourages the **Georgian** authorities to enact legislation providing for racist motivation to constitute a general aggravating circumstance applicable to all types of offences. It recommends that the Georgian authorities revise and add to the criminal law provisions for combating racism and intolerance, in particular by introducing provisions prohibiting offences such as racist insults, the public dissemination or distribution with a racist aim of material containing racist statements, and the creation or the leadership of a group which promotes racism. ECRI's General Policy Recommendation N° 7 on national legislation to combat racism and racial discrimination provides relevant guidelines in this respect.
22. ECRI strongly recommends that the **German** authorities make specific provision in the criminal law for racist motivations for ordinary offences to constitute an aggravating circumstance, taking account of the recommendations contained in ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
13. ECRI strongly recommends that the **Hungarian** authorities keep the adequacy of the criminal law provisions against racist expression under review. It strongly recommends that they take into account international standards in this respect, including the recommendations on criminal law provisions contained in ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, according to which the law should penalise racist acts including public incitement to violence, hatred or discrimination as well as public insults, defamation or threats against a person or a grouping of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin. It recommends that the authorities pay special attention in this regard to ensuring that, in so far as these standards may mean imposing certain limits on the freedom of expression, these limits are interpreted in line with Article 10 of the European Convention on Human Rights and the relevant case-law of the European Court of Human Rights. ECRI further recommends that the Hungarian authorities take measures to increase awareness among judges of international standards against racist expression.
19. ECRI recommends that the **Hungarian** authorities make specific provision in the criminal law for racist motivations for ordinary offences to constitute an aggravating circumstance, taking account of the recommendations contained in ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
16. ECRI again encourages the **Hungarian** authorities to take into account the recommendations on criminal law provisions contained in its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, according to which the law should penalise racist acts including: the public denial with a racist aim of the crime of genocide; the dissemination and distribution with a racist aim of racist material; and the creation and participation in the activities of a group which promotes racism. It recalls in this respect its recommendation made above with respect to the ratification of the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist or xenophobic nature committed through computer systems.
22. ECRI reiterates its recommendation that the **[Icelandic]** authorities introduce a criminal law provision that expressly considers the racist motivation of an offence as a specific aggravating circumstance.

27. ECRI recommends that the **Irish** authorities assess the application of the criminal law provisions against racism in order to identify, including notably from recent case-law, any gaps that need closing or any improvements or clarifications that might be required, so that changes can then be made if necessary. In this respect, ECRI draws the authorities' attention to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination which contains guidelines in this area, including on making racist motivation an aggravating circumstance.
19. ECRI recommends that the **Italian** authorities look closely at how the courts interpret paragraphs 3(1)a and b of Law No. 205/1993, as amended by Law No. 85/2006, in order to assess the effectiveness of the current provisions for combating the dissemination of racist ideas as well as incitement to commit and commission of discriminatory acts motivated by hatred. It recommends that they amend these provisions if necessary in order to ensure effective protection against such acts.
13. ECRI recommends that the **Latvian** authorities amend the criminal law legislation aimed at combating racism by criminalising: racist speech (other than incitement to hatred which is already a criminal offence); the production, distribution, acquisition, transportation or storage of items that incite hatred on ethnic, racial or similar grounds; and the creation of/support/leadership/participation in a group which promotes racism. In this connection, ECRI refers to its GPR No. 7.
19. ECRI recommends [to the authorities of **Liechtenstein**] that the range of acts listed under Article 283 of the Criminal Code be prohibited also on grounds of language and nationality.
14. ECRI recommends that the **Maltese** authorities complement the existing criminal law provisions against racism by expressly prohibiting: the creation or leadership of a group which promotes racism; and racial discrimination in the exercise of one's public office as per ECRI's GPR No. 7 paragraph 18 (g) and (h). Furthermore, ECRI strongly recommends that the Maltese authorities maintain national origin and citizenship as grounds under which racist conduct and racial discrimination are prohibited.
32. ECRI recommends that the **Moldovan** authorities align the provisions of the Criminal Code designed to combat racism and racial discrimination to all its recommendations relating to criminal law contained in §§ 18-23 of General Policy Recommendation No. 7.
45. ECRI encourages the **Monegasque** authorities to pass the bills on sport and offences relating to computer systems, drawing on the principles set out in its General Policy Recommendations No. 12 on combating racism and racial discrimination in the field of sport and No. 6 on combating the dissemination of racist, xenophobic and antisemitic material via the Internet.
44. ECRI strongly recommends that the **Monegasque** authorities make specific provision in criminal law for racist motivations for ordinary offences to constitute an aggravating circumstance, taking account of the recommendations contained in ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
19. ECRI strongly recommends that the [**Montenegrin**] authorities amend the Criminal Code to ensure that it expressly states that racist motivation for any offence constitutes an aggravating circumstance.

12. ECRI reiterates its recommendation that the **Dutch** authorities introduce a provision to the effect that racist motivation constitutes a specific aggravating circumstance in sentencing.
30. ECRI recommends that the **Norwegian** authorities pursue their efforts to improve the implementation of Article 349a of the Criminal Code.
17. ECRI recommends that the **Norwegian** authorities keep the adequacy of the criminal law provisions against racist expression under review. In particular, it draws the attention of the Norwegian authorities to the fact that in its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, ECRI recommends that member States penalise not only incitement to violence, hatred and discrimination, but also the expression of an ideology which claims the superiority of, or which depreciates or denigrates, a grouping of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin.
6. ECRI recommends that the range of acts listed in Articles 137c-137g, and 429 quater of the **Dutch** Criminal Code be expressly prohibited on the grounds of citizenship and language as per ECRI's General Policy Recommendation No. 7.
8. ECRI recommends to include the following offences in the **Dutch** Criminal Code: the public denial, trivialisation, justification or condoning, with a racist aim, of crimes of genocide, crimes against humanity or war crimes; and the public expression with a racist aim of an ideology which claims the superiority or which denigrates a group of persons on the grounds of "race", colour, language, religion, nationality or ethnic origin, as per ECRI's General Policy Recommendation No. 7. The relevant provisions should provide for proportionate and dissuasive sanctions.
14. ECRI again strongly encourages the **Polish** authorities to enact legislation that would expressly render the racial motivation of an offence an aggravating circumstance.
13. ECRI recommends that the [**Portuguese**] authorities amend Article 240 of the Criminal Code to include language in the list of grounds.
15. ECRI strongly recommends that the [**Portuguese**] authorities adopt a provision expressly making racist motivation an aggravating circumstance for all offences.
16. ECRI recommends that language and nationality should figure expressly among the hate-motivation grounds in all the above-mentioned articles of the [**Russian Federation's**] Criminal Code dealing with aggravating circumstances.
19. ECRI recommends that the authorities amend the [**Russian Federation's**] Criminal Code to ensure that it penalises the public denial, trivialisation, justification or condoning, with a racist aim, of crimes of genocide, crimes against humanity or war crimes.
29. ECRI strongly recommends that the **Russian Federation** authorities revise the definition of extremism in the Federal Law on Combating Extremist Activity to ensure that it only applies to serious cases where hatred or violence are involved. The law should also specify clearly the criteria to be met when declaring any material extremist.

36. ECRI recommends that the [**San Marinese**] authorities strengthen the criminal legislation in place relating to racism and intolerance and introduce in the Criminal Code the provisions outlined in the preceding paragraph, including a provision prohibiting discrimination on grounds of colour and language.
18. ECRI recommends that the **Serbian** authorities ensure a more vigorous implementation by the courts of the criminal law provisions against racist crimes. ECRI further recommends that the Serbian authorities ensure that the racist motivation of a crime be included in the Criminal Code as an aggravating circumstance. ECRI recommends that the Serbian authorities seek guidance from its General Policy Recommendation No.7 on national legislation to combat racism and racial discrimination when implementing these amendments.
25. ECRI reiterates its recommendation to the **Swedish** authorities to introduce criminal provisions penalising the creation or leadership of a grouping which promotes racism, support for such a grouping and participation in its activities.
28. ECRI recommends that the **Swedish** authorities amend Articles 8 and 9 of Chapter 16 of the Penal Code, together with Article 2(7) of Chapter 29, to include language among the grounds to be taken into account for racist offences
29. ECRI further recommends that the **Swedish** authorities amend their relevant criminal legislation in order, on the one hand, to penalise, when committed intentionally, public denial, trivialisation, justification or condoning, with a racist aim, of crimes of genocide, crimes against humanity or war crimes and, on the other, to provide that legal persons are held criminally liable for all racist offences set out in ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination – and not only for those offences committed in the exercise of business activities
17. ECRI urges the **Swiss** authorities to complete the criminal legislation on racist offences. It draws their attention to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination, which sets out guidelines on the subject.
18. In particular, ECRI recommend [the **Swiss** authorities to classify] as criminal offences the following acts, if they are intentional: the fact of wearing racist signs and symbols in public and the fact of setting up or joining groups that promote racism. It recommends providing that for any offence other than those already covered by Article 261bis of the Criminal Code, racist motivation constitutes an aggravating circumstance.
17. ECRI recommends that the authorities of "**the former Yugoslav Republic of Macedonia**" continue consolidating the criminal law provisions on racism and intolerance and invites them to take into account, to this end, its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
22. ECRI recommends that the **Turkish** authorities strengthen the criminal law provisions aimed at combating racism by providing that racist motivations constitute an aggravating circumstance in respect of all ordinary offences, in line with ECRI's General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.

23. ECRI recommends the **Turkish** authorities that the terms of Article 216 of the Criminal Code be expanded to include incitement or denigration on the grounds of ethnic origin or language. It recommends that the terms of this provision be kept under review, in particular the impact of the requirement that a “clear and imminent danger” be posed to the public order in order for an offence to constitute incitement.
20. ECRI, moreover, invites the **Ukrainian** authorities to examine their criminal legislation against ECRI’s General Policy Recommendation No. 7 national legislation to combat racism and racial discrimination, which, inter alia, encourages member States to criminalise a wide range of offences related to hate speech as well as the creation of, leadership of, support for or participation in the activities of a group that promotes racism.
19. ECRI again recommends that the scope of Article 161 of the Criminal Code be specifically extended to include crimes committed against all persons under **Ukrainian** jurisdiction, rather than “citizens”. ECRI also recommends that the protection of a person’s dignity under this article be extended to include the grounds of race, colour, ethnic origin and language and that NGOs and representatives of ethnic minority groups as well as of refugees and asylum seekers be consulted on any amendments to the current legislation with regard to racially motivated crimes.
33. ECRI reiterates its recommendation that the **United Kingdom** authorities keep the effectiveness of existing legislation against racist expression under review. It again draws their attention to its General Policy Recommendation No. 7 in this respect, and in particular to its recommendation that the acts criminalised under domestic law include “the public expression, with a racist aim, of an ideology which claims the superiority of, or which depreciates or denigrates, a grouping of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin”.
34. ECRI again recommends [to the authorities of the **United Kingdom**] that consideration be given to replacing the requirement to have the consent of the Attorney General for prosecution of incitement offences under Part III of the Public Order Act 1986 with the requirement to have the consent of the Director of Public Prosecutions.

Application of criminal law

19. ECRI recommends the **Armenian** authorities that complaints brought under the hate-crime provisions should be investigated by the police as opposed to the National Security Service.
31. ECRI strongly recommends that the **Azerbaijani** authorities ensure that the manner in which the criminal law provisions aimed at safeguarding national security and prohibiting acts of racism and racial discrimination are applied in practice does not serve as a pretext for punishing individuals peacefully advocating the rights of minority groups; rather, it should enable the diverse range of opinions existing within society to be openly expressed and freely debated, as long as they do not incite hatred against or denigrate other individuals or groups.
26. ECRI again urges the authorities of **Bosnia and Herzegovina** to deploy all necessary efforts to bring to justice all persons responsible for war crimes, crimes against humanity and genocide committed during the war, in the interests of the victims, their

families and of reconciliation and integration of a still divided society. It strongly encourages the authorities to give full effect to the measures already taken towards securing effective prosecutions, in particular by ensuring that adequate human and financial resources are available for the task at hand.

24. ECRI strongly recommends that the **Bulgarian** authorities ensure that racist offences are duly punished in accordance with the law. It also recommends that they continue to foster awareness among the judiciary in this regard and ensure that the law is applied when necessary.
23. ECRI encourages the **Czech** authorities to pursue and strengthen the measures already in place to ensure the proper implementation of criminal law provisions against racism and prevent related crimes. It draws the authorities' attention in this respect to the importance of ensuring that the approach taken by both the police and the judiciary to the question of a suspect or an accused's racist motivations is not so narrow as to empty the relevant provisions of their substance.
19. ECRI encourages the **Danish** authorities to continue raising awareness of the Act Prohibiting Discrimination on the Basis of Race among the public in general and members of groups of concern to ECRI in particular. It recommends that measures be taken to remove all obstacles to this piece of legislation's full application.
24. ECRI recommends that the **Danish** authorities ensure that Article 266 b) of the Criminal Code is applied in a manner consistent with the principles set out in paragraph 23 above.
28. ECRI recommends that the **Danish** authorities ensure that Article 81 6) is applied where relevant.
100. ECRI recommends that the **Estonian** authorities take measures to ensure that the police thoroughly investigate racist crimes, including by fully taking the racist motivation of ordinary offences into account as recommended in its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing.
13. ECRI recommends that the **Finnish** authorities ensure that the criminal law provisions against racism and racial discrimination are more rigorously applied. ECRI recommends that the authorities take measures to assist victims to lodge complaints. Moreover, potential victims of racism and racial discrimination should be made aware of the relevant legislation and of existing avenues for redress.
40. ECRI strongly recommends that the **French** authorities pursue and step up their efforts to improve the implementation of the criminal law provisions to combat racial discrimination, in particular by continuing to inform victims specifically on this issue and to raise awareness of the existing provisions among persons working in the justice system.
18. ECRI strongly recommends that the **Greek** authorities act more vigorously to ensure the punishment of breaches of Law 927/1979 in order to adequately combat incitement to racial hatred.
25. ECRI urges the **Hungarian** authorities to intensify their efforts to ensure a more vigorous implementation of criminal law provisions relating to the fight against racism.

22. ECRI recommends [to the **Lithuanian** authorities] that all persons working within the criminal justice system – members of the police force, the prosecution service and the judiciary – as well as the Inspector of Journalist Ethics pay special attention to the application of the newly introduced provisions, as well as other provisions against racial discrimination and incitement to racial hatred. ECRI recommends that all instances of racial discrimination and incitement to racial hatred, including in the press and on the internet, be thoroughly investigated and punished.
26. In this context, ECRI reiterates its recommendation [to the **Hungarian** authorities] that further human and financial resources be allocated to measures aimed at ensuring that the investigation and prosecution of racist crimes are carried out in a thorough and systematic fashion.
28. ECRI recommends [to the **Lithuanian** authorities] that the Division of the General Prosecutor's Office specialised in hate crimes resume its work and the development of its special expertise.
30. ECRI recommends [to the **Lithuanian** authorities] that the cybercrime unit of the Police Department be reinforced and that its competencies be extended to include the systematic monitoring of the internet for racist comments.
44. ECRI recommends that the **Moldovan** authorities put an end to the attitude of reluctance to register allegations of racism and racial discrimination and, in particular, that they order the police by ministerial decree to register all complaints of racism and racial discrimination and conduct in-depth investigations into racist offences.
47. ECRI recommends that the **Moldovan** authorities appoint within the police and the prosecuting authorities agents specialising in the investigation of offences and crimes against victims belonging to ethnic minorities and minority religious groups.
45. ECRI encourages the **Monegasque** authorities to pass the bills on sport and offences relating to computer systems, drawing on the principles set out in its General Policy Recommendations No. 12 on combating racism and racial discrimination in the field of sport and No. 6 on combating the dissemination of racist, xenophobic and antisemitic material via the Internet.
15. ECRI recommends that the **Dutch** authorities carry out an evaluation on the effectiveness of the instructions of the Public Prosecution Service.
22. ECRI recommends that the **Dutch** authorities ensure that the existing legislation against racism and racial discrimination and the case law of the European Court of Human Rights is applied in all cases, in the public and private sphere, including when the statements at issue have been made by politicians.
25. ECRI reiterates its recommendation to the **Dutch** authorities to continue to support the work of the Complaints Bureau for Discrimination on the Internet (MDI), including by ensuring that adequate resources are available to this organisation to carry out its work effectively.
30. ECRI recommends that the **Norwegian** authorities pursue their efforts to improve the implementation of Article 349a of the Criminal Code.

34. ECRI encourages the **Norwegian** authorities to continue with their efforts to improve the response of the criminal justice system, and notably the police and the prosecuting authorities, to racially motivated offences.
18. ECRI recommends that the **Norwegian** authorities strengthen their efforts to counter instances of racist expression committed through the Internet, including by bringing those responsible for any offences to justice.
37. ECRI recommends that the **Norwegian** authorities monitor the implementation of the provisions introduced by Section 15 of the Anti-Discrimination Act.
22. ECRI recommends that the **Polish** authorities continue their efforts to prosecute all racially motivated offences. It also recommends that the 16 victim-support centres be strengthened. Moreover, it recommends that victim-support centres and judicial authorities who deal or have dealt with racially motivated offences against immigrants in an illegal situation refrain from communicating information that could alert the immigration authorities. Furthermore, it recommends increased use of technology to apprehend those responsible for racially motivated offences in stadiums. Finally, it recommends that the courts recognise that public incitement to racial hatred may take different forms, including the total rejection of a religious or national group.
30. ECRI encourages the **Russian Federation** authorities do their utmost to prevent any over-use or misuse of the anti-extremist legislation, in line with the instruction of the Supreme Court.
33. ECRI recommends that the [**Russian Federation**] authorities ensure that all allegations of racially motivated offences are effectively investigated, properly prosecuted and adequately punished, in particular through the effective application of aggravating circumstances.
18. ECRI recommends that the **Serbian** authorities ensure a more vigorous implementation by the courts of the criminal law provisions against racist crimes. ECRI further recommends that the Serbian authorities ensure that the racist motivation of a crime be included in the Criminal Code as an aggravating circumstance. ECRI recommends that the Serbian authorities seek guidance from its General Policy Recommendation No.7 on national legislation to combat racism and racial discrimination when implementing these amendments.
146. ECRI reiterates its recommendation that the **Serbian** authorities ensure that the relevant provisions of the criminal code are applied to those who commit racist crimes in the Autonomous Province of Vojvodina.
17. ECRI strongly recommends that the **Slovak** authorities take all the necessary measures to combat racially-motivated crimes by ensuring that the relevant provisions of the Criminal Code are duly implemented.
12. ECRI recommends the **Spanish** authorities to pursue their efforts in requiring that police records identify any possible racist motivation in criminal offences and in instructing the police to be more rigorous in including such information in their crime reports.
15. ECRI recommends that the **Spanish** authorities conduct, in due course, an evaluation of the effectiveness of the hate crimes and discrimination service of the Barcelona

prosecution office. They should then consider appointing further special prosecutors for hate crimes and discrimination in other parts of Spain.

18. ECRI recommends the **Spanish** authorities that, in line with its General Policy Recommendation No. 9 on the fight against antisemitism, the necessary steps are taken to ensure that public denial of the Holocaust is punished.
27. ECRI strongly urges the **Turkish** authorities to keep under review the manner in which the existing provisions of criminal law prohibiting acts of racism and racial discrimination are applied in practice. In so doing, it should be borne in mind in particular that the prohibition on incitement to hatred and similar offences should be applied in compliance with the letter and spirit of the relevant provisions. This prohibition should not serve as a pretext for punishing individuals who peacefully express minority views; rather, it should enable the diverse range of opinions existing within society to be openly expressed and freely debated in a manner that does not endanger other individuals or groups.
24. ECRI recommends that the **Ukrainian** authorities ensure that racist incidents and offences are consistently reported and recorded in the criminal justice system. It strongly recommends that to this end, they introduce a uniform definition of racist incidents and apply this consistently throughout the criminal justice system, in order to ensure that cases can be effectively tracked.
45. ECRI encourages the authorities [of the **United Kingdom**] to pursue their efforts to ensure not only that racist and religious motivations are taken into account by the Scottish courts in sentencing offenders, but also that this is made clearly known to the offender and the public at the time of sentencing.
29. ECRI encourages the **United Kingdom** authorities in their efforts to monitor hate crimes and to ensure that these are reported and comprehensively and consistently recorded, as well as to work with the community to increase mutual understanding of the impact of such offences and the manner in which they are handled through the criminal justice system. It recommends that the authorities continue their efforts to raise judges' awareness as to the impact on the community as a whole of their statements in court when sentencing offenders for racist offences.
31. ECRI encourages the authorities [of the **United Kingdom**] to pursue and strengthen their efforts to improve the police gathering of evidence of racist motivations.
39. ECRI recommends that the authorities [of the **United Kingdom**] keep under review the existing legislation against incitement to religious hatred in England and Wales to ensure that the existence of higher thresholds for prosecution does not deprive individuals of necessary protection against incitement on religious grounds. It draws the authorities' attention in this respect to its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
46. ECRI recommends that the authorities [of the **United Kingdom**] continue and intensify their efforts to improve the reporting and recording of racist offences in Scotland.

Training to the police, prosecutors and judges

20. ECRI again recommends that the **Albanian** authorities take the necessary measures to guarantee the implementation of the criminal law provisions relating to racism, discrimination and intolerance. It underlines the importance of providing all persons working within the criminal justice system – members of the police force, the prosecution service, the judiciary and lawyers – with specific training in the relevant provisions of national law, and of raising their awareness of the new provisions adopted in 2007 and 2008. It strongly encourages the authorities to scale up their efforts to this end, in order to reach a greater number of people working in this field.
55. ECRI recommends the **Andorran** authorities to offer judges, prosecutors and lawyers initial and ongoing training in issues pertaining to racism and racial discrimination, as well as on the criminal legislation in place relating to racism and intolerance.
36. ECRI strongly encourages the **Azerbaijani** authorities to continue and intensify their efforts to train prosecutors, judges, lawyers and judicial system officials regarding the application of the criminal law provisions on racist offences and acts of racial discrimination.
20. ECRI recommends that the **Belgian** authorities continue to provide initial and in-service training for all members of the justice system – police officers, prosecutors and judges – regarding the criminal law provisions prohibiting racism, so as to ensure that these provisions are applied in a satisfactory manner. It further recommends that lawyers be given the opportunity to receive training in these provisions.
21. ECRI recommends that the **Belgian** authorities consolidate and strengthen the system of contact prosecutors responsible for racism and discrimination issues, for example by creating a forum to enable the prosecutors concerned to share their expertise, and by providing them with additional training.
21. ECRI again urges the authorities of **Bosnia and Herzegovina** to take all necessary measures to ensure the full and proper application of the criminal law provisions relating to racism and racial discrimination. It again underlines that all persons working within the criminal justice system – members of the police force, the prosecution service and the judiciary – should be thoroughly trained on the contents of the relevant provisions, and notes that such training should also be available for lawyers. It also reiterates the importance of alerting public officials to the need to take acts of racism and racial discrimination seriously and to bring their perpetrators to justice.
33. ECRI strongly recommends that the authorities of **Bosnia and Herzegovina** provide judges and prosecutors with initial and on-going training, as a matter of priority, on the Law on the Prevention of All Forms of Discrimination in particular and on issues pertaining to racial discrimination in general. It also recommends that training be offered to lawyers on the Law and on issues pertaining to racial discrimination more generally. It underlines that in line with the definitions of direct and indirect discrimination set out by ECRI in its General Policy Recommendation No. 7, this training should cover grounds such as “race”, colour, language, religion, nationality or national or ethnic origin.
41. ECRI recommends that the **Cypriot** authorities strengthen the initial and in-service training provided to public prosecutors and judges on human rights, equal treatment, non discrimination and the Criminal Code provisions in force to combat racism and racial discrimination.

24. ECRI recommends that the **Czech** authorities provide training to judges and prosecutors with respect to combating racist offences and monitoring racist incidents, and pursue and intensify their efforts to train the police in this field. In this respect it draws their attention to the recommendations contained in ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, in particular in part III of the Recommendation.
43. ECRI recommends [to the **Estonian** authorities] that measures be taken to provide training to all relevant actors in the criminal law system (judges, prosecutors, the police) to enable them to recognise the racist motivation of an ordinary crime. ECRI further recommends that judges ensure that the racist motivation of a crime is taken into consideration under Article 58 1) of the Criminal Code.
26. ECRI recommends that the **Finnish** authorities reinforce the initial and in-service training for members of the justice system concerning the legislation in force against racism and racial discrimination so as to ensure that it is applied when necessary.
28. ECRI recommends that the **French** authorities continue to provide all members of the justice system - police officers, prosecutors and judges - with initial and in-service training in the criminal law provisions to combat racism, so as to guarantee their proper implementation. It also recommends that lawyers be offered the possibility of undergoing training on this subject.
16. ECRI recommends that the **Georgian** authorities pursue their efforts to provide training to the police, prosecutors, judges and future professionals in the judicial system on the application of the legislation on racist offences.
23. It also recommends that the **German** authorities intensify their efforts to provide training to police officers, prosecutors and judges on issues pertaining to the implementation of criminal legislation addressing racism and racial discrimination, in order to ensure that all offences with racist motivations, whether or not they fall into the category of extremist crimes, are properly identified and dealt with as racially motivated offences. It further recommends that lawyers be given the opportunity to receive training on these matters.
19. ECRI recommends to the **Greek** authorities that the initial and on-going training provided to judges and prosecutors emphasise the legislation against racism in general, and in particular the new provisions which provide for the racist motivation of a crime to be considered an aggravating circumstance at sentencing.
27. It also reiterates its recommendation that the **Hungarian** authorities continue their efforts to provide training to police officers, legal advisers, prosecutors and judges on issues pertaining to the implementation of criminal legislation addressing racism and racial discrimination.
27. ECRI recommends that the **Italian** authorities step up their efforts to educate all those involved in the criminal justice system – police, prosecutors and judges –, in both initial and in-service training, about the criminal law provisions prohibiting racist acts, so as to ensure effective application of these provisions. It also recommends that lawyers be given the opportunity to receive training in these provisions.
30. ECRI strongly recommends that the [**Latvian**] authorities step up their efforts to train judges, prosecutors and police officers on the provisions in force against racism and racial discrimination and that training be conceived as a periodic recurrence rather

than a “one-off” event. ECRI further strongly recommends that the training be carried out with a view to raising the capacity of police officials and judges to qualify independently racist crime, without referring the matter to an expert. If in exceptional cases specific knowledge is required, the relevant authorities should have recourse to the Ombudsman’s expertise.

36. ECRI encourages the **Latvian** authorities to step up efforts to train judges and lawyers on civil and administrative law provisions prohibiting racial discrimination.
23. ECRI recommends [to the authorities of **Liechtenstein**] that persons working within the criminal justice system, including judges of all instances, be provided with specific training on and be sensitised of the importance of the application of the criminal law provisions aimed at combating racist offences, and in particular Articles 283 and 33-5 of the Criminal Code.
26. ECRI recommends that the [**Lithuanian**] authorities continue in their efforts to train police officers, lawyers, judges and prosecutors on the provisions in force against racism and racial discrimination and that training be conceived as a periodic recurrence rather than as a «one-off » event. ECRI also recommends that specific attention be paid to training on the newly introduced provisions in the Criminal Code, notably Article 60, Articles 170, 170 (1) and 170(2) and Article 312.
18. ECRI reiterates its recommendation to the **Maltese** authorities to provide regular training to all those involved in the criminal justice system on criminal law provisions in force against racism and racial discrimination and sensitise the same on the importance of: countering manifestations of racist expression and racially motivated conduct; as well of acknowledging racist bias, if and when it is present.
41. ECRI recommends that the **Moldovan** authorities implement the entire training programme provided for under the National Human Rights Action Plan 2011-2014 for judges, prosecutors and police officers to train them in effective action against racism and racial discrimination, and that they regularly repeat such training programmes.
49. ECRI recommends that the **Moldovan** authorities train and instruct the staff of the police centre for investigation of Internet in detecting racist propaganda on the Internet, compiling statistics and assuring the application of the legislation on the elimination of racism and racial discrimination to such content.
28. ECRI recommends that the [**Montenegrin**] authorities strengthen the initial and in-service training provided to police, lawyers, public prosecutors and judges on issues related to equal treatment and non-discrimination, the criminal law provisions in force against racism and racial discrimination and on how to recognise the racist motivation of an offence.
15. ECRI encourages the **Norwegian** authorities to continue with their efforts to improve the protection provided by Norwegian legislation against racist expression and raise awareness among the police and public prosecutors of the changes in the legal framework against racist expression and their implications.
16. ECRI encourages the **Norwegian** authorities to promote awareness among judges of international standards against racist expression and of the need to take all instances of racist expression seriously.

45. ECRI recommends that training on racism and racial discrimination continue to be organised for members of the judiciary and law enforcement authorities in **Poland**. The Commissioner for Civil-Rights Protection, the Government Plenipotentiary for Equal Treatment, competent international organisations and NGOs as well as minority members themselves should be involved therein.
53. ECRI strongly recommends [to the **Russian Federation** authorities] that both initial and in-service training is reinforced for judges, prosecutors and police in issues of racism and racial discrimination and on the existing criminal, civil and administrative law provisions as well as their effective application.
40. ECRI recommends that the [**San Marinese**] authorities offer judges and lawyers training on the criminal legislation in place relating to racism and racial discrimination. It also encourages the authorities to raise awareness of the new criminal law provisions relating to racism and racial discrimination, particularly among potential victims of this type of crime. These efforts should form an integral part of a general National Action Plan against Racism, as recommended below.
26. ECRI recommends that the **Serbian** authorities provide systematic and widespread initial and on-going training to judges and prosecutors on the Law on the Prohibition of Discrimination. ECRI further recommends that the Serbian authorities take measures to make this law known by the public in general and by minority groups in particular.
35. ECRI encourages the **Swedish** authorities to use training and awareness-raising measures in their continuing efforts to ensure that criminal law provisions concerning racism and racial discrimination are properly applied by everyone in the criminal justice system (police, prosecution service and judges). It recommends that the authorities step up their efforts to increase confidence in the police by persons belonging to groups covered by ECRI's mandate.
25. ECRI recommends that the **Swiss** authorities pursue their efforts to train police officers, prosecutors, judges and future legal professionals in the scope and application of Article 261bis of the Criminal Code, which is intended to prohibit racist acts. In particular, provision should be made for training courses allowing the different members of the judicial system to exchange information and expertise in order to speedily bring about an improvement in the application of Article 261bis by all those concerned.
28. ECRI [refers to its recommendations made below] with respect to training of judges and prosecutors and strongly encourages the [**Turkish**] authorities to pursue their efforts in this field, in particular as regards the application of criminal law provisions against racism and racial discrimination in conformity with international standards.
25. ECRI recommends that the authorities of "**the former Yugoslav Republic of Macedonia**" co-operate with the Academy for training of judges and prosecutors, so as to implement a specific training scheme on the legislation to combat discrimination, following its adoption, intended not only for judges and prosecutors but also for lawyers, and make training in the legislation on equality and on combating racism, intolerance and discrimination a compulsory part of judges' and prosecutors' in-service training.
19. ECRI reiterates its recommendation that the of "**the former Yugoslav Republic of Macedonia**" authorities take a range of measures at all levels of the criminal justice system to improve the implementation of the criminal law provisions on racism and

discrimination, including specific awareness-raising measures targeting police officers, prosecutors and judges.

25. ECRI urges the **Ukrainian** authorities to reassess the decision-making process used by prosecutors in deciding whether to prosecute an offence as an ordinary or a racist offence. It strongly recommends that they train all the relevant actors in the criminal justice system and equip them with tools to assist them in effectively gathering evidence of racist motivation from the outset of an investigation into an alleged racist incident, in order to ensure that racist offences are not needlessly reclassified as ordinary offences.
50. ECRI again recommends [to the authorities of the **United Kingdom**] that extensive training be provided to all those working in the criminal justice system in Northern Ireland on the criminal law provisions against racially or religiously aggravated behaviour.

Information to the general public

33. ECRI again recommends that the [**Azerbaijani**] authorities inform the general public of the existence of criminal law provisions relating to racially motivated offences and acts of racial discrimination and of the existence of remedies against such acts.
19. ECRI encourages the **Danish** authorities to continue raising awareness of the Act Prohibiting Discrimination on the Basis of Race among the public in general and members of groups of concern to ECRI in particular. It recommends that measures be taken to remove all obstacles to this piece of legislation's full application.
42. ECRI recommends [to the **Estonian** authorities] that awareness-raising measures be taken for the public in general and minority groups in particular as well as law enforcement officials, judges and prosecutors on the current legislation against racism.
26. ECRI recommends that the **Serbian** authorities provide systematic and widespread initial and on-going training to judges and prosecutors on the Law on the Prohibition of Discrimination. ECRI further recommends that the Serbian authorities take measures to make this law known by the public in general and by minority groups in particular.

Victims' issues

32. ECRI reiterates its recommendation that the **Azerbaijani** authorities take steps to encourage victims of racially motivated offences or acts of religious intolerance to lodge complaints. In this connection, it underlines the need for a substantial improvement in the functioning of the judicial system and for reinforced guarantees of its impartiality and independence so as to strengthen public confidence in that system.
36. ECRI recommends that the authorities of **Bosnia and Herzegovina** strengthen their efforts to ensure diversity in the criminal justice system throughout Bosnia and Herzegovina and to increase public confidence in the capacity of the judicial system to provide independent and impartial proceedings, regardless of the ethnic composition of the court.

13. ECRI recommends that the **Finnish** authorities ensure that the criminal law provisions against racism and racial discrimination are more rigorously applied. ECRI recommends that the authorities take measures to assist victims to lodge complaints. Moreover, potential victims of racism and racial discrimination should be made aware of the relevant legislation and of existing avenues for redress.
40. ECRI strongly recommends that the **French** authorities pursue and step up their efforts to improve the implementation of the criminal law provisions to combat racial discrimination, in particular by continuing to inform victims specifically on this issue and to raise awareness of the existing provisions among persons working in the justice system.
29. ECRI encourages the **French** authorities to set up rapidly a system which would allow for better treatment of victims who lodge complaints with the police, and particularly victims of racist acts.
24. ECRI further recommends that the **Italian** authorities take steps to encourage victims and witnesses of racist incidents to report such acts, in accordance with its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing.
26. ECRI recommends that the authorities [of **Liechtenstein**] actively inform the public about the existence of criminal law provisions aimed at combating racist offences and encourage victims to report such acts. ECRI further recommends that the support provided by the Victims' Assistance Office with respect to racist offences be strengthened and that this office carry out awareness raising activities.
19. ECRI recommends that the **Luxembourg** authorities carry out research to ascertain the reasons for the lack of case-law on racist crime. It also recommends again that they conduct information campaigns aimed at the potential victims of racist offences about the relevant provisions of the Penal Code.
22. ECRI recommends that the **Polish** authorities continue their efforts to prosecute all racially motivated offences. It also recommends that the 16 victim-support centres be strengthened. Moreover, it recommends that victim-support centres and judicial authorities who deal or have dealt with racially motivated offences against immigrants in an illegal situation refrain from communicating information that could alert the immigration authorities. Furthermore, it recommends increased use of technology to apprehend those responsible for racially motivated offences in stadiums. Finally, it recommends that the courts recognise that public incitement to racial hatred may take different forms, including the total rejection of a religious or national group.
40. ECRI recommends that the [**San Marinese**] authorities offer judges and lawyers training on the criminal legislation in place relating to racism and racial discrimination. It also encourages the authorities to raise awareness of the new criminal law provisions relating to racism and racial discrimination, particularly among potential victims of this type of crime. These efforts should form an integral part of a general National Action Plan against Racism, as recommended below.
35. ECRI encourages the **Swedish** authorities to use training and awareness-raising measures in their continuing efforts to ensure that criminal law provisions concerning racism and racial discrimination are properly applied by everyone in the criminal justice system (police, prosecution service and judges). It recommends that the authorities

step up their efforts to increase confidence in the police by persons belonging to groups covered by ECRI's mandate.

44. ECRI recommends that the authorities [of the **United Kingdom**] keep under review the effectiveness of existing law in Scotland in preventing and punishing incitement to hatred on religious grounds, and again consider amending the law if necessary.

Data concerning the application of criminal law

21. ECRI recommends [to the **Albanian** authorities] collecting further data concerning the implementation of criminal law provisions in this area so that their effectiveness can be assessed; these data should cover the various stages of criminal proceedings, from the filing of a complaint to the final outcome.
32. ECRI strongly recommends that the **Andorran** authorities strengthen the collection of data on the application of criminal law provisions punishing racist offences so that their effectiveness can be assessed. ECRI recommends that one institution be mandated to centralise the collection of this data and ensure that it is broken down according to the following categories: number of opened investigations; cases referred to court; discontinued pre-trial investigations; and the outcome of the trials, per reference year.
15. ECRI recommends that the **Armenian** authorities set up a system that will enable them to monitor the situation concerning all offences motivated by racial hatred, as this concept is understood in its General Policy Recommendation No. 7.
27. ECRI encourages the **Austrian** authorities to press ahead with the reform of the system of collecting statistical data on the implementation of the criminal law provisions against racism and intolerance; it recommends that they extend it to include all incidents perceived as being racist by the victim or any other person – including in particular incidents which might constitute an offence under Section 33(5) of the Criminal Code – and provide for the collection of information not only on charges brought, convictions and acquittals but also on the complaints filed, whether or not they lead to prosecution.
22. ECRI strongly encourages the **Belgian** authorities to improve and to supplement the existing arrangements for collecting data on racist incidents and the follow-up given to them by the criminal justice system. In this respect, it draws the authorities' attention to the section of its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing which concerns the role of the police in combating racist offences and monitoring racist incidents.
22. ECRI encourages the authorities of **Bosnia and Herzegovina** to continue and strengthen their efforts to collect data concerning the application of criminal law provisions in this area so that their effectiveness can be assessed; these data should cover all the stages of criminal proceedings, from the filing of a complaint to the final outcome.
29. ECRI strongly recommends that the **Cypriot** authorities systematically collect data on the application of the civil and administrative law provisions against racism and racial discrimination, including the number and nature of the complaints filed as well as decisions rendered and/or redress or compensation awarded.

34. ECRI encourages the [**Cypriot**] authorities to develop further the Crime Report System to ensure that accurate data and statistics are collected and published on the number of racist and xenophobic incidents and offences that are reported to the police, on the number of cases that are prosecuted, on the reasons for not prosecuting and on the outcome of cases prosecuted, in accordance with its General Policy Recommendation No. 1 on combating racism, xenophobia, antisemitism and intolerance. It encourages the authorities to improve the court archiving system so that cases are classified also by subject matter and clearly indicate racist elements.
101. ECRI strongly recommends that the **Estonian** authorities establish and operate a system for recording and monitoring racist incidents as recommended in its General Policy Recommendation No. 11. ECRI also recommends that the Estonian authorities take steps to encourage victims and witnesses of racist incidents to report them as recommended in this General Policy Recommendation; ECRI wishes to recall that Chapter III (14) of General Policy Recommendation No. 11 provides that for the purpose of this recommendation, a racist incident is any incident which is perceived to be racist by the victim or any other person.
30. ECRI strongly encourages the **French** authorities to improve and supplement the existing systems for collecting data on racist incidents and the way they are handled by the criminal justice system. In this connection it draws the authorities' attention to the section III of its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing that concerns the role of the police in combating racist offences and monitoring racist incidents.
28. ECRI recommends that the **Hungarian** authorities take steps to introduce systematic and comprehensive monitoring of all incidents that may constitute racist offences, covering all stages of proceedings, including complaints lodged, charges brought and convictions recorded. It draws the authorities' attention in this respect to ECRI's General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, and in particular to Part III of the Recommendation, concerning the role of the police in combating racist offences and monitoring racist incidents.
23. ECRI strongly encourages the **Irish** authorities to improve and to supplement the existing arrangements for collecting data on racist incidents and the follow-up given to them by the criminal justice system. In this respect, it draws the authorities' attention to the section of its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing which concerns the role of the police in combating racist offences and monitoring racist incidents.
23. ECRI encourages the [**Italian**] authorities to continue their efforts to improve the collection of data on the application of the criminal law provisions for combating racism and xenophobia. In this respect, ECRI underlines the importance of taking into account the possible racist dimension of an act from the time the complaint is filed and of systematically monitoring, throughout the procedure, this aspect of the case and its follow-up.
29. ECRI recommends that the **Liechtenstein** authorities strengthen the collection of data on the application of criminal law provisions punishing racist offences so that their effectiveness can be assessed. ECRI recommends that one already existing institution be made responsible to centralise the collection of this data and ensure that data on the breach of each of the abovementioned provisions be broken down by: number of opened investigations; cases referred to court; discontinued pre-trial investigations; and the outcome of the trials, per reference year.

46. ECRI recommends [to the **Lithuanian** authorities] collecting data in a systematic way on the application of criminal law provisions so that their effectiveness can be assessed. This data should include, inter alia, the outcome of each trial. Particular attention should be paid to collecting data on the newly introduced criminal provisions in Articles 60, 170, 170 (1), 170(2), and 312 of the Criminal Code.
47. ECRI recommends that the **Lithuanian** authorities strengthen the collection of data on the implementation of criminal law through training of the competent authorities.
48. ECRI recommends that the **Lithuanian** authorities note all ethnicities, when collecting data on the ethnicity of the victim.
21. ECRI recommends that the **Maltese** authorities collect data on the application of criminal law provisions against racism in a systematic way so that their effectiveness can be assessed, notably by breaking down the information, per reference year, by the: number of opened investigations, number of cases referred to court, number of discontinued pre-trial investigations and the outcome of the trials.
27. ECRI reiterates its recommendation to the **Dutch** authorities to develop a central and consistent monitoring system as concerns the application of criminal law provisions against racism and racial discrimination.
35. ECRI recommends that in addition to measures aimed at improving the investigation of racially motivated offences, the **Norwegian** authorities pay particular attention to monitoring racist incidents. ECRI strongly recommends that the Norwegian authorities draw inspiration from its General Policy Recommendation No. 11 on combating racism and racial discrimination in policing, which provides detailed guidance on both areas, including the adoption of a broad definition of "racist incident".
40. ECRI recommends that the **Russian Federation** authorities set up an effective system that will enable them to monitor the situation concerning all offences motivated by racial hatred, as this concept is understood in its General Policy Recommendation No. 7 on national legislation to combat racism and racial discrimination.
27. ECRI recommends that the **Spanish** authorities collect and publish data on acts of racism and racial discrimination and on the application of the criminal, civil and administrative law provisions in force to combat racism and racial discrimination.
39. ECRI recommends that the **Swedish** authorities continue their efforts to improve monitoring of racist offences by working, amongst other things, to strengthen further the system of recording and monitoring racist incidents and to increase confidence in the police by members of groups covered by ECRI's mandate. It draws the authorities' attention to its General Policy Recommendation No. 11: Combating racism and racial discrimination in policing, which suggests a range of measures that the authorities could take to this end.
28. ECRI recommends that the **Swiss** authorities pursue and reinforce their efforts to collect data on the application of criminal law provisions against racism.
18. ECRI reiterates its recommendation that the authorities of "**the former Yugoslav Republic of Macedonia**" continue meticulously monitor the application of the criminal law provisions to combat racism and discrimination. It recommends in particular that they improve the system for collecting related statistical data. It notably recommends that they extend it to all incidents perceived as racist by the victim or any other person,

including those which might not qualify as a special offence, and provide for collection of information not only on decisions to open judicial investigations and convictions and acquittals handed down, but also on complaints lodged, whether or not resulting in a prosecution.

24. ECRI recommends that the **Ukrainian** authorities ensure that racist incidents and offences are consistently reported and recorded in the criminal justice system. It strongly recommends that to this end, they introduce a uniform definition of racist incidents and apply this consistently throughout the criminal justice system, in order to ensure that cases can be effectively tracked.
51. ECRI recommends that the authorities [of the **United Kingdom**] continue and intensify their efforts to improve the reporting and recording of racist offences in Northern Ireland.