

6

Racism and ethnic discrimination



Crimes motivated by racism, xenophobia and related intolerances, the mainstreaming of elements of extremist ideology in political and public discourse and ethnic discrimination in healthcare, education, employment and housing persist throughout the European Union (EU). Roma populations in particular continue to face discrimination, as evidence collected by FRA and other bodies demonstrates. EU Member States made efforts to develop comprehensive approaches to Roma integration. Nevertheless, more still needs to be done when it comes to securing sufficient funding for Roma inclusion and ensuring that it benefits targeted groups, putting robust and effective monitoring mechanisms in place, and fighting discrimination and segregation, the European Commission concluded in its assessment of National Roma Integration Strategies.

6.1. Developments and trends in officially recorded crimes motivated by racism, xenophobia and related intolerances

Despite the long-standing commitments and efforts of EU Member States to counter crimes motivated by racism, xenophobia and related intolerances, these crimes continue to take place across the EU.¹ Member States continued addressing these crimes, either by changing their approach to such crime or through changing or enhancing data collection systems.

Changes in the approach to racist, xenophobic and related crimes included: enhancing penalties for crimes motivated by such biases (**Belgium**,² and the **United Kingdom**³); moves to begin legally recognising

¹ FRA (2012a); FRA (2012b); (FRA 2012c); Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE-ODIHR) (2012).
² Belgium, Federal public service 'Justice' (2012). A draft law was adopted on 14 January 2013.
³ United Kingdom, Parliament (2012).

Key developments in the area of racism and ethnic discrimination

- A number of EU Member States address crimes motivated by racism, xenophobia and related intolerances, by redefining what constitutes such crimes, and changing and enhancing their data collection systems.
- Increases in recorded crimes motivated by racism, xenophobia and related intolerances are observed in 11 EU Member States that publish data on these crimes, with decreases observed in another six Member States.
- Elements of extremist ideology increasingly join mainstream political and public discourse in EU Member States.
- Several EU Member States begin implementing policies at the national level to improve Roma integration, but the overall situation of Roma remains critical with respect to discrimination in healthcare, housing, education and employment.
- Members of ethnic minorities, migrants, refugees and irregular migrants continue to face discrimination and inequalities in healthcare, housing, education and employment across the EU, as exemplified by spatial segregation, discriminatory advertisements and differential treatment in access to services.
- A number of EU Member States take steps to enable the collection of data disaggregated by ethnicity, thereby allowing for better recording and identification of potentially discriminatory practices.

bias motivations as aggravating factors (**Cyprus**,⁴ and **Estonia**⁵); or, ensuring that the criminal code better recognises crimes motivated by racism, xenophobia and related intolerances (**Bulgaria**,⁶ **Malta**,⁷ and **Croatia**,⁸ see also **Chapter 9** of this Annual report).

Greece, which witnessed an upsurge in racist and anti-immigration violence in 2012,⁹ responded by establishing, under a presidential decree departments and bureaus for combating racist violence in December.¹⁰ This decree provides for the establishment of two departments to counter racist violence in the sub-directorates of state security in Athens and Thessaloniki, as well as bureaus to counter racist violence in all security sub-directorates and departments of the country.

The tasks of these departments and bureaus include, among others, investigating complaints of crimes concerning the perpetration, preparation or public incitement, provocation or stimulation in the commission of actions that may result in discrimination, hatred or violence against persons or group of persons because of their race, colour, religion, descent and national or ethnic origin; collecting data on racist violence; informing victims or complainants about their rights; informing the prosecutor's office of complaints; and setting up a hotline for filing complaints.

In November 2012, Spain reinforced existing systems of data collection. The Secretary General for Immigration and Emigration of the Ministry of Employment and Social Security and the Secretary of State for Security of the Ministry of Interior jointly published a *Handbook for training security forces in identifying and recording racist or xenophobic incidents*.¹¹ Changes made to the crime statistics system meant that security forces in Spain record crime statistics on racist and xenophobic offences, as well as on offences motivated by religious intolerance, sexual orientation, gender identity and disability. The statistics include data on the characteristics of victims and offenders as well as on the type and location of the crimes.

Data on racist and antisemitic crimes collected and published by the Association of Chief Police Officers covering **England, Northern Ireland** and **Wales** now

include data collected by the British Transport Police. These data relate to "offences that have been perceived as hate crimes by the victim or any other person".¹²

Data published by relevant authorities across EU Member States¹³ show great fluctuation in recorded crime with racist, xenophobic, anti-Roma, antisemitic, Islamophobic/anti-Muslim or (right-wing) extremist motives (See Tables 6.1–6.6).

When considering trends, care must be taken not to confuse the rate of recorded incidents of racist, xenophobic and related crime with the actual rate of crime. Not only is it widely acknowledged that this type of crime is grossly under-recorded (as are many forms of inter-personal crime), but variations observed within EU Member States from one year to the next could be the result of:

- how these crimes are defined in criminal law;
- changes in how (the characteristics of) incidents are recorded;
- the willingness of victims and/or witnesses to report incidents; and,
- the actual occurrence of racist, xenophobic and related crime.

Tables 6.1–6.6 should therefore be read as indicative of fluctuations in recorded crime. They should not be taken to reflect the prevalence of racist, xenophobic and related crime in any given EU Member State.

4 Cyprus, Law No. 134(I)/2011 transposing the Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, 21 October 2011.
 5 Estonia, Parliament (2012).
 6 Bulgaria, Ministry of Justice (2012).
 7 Malta, Justice Services (2012).
 8 Croatia, Criminal Code, 21 December 2012.
 9 Greece, Racist Violence Recording Network (2012a); Human Rights Watch (2012).
 10 Greece, Ministry of Public Order and Citizen Protection (2012).
 11 Spain, Ministry of Employment and Social Security (2012).

12 United Kingdom, Association of Chief Police Officers (2012).
 13 Austria, Ministry of Interior, Federal Agency for State Protection and Counter-Terrorism (2012); Belgium, Federal Police (2012); Croatia, Ministry of Interior (2012); Czech Republic, Ministry of Interior (2012); Denmark, Danish Security and Intelligence Service (2013); Finland, Police College of Finland (2012); France, CNCDDH (2012); Germany, Federal Foreign Office (2010); Germany, Federal Foreign Office (2012); Germany, Ministry of Interior (2012); Greece, Racist Violence Recording Network (2012b); Ireland, Office for the Promotion of Migrant Integration (2012); Lithuania, Ministry of Justice, Information Technology and Communications Department (2012a); Lithuania, Ministry of Justice, Information Technology and Communications Department (2012b); Luxembourg, Police Luxembourg (2012); for the Netherlands see Tierolf, B. and Hermens, N. (2012); Poland, Police (2012); Poland, Prosecution General (2012); Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (2012a); Slovakia, Ministry of Interior (2012); Sweden, Swedish National Council for Crime Prevention (2012); United Kingdom, Association of Chief Police Officers (2012); United Kingdom, Crown Office and Procurator Fiscal Service (2012); United Kingdom, Crown Prosecution Service (2012); United Kingdom, Home Office (2012a) and (2012b); United Kingdom, Police Service of Northern Ireland (2012); United Kingdom, Scottish Government (2012).



Table 6.1: Variation in officially recorded racist, anti-Roma, antisemitic, Islamophobic/anti-Muslim and (right-wing) extremist crime in EU Member States between 2010 and 2011, published data

	Racist crime	Anti-Roma crime	Antisemitic crime	Islamophobic/ Anti-Muslim crime	Extremist crime (right-wing)
AT	↘		↘	↘	↘
BE	↗		=*		
CY					
CZ	↘	n/c	↘		
DE	↗		↘		↗
DK	↗				↗**
ES	↗				
FI	↗		↘	↗	
FR	↘		↘	↗	↘
IE	↘				
LT	↗				
LU	↗				
NL	↗		↗		
PL	↗				↗
SE	↗	↗	↗	↗	↗
SK	n/c				
UK	↘		n/c		
HR	=				

Notes: Blank entries: no data are collected or published.
 ↗ indicates a rise in numbers of recorded incidents.
 ↘ indicates a decline in numbers of recorded incidents.
 = indicates the same number of incidents recorded between 2010 and 2011.
 * Recorded crimes of Holocaust denial or revisionism.
 ** Includes crimes motivated by either right-wing or left-wing extremism.
 n/c: data are not comparable with the previous year.

Source: FRA, 2012

For those EU Member States that publish data on more than one bias motivation, **Austria** and the **Czech Republic** witnessed decreases in all forms of recorded crime between 2010 and 2011, while **Denmark**, the **Netherlands**, **Poland** and **Sweden** saw increases in every category (Table 6.1). **Germany** experienced increases for racist, xenophobic and right-wing extremist crimes, and a decrease in antisemitic crimes. In **Finland**, increases were observed for racist and Islamophobic/anti-Muslim crimes but a decrease was seen in antisemitic crime. Recorded racist, antisemitic and extremist crimes appeared to be on the decrease in **France**, while recorded Islamophobic/anti-Muslim crimes appeared to be on the increase. Recorded racist crime was on the increase in **Belgium**, while the same number of crimes of Holocaust denial or revisionism was recorded there between 2010 and 2011. Note that the data for Belgium only cover incidents of Holocaust denial or revisionism and should therefore not be taken as representative of antisemitic crime as a whole.

Tables 6.2–6.6 provide more detail on trends over time in officially recorded and published data on crimes with racist, anti-Roma, antisemitic, Islamophobic/

anti-Muslim and (right-wing) extremist motivations in EU Member States. Direct comparisons between Member States cannot and should not be made here, because any observed variations are a reflection of data collection practices at the national level.

The data presented in these tables are collected from official reports relating to crimes motivated by racism/xenophobia, antisemitism and extremist crime published by relevant authorities.¹⁴ The focus on published reports reflects FRA's opinion that data on these types of crime should be freely available in the public domain to increase the visibility of hate crime in the EU, thereby contributing to acknowledge the rights of victims of crime.¹⁵

Member States with high numbers of officially recorded racist and related crimes do not necessarily have the highest rates of such crime. High number demonstrate,

¹⁴ For more information on hate incidents, see OSCE/ODIHR (2012).

¹⁵ FRA (2012c).

instead, the willingness and ability of these Member States to record the incidence of such crime and to publish the related data. In contrast, Member States where few incidents are reported, recorded and therefore prosecuted can be said to be failing in their duty to effectively tackle racist and related crime.

Official reports by law enforcement agencies and criminal justice systems in EU Member States show decreases in officially recorded data on racist crime between 2010 and 2011 in **Austria**, the **Czech Republic**, **France**, **Ireland** and throughout the **United Kingdom** (Table 6.2). These reports show increases in recorded racist crime in **Denmark**, **Finland**, **Germany**, **Lithuania**, **Luxembourg**, **Poland**, and **Sweden**; in the number of individuals sentenced for racist crimes in the **Czech Republic**; and, in the number of charges of ‘race crime’ in **Scotland**.

The authorities in two Member States published data on anti-Roma crime in 2012: the **Czech Republic** and **Sweden** (Table 6.3). These data show an increase in anti-Roma crime recorded in Sweden between 2010 and 2011, while the Czech Republic published such data for the first time in 2012. Although the **Dutch** police record data on anti-Roma crimes, it is no longer possible to extract the number of anti-Roma crimes from the report on criminal acts of discrimination published in 2012 by the police’s national expertise centre on diversity¹⁶ as these data are now subsumed under generic categories.

Concerning recorded antisemitic crime, the authorities in **Austria**, the **Czech Republic**, **Finland**, **France** and **Germany** reported decreases between 2010 and 2011, with increases reported in the **Netherlands** and **Sweden** (Table 6.4).¹⁷

The authorities in five EU Member States published data on Islamophobic/anti-Muslim crime in 2012: **Austria**, **Denmark**, **Finland**, **France** and **Sweden** (Table 6.5). The Austrian authorities reported a decrease in Islamophobic/anti-Muslim crime between 2010 and 2011, while those in France and Sweden reported increases during that period. The National Consultative Commission on Human Rights (CNCDH) in France attributes the large increase in recorded anti-Muslim actions and threats in that same period to the general application of the recording rules,¹⁸ a clear indicator of the extent to which changes in counting rules can affect the analysis of trends in recorded crime. The rate of Islamophobic/anti-Muslim crime recorded in Finland has remained steady over the years, with 14 cases recorded in 2009, 15 in 2010 and 14 in 2011.

¹⁶ Netherlands, Tierolf, B. and Hermens, N. (2012), p. 10.

¹⁷ For more information on the situation of antisemitism in the EU, see FRA (2012a).

¹⁸ France, CNCDH (2012), p. 76.

The authorities in seven EU Member States published data on crimes motivated by extremism: **Austria**, **Czech Republic**, **Denmark**, **France**, **Germany**, **Poland** and **Sweden** (Table 6.6). **Denmark**, **Germany**, **Poland** and **Sweden** reported increases, while all other Member States reported decreases.

Promising practice

Joining forces to combat anti-Muslim attacks

Muslims, one of the largest groups defined by religious affiliation in the EU, frequently fall victim to racist and xenophobic abuse, but evidence of Islamophobia or anti-Muslim sentiment often remains anecdotal because few data collection mechanisms record this form of prejudice.

One such mechanism is Tell MAMA, a United Kingdom-wide “public service for measuring and monitoring anti-Muslim attacks”. It was developed by Faith Matters, a charity, “which works on reducing extremism and developing platforms for discourse and interaction between Muslim, Sikh, Christian and Jewish communities right across the UK”. Tell MAMA is partly funded by the Department for Communities and Local Government. Victims of attacks can report these through a number of channels, including the Tell MAMA website, by phone, by text message, by email or through social networking platforms such as Facebook or Twitter.

The Community Security Trust, a United Kingdom-wide Jewish organisation with extensive experience in recording antisemitic crime, sits on the advisory group to Tell MAMA and assisted it in developing its data collection system.

The Deputy Prime Minister announced in November 2012 that the state would provide Tell MAMA with GBP 214,000 (some €266,000) further funding from the state to support its activities. “The recording of [anti-Muslim] incidents will give the police, the Government and the communities involved the knowledge they need to combat hate crime in Britain, as well as giving support to victims where appropriate”.

For more information, see: <http://tellmamauk.org>; www.fair-matters.org; www.thecst.org.uk; www.dpm.cabinetoffice.gov.uk/news/deputy-prime-minister-extends-funding-tackle-hate-crime-against-muslims



Table 6.2: Trends in officially recorded data on racist crime in the EU and Croatia, 2006–2011, published data

	Recording authority – Source of data	Recorded data	2006	2007	2008	2009	2010	2011
AT	Federal Agency for State Protection and Counter-terrorism – <i>Verfassungsschutzbericht</i>	Committed crimes	28	48 ↗	56 ↗	n/a	64	37 ↘
	Federal Agency for State Protection and Counter-terrorism – <i>Verfassungsschutzbericht</i>	Cases reported to the courts: Prohibition Statute; Criminal law on incitement to hatred; Insignia Law; Nazi ideology; Other criminal offences.	419	752 ↗	835 ↗	791 ↘	1,040 ↗	963 ↘
BE	Federal Police – Police statistics on crime	Racist and xenophobic crimes recorded by the police	1,359	1,317 ↘	1,190 ↘	1,084 ↘	927 ↘	995 ↗
CY	Cyprus Police – Archived statistical data	Serious offences – racial incidents and/or court cases	18	3 ↘	6 ↗	8 ↗	32 ↗	n/a
CZ	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Crimes motivated by racism – court statistics	217	155 ↘	192 ↗	178 ↘	288 ↗	268 ↘
	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Individuals sentenced for crimes with racial features – court statistics	96	72 ↘	97 ↗	103 ↗	96 ↘	158 ↗
	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Persons prosecuted for offences with racist, ethnic or hate considerations – Supreme Public Prosecutor's Office	221	204 ↘	200 ↘	194 ↘	225 ↗	218 ↘
	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Persons charged for offences with racist, ethnic or hate considerations – Supreme Public Prosecutor's Office	192	197 ↗	185 ↘	183 ↘	213 ↗	209 ↘
	Ministry of Interior – <i>Verfassungsschutzbericht</i>	Politically motivated violent, xenophobic criminal offences with a right-wing extremist background	484	414 ↘	395 ↘	351 ↘	285 ↘	350 ↗
DE	Federal Foreign Office – <i>Bericht der Bundesregierung über ihre Menschenrechtspolitik</i>	Politically motivated racist crimes	n/a	n/a	423 ↗	428 ↗	433 ↗	484 ↗
	Federal Foreign Office – <i>Bericht der Bundesregierung über ihre Menschenrechtspolitik</i>	Politically motivated xenophobic crimes	n/a	n/a	3,048 ↗	2,564 ↘	2,163 ↘	2,528 ↗
DK	Security and Intelligence Service – Annual Report: <i>Kriminelle forhold med mulig ekstremistisk baggrund</i>	Extremist crimes with a possible racist motivation	227	35 ↘	113* ↘	73 ↘	62 ↘	70 ↗
EL	Racist Violence Recording Network – Press releases	Incidents of racist violence – System established in October 2011	n/a	n/a	n/a	n/a	n/a	63**
ES	Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin – Annual Report: <i>Informe anual sobre la situación de la discriminación y la aplicación del principio de igualdad de trato por origen racial o étnico en España</i>	Cases with racist or xenophobic elements recorded by the criminal statistics system (<i>Sistema estadístico de criminalidad</i>) at the Ministry of Interior	n/a	n/a	n/a	93	92 ↘	224 ↗
FI	Police College of Finland – Annual Report: <i>Poliisin tietoon tullut viharikollisuus Suomessa</i>	Racist crimes reported to the police	748	698 ↘	1,163* ↗	1,385 ↗	1,168 ↘	1,229 ↗
FR	Ministry of Interior – Annual Report of the National Consultative Commission on Human Rights: <i>La lutte contre le racisme, l'antisémitisme et la xénophobie</i>	Actions and threats with a racist or xenophobic character	923	723 ↘	864 ↗	1,026 ↗	886 ↘	865 ↘
IE	Central Statistics Office – Office for the Promotion of Migrant Integration website	Reported racist crime	173	214 ↗	172 ↘	128 ↘	127 ↘	142 ↗

Table 6.2: Trends in officially recorded data on racist crime in the EU and Croatia, 2006–2011, published data (continued)

	Recording authority – Source of data	Recorded data	2006	2007	2008	2009	2010	2011
LT	Ministry of Interior – Information Technology and Communications Department website	Discrimination based on ethnicity	n/a	n/a	n/a	n/a	1	2
	Ministry of Interior – Information Technology and Communications Department website	Incitement to hatred motivated by race	n/a	n/a	n/a	n/a	0	12
	Ministry of Interior – Information Technology and Communications Department website	Incitement to hatred motivated by ethnicity	n/a	n/a	n/a	n/a	15	48
LU	Luxembourg Police – <i>Rapport d'activité de la Police grand-ducale</i>	Offences against persons, racial discrimination	14	17	21	28	24	40
NL	Police's National Expertise Centre on Diversity – <i>Criminaliteitsbeeld discriminatie</i>	Incidents of criminal discrimination – racist	n/a	n/a	898	762	774	925
PL	General Prosecutor – website	Cases of racist and/or xenophobic crime registered by the General Prosecutor	48	41	98	124	146	272
	Polish Police – Crime Statistics	Number of proceedings initiated in relation to public insult or assault on the grounds of nationality, ethnicity, race or beliefs	39	37	53	46	43	66
	Swedish National Council for Crime Prevention – Annual Report: <i>Statistik över polisämälningar med identifierade hatbrottsmotiv</i>	Number of xenophobic/racist hate crime offences	2,189	2,489	4,224*	4,116	3,786	3,936
SK	Ministry of Interior – monthly report on crime statistics: <i>Štatistika kriminality v. Slovenskej republike</i>	Number of prosecuted and investigated persons in relation to racially motivated crime	143***	129**	218*	79	53	97
UK								
England, Northern Ireland, Wales	Association of Chief Police Officers – Total of recorded hate crime from regional forces	Recordable racist crimes under Home Office counting rules – calendar year	n/a	n/a	n/a	43,426	39,311	35,875* (incl. data from the British Transport Police)
	Home Office – Annual data release on racist incidents	Racist incidents recorded by the police – fiscal year (April to March)	62,071	58,445	55,714	55,134****	51,585****	47,648****
	Home Office – Data release on hate crime	Racist hate crimes – fiscal year	n/a	n/a	n/a	n/a	n/a	35,816
England, Wales	Ministry of Justice – Biennial Report on statistics on race and the criminal justice system	Racist incidents recorded by the police – fiscal year	62,071	58,445	55,714	54,872	51,487	n/a
	Ministry of Justice – Biennial Report on statistics on race and the criminal justice system	Racially and religiously motivated criminal offences – fiscal year	42,554	38,351	36,762	35,705	31,486	n/a
	Crown Prosecution Service (CPS) – Annual Report: <i>Hate crimes and crimes against older people</i>	Number of defendants referred to the CPS by the police – racially aggravated hate crimes – fiscal year	13,201****	12,996****	11,845****	12,927****	13,038*	12,537
	Crown Prosecution Service (CPS) – Annual Report: <i>Hate crimes and crimes against older people</i>	Number of cases prosecuted by the CPS – racially aggravated hate crimes – fiscal year	11,713****	13,008****	11,624****	12,131****	12,711*	11,774
	Crown Prosecution Service (CPS) – Annual Report: <i>Hate crimes and crimes against older people</i>	Number of cases successfully prosecuted by the CPS – racially aggravated hate crimes – fiscal year	9,071****	9,115****	8,673****	9,214****	10,566*	9,933

Table 6.2: Trends in officially recorded data on racist crime in the EU and Croatia, 2006–2011, published data (continued)

Recording authority – Source of data		2006	2007	2008	2009	2010	2011
Northern Ireland	Police Service of Northern Ireland – Annual Bulletin on trends in hate motivated incidents and crimes	1,047	976 ↘	990 ↗	1,038 ↗	842 ↘	696 ↘
	Police Service of Northern Ireland – Annual Bulletin on trends in hate motivated incidents and crimes	861	757 ↘	771 ↗	712 ↘	531 ↘	458 ↘
Scotland	Scotland Police – Statistical Bulletin, Crime and Justice Series	n/a	4,543	4,564 ↗	4,513 ↘	4,173 ↘	3,468 ↘
	Scotland Police – Statistical Bulletin, Crime and Justice Series	5,124	5,322 ↗	5,247 ↘	5,145 ↘	4,960 ↘	4,907 ↘
	Scotland Police – Statistical Bulletin, Crime and Justice Series	6,439	6,654 ↗	6,676 ↗	6,617 ↘	6,470 ↘	6,169 ↘
	Crown Office and Procurator Fiscal Service – Annual Report on hate crime in Scotland	4,361	4,365 ↗	4,334 ↘	4,320 ↘	4,178 ↘	4,518 ↗
HR	Ministry of Interior – Pregled temeljnih sigurnosnih pokazatelja i rezultata rada	9	5 ↘	8 ↗	6 ↘	11 ↗	11 =

Notes: Comparisons can only be made within, and not between, EU Member States. For the United Kingdom, comparisons cannot be made among all the data collected in the four nations (England, Northern Ireland, Scotland, Wales) as they use different counting rules.

↗ indicates a rise in numbers of recorded incidents.

↘ indicates a decline in numbers of recorded incidents.

= indicates the same number of incidents recorded between 2006 and 2011.

* Not comparable with previous years due to changes in recording procedures.

** Data cover the period between 1 October 2011 and 31 December 2011.

*** Crimes motivated by racism and by extremism.

**** Data referring to the period prior to the fiscal year 2009/10 replicate the data from the Ministry of Justice reported in this table. Data on racist incidents in England and Wales published by the Home Office in September 2012 provide different totals compared to the data published by the Ministry of Justice on racist incidents in England and Wales.

***** Racially and religiously aggravated hate crime.

Source: FRA, 2012, compiled from reports published by the institutions referred to in Table 6.2

Table 6.3: Trends in officially recorded data on anti-Roma crime in the EU, 2006–2011, published data

	Recording authority – Source of data	Type of data recorded	2006	2007	2008	2009	2010	2011
CZ	Ministry of the Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Crimes motivated by hatred towards the Roma	n/a	n/a	n/a	n/a	n/a	69
NL	Police's National Expertise Centre on Diversity – <i>Criminaliteitsbeeld discriminatie</i>	Incidents of criminal discrimination – anti-Roma	n/a	n/a	0	1 ↗	4 ↗	n/a
SE	Swedish National Council for Crime Prevention – Annual Report: <i>Statistik över polisanmälningar med identifierade hatbrottsmotiv</i>	Number of anti-Roma hate crime offences	n/a	n/a	178	163 ↘	145 ↘	184 ↗

Notes: Comparisons can only be made within, and not between, EU Member States.

↗ indicates a rise in numbers of recorded incidents.

↘ indicates a decline in numbers of recorded incidents.

Source: FRA, 2012, compiled from reports published by the institutions referred to in Table 6.3

Table 6.4: Trends in officially recorded data on antisemitic crime in the EU, 2006–2011, published data

	Recording authority – Source of data	Type of data recorded	2006	2007	2008	2009	2010	2011
AT	Federal Agency for State Protection and Counter-terrorism – <i>Verfassungsschutzbericht</i>	Committed crimes	8	15 ↗	23 ↗	12 ↘	27 ↗	16 ↘
BE	Federal Police – Police statistics on crime	Recorded crimes of Holocaust denial or revisionism	1	4 ↗	9 ↗	11 ↗	2 ↘	2 =
CZ	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Antisemitic offences	14	18 ↗	27 ↗	48 ↗	28 ↘	18 ↘
DE	Ministry of Interior – <i>Verfassungsschutzbericht</i>	Politically motivated anti-semitic criminal offences with a right-wing extremist background	1,636	1,541 ↘	1,477 ↘	1,502 ↗	1,166 ↘	1,162 ↘
	Federal Foreign Office – <i>Bericht der Bundesregierung über ihre Menschenrechtspolitik</i>	Politically motivated antisemitic crimes	n/a	n/a	1,559	1,690 ↗	1,268 ↘	1,239 ↘
DK	Security and Intelligence Service – Annual Report: <i>Kriminelle forhold med mulig ekstremistisk baggrund</i>	Extremist crimes targeting Jews	n/a	n/a	n/a	n/a	n/a	5
FI	Police College of Finland – Annual Report: <i>Poliisin tietoon tullut viharikollisuus Suomessa</i>	Antisemitic crimes reported to the police	n/a	n/a	1	10 ↗	4 ↘	6 ↗
FR	Ministry of Interior – Annual Report of the National Consultative Commission on Human Rights: <i>La lutte contre le racisme, l'antisémitisme et la xénophobie</i>	Actions and threats with an antisemitic character	571	402 ↘	459 ↗	815 ↗	466 ↘	389 ↘
NL	Police's National Expertise Centre on Diversity – <i>Criminaliteitsbeeld discriminatie</i>	Incidents of criminal discrimination – antisemitic	n/a	n/a	141 ↗	209 ↗	286 ↗	298 ↗
LT	Prosecutor General's Office – Periodic report: <i>Daugėja nusikalstamų veikų asmens lygiateisiškumui ir sąžinės laisvei</i>	Cases of antisemitism – pre-trial investigations	n/a	n/a	n/a	6	9*	n/a
SE	Swedish National Council for Crime Prevention – Annual Report: <i>Statistik över polisanmälningar med identifierade hatbrottsmotiv</i>	Number of antisemitic hate crime offences	134	118 ↘	159**	250 ↗	161 ↘	194 ↗
UK								
England, Northern Ireland, Wales	Association of Chief Police Officers – Total of recorded hate crime from regional forces	Recordable antisemitic crimes under Home Office counting rules – calendar year	n/a	n/a	n/a	703	488 ↘	440

Notes: Comparisons can only be made within, and not between, EU Member States.

↗ indicates a rise in numbers of recorded incidents.

↘ indicates a decline in numbers of recorded incidents.

* First four months of 2011.

** Not comparable with previous years due to changes in recording procedure.

*** Includes data from the British Transport Police.

Source: FRA, 2012, compiled from reports published by the institutions referred to in Table 6.4

Table 6.5: Trends in officially recorded data on Islamophobic/anti-Muslim crime in the EU, 2006–2011, published data

	Recording authority – Source of data	Type of data recorded	2006	2007	2008	2009	2010	2011
AT	Federal Agency for State Protection and Counter-terrorism – <i>Verfassungsschutzbericht</i>	Committed crimes	n/a	2	12 ↗	n/a	8	4 ↘
DK	Security and Intelligence Service – Annual Report: <i>Kriminelle forhold med mulig ekstremistisk baggrund</i>	Extremist crimes targeting Muslims	n/a	n/a	n/a	n/a	n/a	11
FI	Police College of Finland – Annual Report: <i>Poliisin tietoon tullut viharikollisuus Suomessa</i>	Islamophobic/anti-Muslim crimes reported to the police	n/a	14	17 ↗	14 ↘	15 ↗	14 ↘
FR	Ministry of Interior – Annual Report of the National Consultative Commission on Human Rights: <i>La lutte contre le racisme, l'antisémitisme et la xénophobie</i>	Actions and threats with an anti-Muslim character	n/a	n/a	n/a	n/a	116	155 ↗
NL	Police's National Expertise Centre on Diversity – <i>Criminaliteitsbeeld discriminatie</i>	Incidents of criminal discrimination – Islamophobic	n/a	n/a	116	96 ↘	93 ↘	n/a
SE	Swedish National Council for Crime Prevention – Annual Report: <i>Statistik över polisanmälningar med identifierade hatbrottsmotiv</i>	Number of Islamophobic hate crime offences	252	206 ↘	272* ↗	194 ↘	272 ↗	278 ↗

Notes: Comparisons can only be made within, and not between, EU Member States.

↗ indicates a rise in numbers of recorded incidents.

↘ indicates a decline in numbers of recorded incidents.

* Not comparable with previous years due to changes in recording procedure.

Source: FRA, 2012, compiled from reports published by the institutions referred to in Table 6.5

Table 6.6: Trends in officially recorded data on (right-wing) extremist crime in the EU, 2006–2011, published data

	Recording authority – Source of data	Type of data recorded	2006	2007	2008	2009	2010	2011
AT	Federal Agency for State Protection and Counter-terrorism – <i>Verfassungsschutzbericht</i>	Committed crimes	204	280 ↗	333 ↗	n/a	335 –	282 ↘
CZ	Ministry of Interior, Security Policy Department – Annual Report: <i>Zpráva o problematice extremism na území České Republiky</i>	Crimes with extremist features	248	196 ↘	217 ↗	265 ↗	252 ↘	238 ↘
DE	Ministry of Interior – <i>Verfassungsschutzbericht</i>	Politically motivated criminal offences – right-wing	17,597	17,176 ↘	19,894 ↗	18,750 ↘	15,905 ↘	16,142 ↗
DK	Security and Intelligence Service – Annual Report: <i>Kriminelle forhold med mulig ekstremistisk baggrund</i>	Incidents motivated by perpetrators' extremist positions*	n/a	n/a	n/a	64	37 ↘	78 ↗
FR	Ministry of Interior – Annual Report of the National Consultative Commission on Human Rights	Violent actions and threats formally imputed to right-wing extremists	26	26 =	37 ↗	25 ↘	25 =	17 ↘
NL	Police's National Expertise Centre on Diversity – <i>Criminaliteitsbeeld discriminatie</i>	Incidents of criminal discrimination – fascism or right-wing extremism	n/a	n/a	85	113 ↗	134 ↗	n/a
PL	Polish Police – Crime Statistics	Number of proceedings initiated in relation to public promotion of fascism and incitement to hatred	50	70 ↗	63 ↘	53 ↘	46 ↘	86 ↗
SE	Swedish National Council for Crime Prevention – Annual Report: <i>Statistik över polisanmälningar med identifierade hatbrottsmotiv</i>	Number of hate crime offences motivated by ideology	304	408 ↗	695**	555 ↘	444 ↘	517 ↗
SK	Ministry of Interior – monthly report on crime statistics: <i>Štatistika kriminality v Slovenskej republike</i>	Number of prosecuted and investigated persons in relation to racially motivated crime	n/a***	n/a***	n/a	n/a	51	n/a***

Notes: Comparisons can only be made within, and not between, EU Member States.

↗ indicates a rise in numbers of recorded incidents.

↘ indicates a decline in numbers of recorded incidents.

= indicates the same number of incidents recorded between 2006 and 2011.

* Includes crimes motivated by either right-wing or left-wing extremism.

** Not comparable with previous years due to changes in the recording procedure.

*** Data on extremist crimes are collated in the category of racist crime (See Table 6.3, above).

Source: FRA, 2012, compiled from reports published by the institutions referred to in the Table 6.6



Table 6.7: Status of official data collection on racist, anti-Roma, antisemitic, Islamophobic/anti-Muslim and (right-wing) extremist crime in EU Member States, December 2012

Limited data available	Good data available	Comprehensive data available
Bulgaria	Austria	Finland
Cyprus	Belgium	Netherlands
Estonia	Czech Republic	Sweden
Greece	Denmark	United Kingdom
Hungary	Germany	
Italy	France	
Latvia	Ireland	
Luxembourg	Lithuania	
Malta	Poland	
Portugal	Slovakia	
Romania	Spain	
Slovenia		
	Croatia	

Source: FRA, 2012

On the basis of the data presented in Tables 6.2–6.6, EU Member States’ official data collection mechanisms on crimes with racist, anti-Roma, antisemitic, Islamophobic/anti-Muslim and (right-wing) extremist motivations can be classified into three broad categories (Table 6.7), which relate to the scope and transparency of the data that are recorded:

- Limited data available – data collection is limited to a few incidents, and data are, in general, not published.
- Good data available – different bias motivations are recorded and data are, in general, published.
- Comprehensive data available – different bias motivations are recorded, as are characteristics of victims and perpetrators, where criminal victimisation has occurred, and the types of crimes that were committed, such as murder, assault or threats. Data are always published.

FRA ACTIVITY

Countering hate crime

Violence and crimes motivated by racism, xenophobia, religious intolerance or by a person’s disability, sexual orientation or gender identity – often referred to as ‘hate crime’ – remain a daily reality throughout the EU, as data collected by FRA and other inter-governmental organisations, such as the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR), consistently show. Such crimes harm not only the victim, they also generally prejudice fundamental rights, especially human dignity and with respect to non-discrimination.

FRA and the Intergroup on Anti-Racism and Diversity at the European Parliament co-hosted a roundtable at the European Parliament in Brussels on 29 November 2012, where the European Commission and ODIHR joined them for a discussion on hate crime.

The roundtable’s objectives were to reflect on the situation of hate crime in the EU and to engage in a discussion on possible practical initiatives to combat hate crime and on the review of the Framework Decision on racism and xenophobia.

The panel discussion brought FRA together with key institutional actors working to combat hate crime in the EU and beyond: the European Parliament, the European Commission, ODIHR, equality bodies and civil society organisations combating hate crime in a variety of areas such as racism, xenophobia, LGBT or disability.

The roundtable concluded that the EU and its Member States can take action through legislation, policy and practices to increase the visibility of hate crime and allow victims to seek redress. The roundtable also served to reinforce cooperation between EU institutions, international organisations and civil society organisations to counter hate crime effectively and decisively.

For more information, see: <http://fra.europa.eu/en/news/2012/fra-presents-hate-crime-reports-european-parliament>

6.2. Developments concerning extremism in the EU in 2012

When considering the data presented in the previous section, it must be remembered that crimes motivated by racism, xenophobia and related intolerances need not be carried out by persons belonging to extremist groups. "Most incidents of assault or threat [against members of minority or ethnic groups] were not committed by members of right-wing extremist groups. Only 13 % of Turkish victims and 12 % of Roma victims of assault or threat, for example, identified perpetrators as members of these groups," FRA research on minorities as victims of crime shows.¹⁹ Offences such as these are often motivated by more or less diffuse feelings of hostility or racism held by persons in no way associated with right-wing extremism.

Nevertheless, elements of right-wing extremist ideology and associated intolerant attitudes are found across all members of the general population, as evidence from **Austria**,²⁰ **France**,²¹ **Germany**,²² **Slovakia**²³ and **Sweden**²⁴ indicates. Racist and xenophobic attitudes in EU Member States are, though, becoming less associated with biological traits or 'traditional' supremacist considerations and are instead growing increasingly dominated by cultural considerations and intolerance of difference, as manifested, for example, in the expression of anti-Roma, antisemitic, anti-Muslim or anti-migrant feelings.²⁵ In these cases, racist and xenophobic attitudes reflect perceptions that Roma, Jewish people, Muslims or migrants are incapable of, or unwilling to integrate into society and that they represent a threat to society.²⁶

The mainstreaming of elements of extremist ideology in the public sphere is evidenced across EU Member States. The Federal Agency for State Protection and Counter-terrorism in **Austria**, for instance shows that: "Of the 341 persons against whom reports were filed in 2011, 29 belonged to a right-wing extremist scene. 91.5 %, i.e. 312 of the persons against whom reports were filed, were not attributed to the right-wing extremist milieu."²⁷

Similarly, while it is difficult to establish an exact profile of perpetrators, the CNCDH in **France** says that disenfranchised youths often make racist or xenophobic threats without any true ideological motivation underlying these threats. The CNCDH shows that property damage in the form of symbols or slogans associated with extreme right-wing ideology, for example, is not necessarily done by people belonging to the extremist scene.²⁸

In Greece, the electoral success in June 2012 of the Golden Dawn party (*Χρυσή Αυγή*) with an extreme nationalist agenda, which includes anti-immigrant and anti-foreigner elements was striking. Whereas this party polled 0.3 % of the popular vote in the 2009 general elections and had no representation in parliament, it polled 7 % at the June 2012 elections, gaining 18 seats to become the fourth-largest party in parliament.

Golden Dawn enacted programmes of social assistance excluding non-Greek nationals²⁹ and has allegedly sanctioned attacks against migrants,³⁰ but the party did not lose popularity as a result. On the contrary, a poll released in October 2012 put public support for the party at 21 %, ³¹ far higher than its 7 % showing at national elections four months earlier. This could testify to the reach of extremist nationalist ideology and the threat this could pose to fundamental rights.

The Hellenic Ministry of Interior took action to counteract these influences, including through projects under the European Integration Fund aimed at combating racism and promoting multicultural living and understanding. One such project, the *Intercultural Mediation programme in selected hospitals in Athens and Thessaloniki*, "facilitated communication between immigrants and hospital staff, thereby reducing cultural misunderstandings and promoting non-discriminatory access to public health services".³²

The *Front National* in **France** is another party with anti-immigrant, anti-foreigner or anti-Islam leanings that has made significant gains since the last general election. It polled 13.6 % of the popular vote at the 2012 elections for the national assembly, it gained two seats, when compared to 4.3 % at the last elections held in 2007, when it gained no seats. But other parties with such leanings lost votes in 2012 elections, most notably the *Partij voor de Vrijheid* in the **Netherlands**, whose voting share dropped to 10.1 % in 2012 from 15.5 % in

19 FRA (2012b), p. 3.

20 Austria, Ministry of Interior, Federal Agency for State Protection and Counter-Terrorism (2012).

21 France, CNCDH (2012).

22 Decker, O. et al. (2012); see also FRA (2012c).

23 Gallová Kriglerová, E. and Kadlečková, J. (2012).

24 Sweden, Government Office (2012).

25 See: FRA (2012a).

26 See also: Hickman, M. J. et al. (2012); Nickels, H.C. et al. (2012a); Nickels, H.C. et al. (2012b).

27 Austria, Ministry of Interior, Federal Agency for State Protection and Counter-Terrorism (2012), p. 14.

28 France, CNCDH (2012).

29 See, for example, Rights Equality and Diversity European Network (2012).

30 Human Rights Watch (2012).

31 Public Issue (2012).

32 For more information, see: http://ec.europa.eu/dgs/home-affairs/financing/fundings/projects/stories/greece_eif_01_en.htm.

2010, while **Slovakia's** *Slovenská Národná Strana* lost its nine seats in parliament.

Next to the mainstreaming of elements of extremist ideology, the violent actions of those who actively belong to the right-wing extremist scene continue to pose a threat, as Europol shows in its annual report on terrorism in the EU.³³ Such groups are steadily making more use of online platforms to propagate and circulate their ideas.³⁴ As Jugendschutz.net, a non-governmental organisation that monitors right-wing extremism online, points out, "Right-wing extremists step up their agitation in social media services. They do so [because] media sharing websites attract more and more interest, specifically among young persons who are their number one target audience and their keenest users."³⁵

6.3. Developments relating to ethnic data collection

The formulation of policies to target ethnic discrimination effectively and decisively requires reliable and comparable data, including data disaggregated by self-identified ethnicity. The need for such data is confirmed by the special Eurobarometer on discrimination in the EU in 2012, which shows that discrimination on the ground of ethnic origin is the most widespread type in the EU: "while, on average, 3 % of Europeans reported feeling discriminated against on grounds of ethnic origin, this figure rises to 27 % for Europeans who say that they belong to an ethnic minority group."³⁶ In addition, 37 % of those who self-identify as belonging to a minority group report that they had witnessed or heard of discrimination against that group happening, in their view, more than average.³⁷

The usefulness of disaggregated data can be illustrated with the example of the Roma, a group that three out of four Europeans consider at risk of discrimination, the Eurobarometer survey shows.³⁸ The acknowledgement among Europeans that they harbour negative attitudes toward Roma and their perception that efforts to fight discrimination against Roma are less efficient than other such efforts, points to the need for new and more targeted policies addressing the integration of Roma in European societies. Without the benefit of specific data on the Roma or other minority groups, policy makers

across the EU will continue to struggle to implement effective policies to address the situation of groups that are discriminated against.

The need for specific data is supported by evidence on the matter collected by, for example, the Equality & Health (Ethealth) group in Belgium, the Swedish Equality Ombudsman and the Court of Auditors in France.

The Ethealth group in **Belgium** – an expert group on health issues – recommended that ethnic data collection in relation to healthcare should be done in a way that enables the "identification of migrants and ethnic minorities in [the] systematic healthcare register."³⁹ This would increase the statistical power of the National Health Interview Survey for Migrants and ethnic minorities.

The Swedish government asked the Equality Ombudsman to conduct preliminary study concerning the development of national equality data.⁴⁰ The need for such disaggregated data stemmed from critiques of **Sweden** by international organisations, which highlighted that not having disaggregated data to hand could prevent shedding light on the living conditions of different minority groups in the country.

The need also arose from the lack of disaggregated data constituting a barrier to formulating and following up the state's policies on anti-discrimination and recognised national minorities, namely Jews, Roma, Sami, Swedish Finns and Tornedalers. The Equality Ombudsman highlights in its conclusions that the comparability of methods and data is a prerequisite for monitoring the measures taken in the fight against discrimination and in work relating to national minorities.

Similarly, the lack of specific data on *gens du voyage* in **France** complicates needs-assessment exercises and the definition of activities and measures that would benefit this group of persons, as the Court of Auditors argues.⁴¹ This is particularly the case in relation to access to healthcare and to preventive medical care, education and employment of *gens du voyage*. The Court of Auditors therefore recommended that, to increase knowledge about their situation in France, surveys dedicated to providing information about the main characteristics of this population group, such as their number, social status, profession, mobility and housing conditions should be conducted.

The CNCDH concluded that, while it does not favour the disaggregation of statistics by 'ethnic group', it did recommend that the 'ethnic origin' of individuals should

33 Europol (2012), pp. 28–29. See also: Czech Republic, Ministry of Interior (2012); Fekete, L. (2012); Organization for Aid to Refugees (2012).

34 Bartlett *et al.* (2011); Bartlett *et al.* (2012a); Bartlett *et al.* (2012b); Bartlett *et al.* (2012c); Bartlett *et al.* (2012d); Bartlett *et al.* (2012e); Bartlett *et al.* (2012f); Sweden, Government Office (2012).

35 Jugendschutz.net (2012), p. 1.

36 European Commission (2012a), p. 65.

37 *Ibid.*, p. 71.

38 *Ibid.*, p. 11.

39 Dauvrin, M. *et al.* (2012), p. 5.

40 Sweden, Equality Ombudsman (2012a).

41 France, Court of Auditors (2012).



be defined by objective elements such as their or their parents' birthplace and nationality, in order to shed light on inequalities found in France.⁴²

FRA ACTIVITY

FRA Roma Programme – Building consensus on how to measure progress

The European Commission asked FRA to “work with Member States to develop monitoring methods which can provide a comparative analysis of the situation of Roma across Europe”, in its 2011 Communication on an EU Framework for National Roma Integration Strategies (COM(2011) 173 final). In response, FRA set up an ad hoc working party of experts from national authorities, the European Commission, and international bodies to pool knowledge on indicator development, data collection, monitoring and statistical analysis on Roma issues.

The working party serves to exchange experience and develop promising practices on ways to measure Roma integration. Ten EU Member States plus Croatia take part in the working party, together with the European Commission, the United Nations Development Programme, Eurofound and FRA. Lessons learned will be provided to all Member States through the network of National Contact Points on Roma. In 2012, the working party held two meetings and agreed to collaborate on a set of activities to improve Roma integration monitoring:

- identifying core indicators that could be used to assess the impact of measures and policies aimed at Roma integration across Member States;
- mapping data sources and collection methods in Member States; and
- sharing information regularly on challenges and achievements in developing methods at Member State-level to monitor the impact of national Roma integration strategies.

6.4. Developments in ethnic discrimination in healthcare, housing, education and employment in the EU

Various legal instruments guarantee the prohibition of ethnic discrimination in healthcare, education,

42 France, CNCDH (2012).

employment and housing, including: the Convention on the Rights of the Child; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the Charter of Fundamental Rights of the European Union; the Council Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin; and the European Social Charter (revised). In addition, adequate housing is recognised as one element of the right to an adequate standard of living in the Universal Declaration of Human Rights.

6.4.1. Ethnic discrimination in healthcare

Ethnic minorities continue to face barriers in equal access to healthcare across the EU, with the European Network Against Racism (ENAR) pointing out that “manifestations include prejudice by staff and patients, significantly lower health outcomes, language and cultural barriers, as well as legal challenges especially in the case of migrants.”⁴³

The **Belgian** Ministry of Public Health commissioned the Ethealth group to formulate relevant recommendations to the public authorities with a view to reducing health inequalities among ethnic minorities. Ethealth identified three groups that are most at-risk and vulnerable among migrants and ethnic minorities: irregular migrants and asylum seekers; migrants and ethnic minorities with mental health problems; and women. These “groups have several risk factors for having a poorer health status than the native population and experiencing discrimination due to the multiplication of risks”.⁴⁴ Ethealth recommended that public authorities fight discrimination by improving socio-economic opportunities and access to preventive healthcare for migrants and ethnic minorities.

The **Swedish** Equality Ombudsman said that the health complaints the office deals with predominantly concern patients who are refused healthcare or access to healthcare or who experience discriminatory treatment, such as lack of respect, bias and stereotyping, when interacting with healthcare professionals.⁴⁵ Examples of patients' cases filed with the Equality Ombudsman include perceived discrimination of patients on the grounds of their ethnicity, religion and sexual orientation.

The Equality Ombudsman notes that in the majority of cases it is difficult to prove whether discrimination actually occurred, but the complaints as such are an indication of dissatisfaction with healthcare and

43 ENAR (2012), p 19.

44 Dauvrin, M. *et al.* (2012), p. 8.

45 Sweden, Equality Ombudsman (2012b).

social services, which should be taken into consideration in and of themselves. The Equality Ombudsman emphasises that bias of treatment by healthcare professionals might persuade some persons to refrain from contacting healthcare providers because of their own or other people's experiences of discrimination.

The National Health Service Confederation in the **United Kingdom** reports that the links between discrimination, disadvantaged groups and poor mental health are well documented. The rates of admission to inpatient mental health units, as well as rates of detention, continue to be higher for 'Black African', 'Black Caribbean' and 'Black Other' groups than for other population groups.⁴⁶ It also points out that "whilst numerous national and local initiatives have aimed to improve access [to healthcare], experience and outcomes for [black and minority ethnic] service users, concrete evidence of improvements remains lacking."⁴⁷ The National Health Service Confederation therefore stresses the need for better monitoring, collection and use of data on ethnicity and culture in this context.

6.4.2. Ethnic discrimination in housing

Minority ethnic groups, migrants and asylum seekers regularly confront barriers in access to the housing sector, as evidence from international human rights monitoring mechanisms, national equality bodies and research in several EU Member States shows.

Examples include discriminatory housing advertisements in **Austria**⁴⁸ and **Romania**;⁴⁹ ethnic discrimination in the rental market in **Belgium**,⁵⁰ **Malta**,⁵¹ **Poland**⁵² and **Slovenia**;⁵³ discrimination by real estate agents and housing associations in **Spain**;⁵⁴ and residential segregation in **Hungary**,⁵⁵ **Slovakia**⁵⁶ or **Sweden**, which "particularly affects Roma, Muslims, Afro-Swedes and asylum seekers."⁵⁷

Unequal access to housing for ethnic minorities and migrants increases their risk of social exclusion and contributes to spatial segregation, which the European Commission against Racism and Intolerance (ECRI)

considers a particularly serious form of discrimination.⁵⁸ Spatial segregation is often accompanied by precarious living conditions, especially for Roma, as is the case in **Hungary**⁵⁹ and **Slovakia**,⁶⁰ among others.

In its concluding observations on **Austria**,⁶¹ the United Nations Committee on the Elimination of Racial Discrimination (CERD) expressed concerns about discriminatory advertisements, such as "reports of racist advertisements in the media, particularly relating to housing and employment opportunities that require applicants to be 'Austrians only' and "that such advertisements foment existing racial prejudice and stereotypes against certain minority groups". Similarly, the **Romanian** national equality body found that an advertisement for a studio to let – specifying 'Students and Roma excluded' – to be discriminatory.⁶²

The results of the longitudinal Group-focused Hostility survey (*Gruppenbezogene Menschenfeindlichkeit*) conducted by the Interdisciplinary Institute for Conflict and Violence Research of the University of Bielefeld (*Interdisziplinäres Institut für Konflikt- und Gewaltforschung*) in **Germany**, show that around 40 % of the respondents would have a problem with Sinti and Roma living in their neighbourhood.⁶³

Similarly, the results of a public opinion survey in **Lithuania**, show that swathes of the majority population would not rent their accommodation to Roma, migrants or Muslims.⁶⁴ For more information on evidence of discrimination against Roma populations in housing, see Section 6.5.2 of this chapter.

Evidence from **Malta** shows that migrants experience discrimination in the housing market,⁶⁵ while evidence from **Poland**⁶⁶ and **Spain**⁶⁷ demonstrates that migrants faced unequal treatment when trying to access social housing or the private rental market, as was established in Spain through discrimination testing.

Similarly, the European Committee on Social Rights found, in its conclusions on the situation regarding the implementation of the European Social Charter (revised), that the **Slovenian** situation did not conform to Article 19 (4) of the European Social Charter (revised) on the grounds that "equal treatment and adequate

46 Sewell, H. and Waterhouse, S. (2012a).

47 *Ibid.*; see also Mental Health Network National Health Service (NHS) Confederation (2012).

48 UN, CERD (2012a), p. 6.

49 Romania, National Council for Combating Discrimination, Decision No. 103/28.03.2012.

50 Belgium, Centre for Equal Opportunities and Opposition to Racism (CEOR) (2012), pp. 84–85.

51 Gauci, J.P. (2012).

52 Mikulska, A. and Patzer, H. (2012), p. 145.

53 Council of Europe, European Committee on Social Rights (2012a), p. 23.

54 SOS Racismo and CEAR-Euskadi (2012), pp. 38–41.

55 Hungary, Habitat for Humanity Hungary (2012).

56 World Bank (2012a), pp. 31–32.

57 Council of Europe, ECRI (2012), p. 8.

58 Council of Europe, ECRI (2012).

59 Hungary, Habitat for Humanity Hungary (2012).

60 World Bank (2012a), pp. 31–32.

61 UN, CERD (2012a), p. 6.

62 Romania, National Council for Combating Discrimination, Decision No. 103/28.03.2012.

63 Heitmeyer, W. (2012).

64 Lithuania, Institute for Ethnic Studies (2012).

65 Weave Consulting (2011); see also Gauci J.P. (2012).

66 Mikulska, A. and Patzer, H. (2012), p. 145.

67 SOS Racismo and CEAR-Euskadi (2012), pp. 38–41.



conditions are not secured for migrant workers with respect to access to housing".⁶⁸

The national equality body in **Belgium** echoed these findings, reporting that it had opened about 100 files concerning discrimination in housing, about half of which concerned discrimination on the basis of racial and ethnic criteria.⁶⁹ These results resonate with findings from the discrimination testing experiment in rental housing and apartment market in Antwerp and Ghent conducted by the Minorities Forum (*Minderhedenforum*). Their findings show that candidate-tenants with a foreign-sounding name are significantly less frequently invited for a visit than candidates with a native-sounding name.⁷⁰

Promising practice

Preventing and combating discrimination in the housing sector

On 11 June 2012, the Italian Equality Body (*Ufficio nazionale antidiscriminazioni razziali*, UNAR) and the Italian Federation of Professional Real Estate Agents signed a Memorandum of Understanding aimed at preventing and combating all forms of discrimination in the housing sector. The two-year agreement, which applies to both real estate agents and customers, includes training and the development of an awareness-raising campaign. The initiative seeks to promote better knowledge of anti-discrimination legislation and remedies in procedures for buying or renting accommodation. UNAR and FIAIP committed to:

- establishing and promoting joint activities to raise awareness on anti-discrimination issues in the housing sector on an annual basis;
- launching initiatives to improve citizens and estate agents' knowledge of legal instruments and strategies for combating and preventing discrimination;
- organising training courses for real estate agents and members of FIAIP;
- producing a guide on how to proceed with buying accommodation and guidelines on how to combat discrimination in the housing sector;

For more information, see: <http://cercacasa.it/stop-al-razzismo-per-compravendite-e-affitti.html>

Similarly, in **Finland** a study based on discrimination testing revealed that there was a significant degree

of discrimination against Roma and migrants when applying for housing either by public or private housing providers.⁷¹ The results of the study show that both Roma and migrant applicants were discriminated against as applicants, the former in 15 % of the test cases, the latter in 16 % of the test cases.

6.4.3. Ethnic discrimination in education

Ethnic discrimination in education and segregation in schools on ethnic grounds remain a problem in the EU. International and national human rights monitoring bodies highlighted barriers in access to equal education in a number of EU Member States, with members of ethnic groups and migrants continuing to face difficulties due to discrimination on ethnic grounds in **Spain**⁷² or segregation in schools in **Denmark**,⁷³ **Germany**⁷⁴ and **Italy**.⁷⁵

The UN Committee on Economic, Social and Cultural Rights, in its concluding observations on **Spain**, expressed its concerns "that, despite the measures adopted by the State party, immigrants and gypsies continue to suffer from discrimination in the enjoyment of economic, social and cultural rights, particularly in the areas of employment, housing, health and education."⁷⁶ This confirms findings of the *Annual Study on discrimination based on racial or ethnic origin: the perception of the potential victims 2011* in Spain, which showed that around one in four migrants who had attended an educational centre or who had children studying in the previous year experienced discriminatory treatment on racial or ethnic grounds.⁷⁷

ECRI recommended that the "**Danish** authorities shall take measures to combat school segregation by devising, in consultation with all the parties concerned and taking into account the socio-economic dimension (employment and housing) policies to avoid, in the best interests of the child, pupils from minority groups being overrepresented in certain schools."⁷⁸

The Open Society Justice Initiative argues that several primary and secondary schools in Berlin, **Germany**, are segregating migrant children in separate classes that provide vastly inferior education. It notes that this segregation from native-born German students is

71 Joronen, M. (2012).

72 UN, Committee on Economic, Social and Cultural Rights (2012a), p. 3.

73 Council of Europe, ECRI (2012b), p. 9.

74 Germany, Open Society Justice Initiative (2012).

75 UN, CERD (2012b), p. 7.

76 UN, Committee on Economic, Social and Cultural Rights (2012a), p. 3.

77 Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (2012b).

78 Council of Europe, ECRI (2012b), p. 9.

68 Council of Europe, European Committee on Social Rights (2012a), p. 23.

69 Belgium, CEOOR (2012), pp. 84-85.

70 Lahlali, M. et al. (2012).

supposedly carried out because the students' German language skills are inadequate for regular classes, but it contends that this is "a proxy for discrimination on the basis of ethnicity or other suspect criteria."⁷⁹

Finally, CERD recommended that **Italy** "ensure[s] that the administrative measure limiting to 30 % the number of children with non-Italian nationality in each class does not negatively affect the enrolment in education of children from the most vulnerable groups."⁸⁰

6.4.4. Ethnic discrimination in employment

Barriers in access to employment for minority and ethnic groups due to discriminatory treatment and prejudices of employers remain in the EU, as shown by evidence published in **Denmark**⁸¹ and **France**.⁸² In addition, the role of social partners, such as employers and trade unions, on raising awareness of anti-discrimination legislation and policies on ethnic grounds at work remains weak and in need of reinforcement, as is the case in **Latvia**⁸³ or **Sweden**.⁸⁴

According to the Danish Institute of Human Rights (DIHR) ethnic minorities have a weaker link to the **Danish** labour market than ethnic Danes. DIHR therefore recommends that the government consider revising its anti-discrimination legislation to urge employers to promote equal treatment regardless of racial or ethnic origin. It also recommends that the government map any institutional barriers that could prevent ethnic minorities from accessing the labour market and to ensure that they are employed in positions that match their educational qualifications and gain promotion on an equal basis with ethnic Danes.⁸⁵

ECRI stressed the need for more awareness-raising programmes among Danish authorities to alert employers about issues of ethnic discrimination and about the substance of relevant legal requirements.⁸⁶ It made similar recommendations for **Latvia**, saying that the authorities there should "carry out training aimed at raising employers' and trade unions' awareness of racial discrimination at work",⁸⁷ and for **Sweden**, where the "authorities [should] step up their efforts to combat employers' prejudices and the resulting discrimination, particularly in access to employment".⁸⁸

In its report on Sweden, ECRI further recommended that "the Swedish authorities amend Chapter 6, section 2, paragraph 3 of the Discrimination Act to put on an equal footing all persons qualified to provide legal assistance to victims of discrimination and represent them, in particular by removing the requirement for victims of workplace discrimination belonging to an employees' organisation to consult this organisation first, to the exclusion of other possible defenders".⁸⁹

The **French** Defender of Rights notes that discrimination on the ground of ethnic origin in employment occurs most often during the recruitment of staff with indefinite contracts or within the framework of career development, remuneration and promotion exercises.⁹⁰

It also co-published the results of the fifth survey on discrimination in employment with the International Labour Organization. The survey results showed that 16 % of employees in the private sector and 9 % of civil servants reported experiences of ethnic discrimination, while 35 % of private sector employees and 26 % of civil servants reported having witnessed ethnic discrimination at work.⁹¹

The Expert Council of **German** Foundations on Integration and Migration (*Sachverständigenrat deutscher Stiftungen für Integration und Migration*) conducted a survey published by the German Federal Anti-discrimination Agency (*Antidiskriminierungsstelle des Bundes*) in July 2012. The survey findings show that about one in two migrants interviewed said they had experienced discrimination in everyday life. Most migrants said they had experienced unequal treatment on the labour market (10 %), when searching for housing (9.4 %) and in the area of education (6.5 %).⁹²

The **Spanish** Equality Body issued its *Annual Study on discrimination based on racial or ethnic origin: the perception of the potential victims 2011*, whose findings reveal that ethnic minorities perceive that they experience the highest rate of discrimination in the area of employment, with 46.7 % of those surveyed saying they had experienced discrimination on ethnic or racial grounds.⁹³

79 Germany, Open Society Justice Initiative (2012), p. 2.

80 UN, CERD (2012b), p. 7.

81 Denmark, DIHR (2012), pp. 10–13.

82 France, CSA Institute (2012).

83 Council of Europe, ECRI (2012c), p. 21.

84 Council of Europe, ECRI (2012a), p. 31.

85 Denmark, DIHR (2012), p. 1.

86 Council of Europe, ECRI (2012b), p. 24.

87 Council of Europe, ECRI (2012c), p. 21.

88 Council of Europe, ECRI (2012a), p. 31.

89 *Ibid.*, p. 21.

90 France, Defender of Rights (2012).

91 France, CSA Institute (2012).

92 Germany, Expert Council of German Foundations on Integration and Migration (2012), p. 12.

93 Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (2012b), p. 45.



Promising practice

Racial discrimination: achieving change through cooperation

The European Commission funded a project to increase awareness of racial discrimination and promote a more active role for cities in reducing it. The project, *Discrimination in Cities: Achieving Change through Cooperation*, was implemented in eight cities in Italy and Germany to promote awareness, information sharing and dialogue amongst local stakeholders and authorities within and between cities.

The project, co-funded by the European Commission's Fundamental Rights and Citizenship Programme, specifically worked to: stimulate awareness and increase sensibility towards discrimination amongst local authorities and social partners; establish a national dialogue involving local authorities, social partners and potential subjects of discrimination in each partner country; establish a cross-national dialogue and working relationship between local authorities and social partners in partner countries; and improve medium-sized cities' capacity to develop and implement anti-discrimination and pro-inclusion policies.

The project ran from January 2010 to October 2012.

For more information, see: www.di-ci.eu/index.php/en/project/dici-project

The Belgian Federation of Human Resource Service Providers (Federgon) reports that 29 % of temporary employment offices still accept employment requests from customers that are discriminatory towards migrants.⁹⁴ The national equality body in **Belgium** reports similar figures, with 29 % of temporary employment offices monitored found to discriminate against migrants.⁹⁵

As highlighted in previous FRA Annual reports, discrimination testing is a useful means of countering ethnic discrimination in the field of employment. Discrimination tests were conducted in **Finland, Germany, the Netherlands** and in **Croatia**, with similar results.

The Ministry of Employment and Entrepreneurship in Finland thus presented findings of the first Finnish experiment on discrimination in recruitment on the grounds of ethnicity and sex when applying for semi-skilled office, restaurant, driver or construction jobs using

this method.⁹⁶ The results show that Russian-named job seekers needed to send twice as many applications as Finnish-named applicants before being invited for a job interview.

Similarly, the findings of a study in Zagreb, **Croatia**, showed discrimination on the labour market against job applicants of Serbian origin. Candidates with Serbian-sounding names and surnames had fewer chances for a positive outcome in the first round of selection than equivalent Croatian candidates.⁹⁷

Likewise, the **Netherlands** Institute for Social Research (*Sociaal en Cultureel Planbureau, SCP*) conducted a situation test and found that native Dutch applicants had a 46 % chance of receiving a job offer, while those with an immigrant background had just a 28 % chance.⁹⁸

Another method of discrimination testing in the field of employment uses curriculum vitae (CVs) with the applicants' names withheld to veil their presumed ethnic or national origins. The **German** Federal Anti-discrimination Agency presented the results of an evaluation study on a nationwide pilot project of testing anonymous job applications. The pilot project filed 8,550 anonymous job applications. Different companies, state agencies and municipalities implemented this method for a 12-month period. Using anonymous CVs had an anti-discriminatory impact on the first selection of applicants, with women and migrants in particular more likely to be invited to interviews if they applied anonymously.⁹⁹

6.5. The situation of Roma populations in the EU

The situation of Roma in EU Member States continues to be a cause of concern as Roma are often the victims of discrimination and social exclusion, live in deep poverty and lack access to healthcare and decent housing. This is confirmed by the findings of two combined household surveys conducted by FRA and the United Nations Development Programme (UNDP) – in association with the World Bank and with funding from the European Commission – on the situation of Roma populations in 2011, hereafter referred to as FRA/UNDP surveys. In total, 22,203 persons who self-identify as Roma and non-Roma persons living in close proximity to Roma populations were interviewed in **Bulgaria, the Czech Republic, France, Greece, Hungary, Italy, Poland, Portugal, Romania, Slovakia** and **Spain**, covering 84,287 household members.¹⁰⁰

⁹⁶ Larja, L. *et al.* (2012).

⁹⁷ Seršić, D.M. and Vukelić, A. (2012), pp. 31–59.

⁹⁸ Andriessen, I. *et al.* (2012).

⁹⁹ Germany, Anti-discrimination Agency (2012).

¹⁰⁰ For more information, see FRA's thematic page on Roma people: <http://fra.europa.eu/en/theme/roma>.

⁹⁴ Belgium, Department of Work and Social Economics (2012); see also: De Standaard (2012).

⁹⁵ Belgium, CEOOR (2012).

The FRA/UNDP surveys show that one in three Roma are unemployed, 20 % are not covered by health insurance, 90 % are at risk of poverty and about half had experienced discrimination in the past 12 months because of their Roma background.¹⁰¹

The special 2012 Eurobarometer on discrimination in the EU confirmed these findings, with three out of four Europeans viewing Roma as a group at risk of discrimination. All different groups of Europeans as well as an absolute majority in most EU Member States share this view.¹⁰²

The use of the term 'Roma' in this annual report follows the approach of the Council of Europe, which uses the term to refer to "Roma, Sinti, Kale and related groups in Europe, including Travellers and the Eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as Gypsies".¹⁰³

In May 2012, the European Commission, with its *Communication on Roma Integration Strategies: a first step in the implementation of the EU Framework*, called on EU Member States to implement their national strategies to improve the economic and social integration of Roma.¹⁰⁴ The Member States developed these strategies in response to the Commission's EU Framework for national Roma integration strategies adopted on 5 April 2011, which the Council of the European Union endorsed soon afterwards.

By March 2012, all EU Member States had presented a National Roma Integration Strategy or a corresponding set of policy measures within their broader social inclusion policies. The European Commission's assessment focused on evaluating the Member States' approaches to the four key areas of healthcare, housing, education and employment, and on how structural requirements (cooperation with civil society, with regional and local authorities, monitoring, anti-discrimination and establishment of a national contact point) as well as funding were addressed.

The European Commission assessment concluded that despite EU Member States' efforts to develop a comprehensive approach to Roma integration, much more needs to be done when it comes to securing sufficient funding for Roma inclusion, putting monitoring mechanisms in place and fighting discrimination and segregation. The European Commission stressed in particular that the "socio-economic inclusion of Roma remains

first and foremost the responsibility of the Member States and they will need stronger efforts to live up to their responsibilities, by adopting more concrete measures, explicit targets for measurable deliverables, clearly earmarked funding at national level and a sound national monitoring and evaluation system".¹⁰⁵

The European Commission's assessment chimes with the findings of the special Eurobarometer on discrimination, which show that national efforts for the integration of the Roma population are seen as less effective than efforts to fight discrimination in general; 45 % of Europeans think that efforts to integrate Roma are ineffective, against 31 % for efforts to fight discrimination in general.¹⁰⁶

In addition, this survey reveals that the majority of Europeans (53 %) believe that their society could benefit from better Roma integration. This view is stronger for 71 % of Europeans with Roma friends or acquaintances than for 49 % of Europeans without Roma friends or acquaintances.¹⁰⁷

6.5.1. Discrimination against Roma populations in healthcare

The European Commission noted that "some Member States included measures to reduce health inequalities between the Roma and non-Roma population involving a range of preventive actions which go beyond those highlighted in the EU Framework. However, only a few Member States defined a comprehensive approach to improve the health of Roma," in its assessment on the national Roma integration strategies.¹⁰⁸

The findings of the FRA/UNDP surveys show that one out of three Roma respondents aged 35 to 54 report health problems limiting their daily activities and on average, about 20 % of Roma respondents are not covered by medical insurance or do not know if they are covered.¹⁰⁹

Other evidence confirms that members of Roma populations experience discrimination in healthcare, as survey research conducted in **Romania**¹¹⁰ and **Spain**¹¹¹ reveals. The results concerning Romania show that among 607 adults aged 18 and over who self-identified as Roma, 32 % reported having experienced discrimination when accessing medical care in case of sickness, need of treatment or surgery in the 12 months preceding

101 FRA/UNDP (2012).

102 European Commission (2012a), p. 8.

103 See Council of Europe, Descriptive glossary of terms relating to Roma issues, version dated 12 May 2012, available at: <http://hub.coe.int/web/coe-portal/roma/>.

104 European Commission (2012b).

105 European Commission (2012b), p. 12.

106 European Commission (2012a), p. 8.

107 *Ibid.*, p. 22.

108 European Commission (2012b), p. 8.

109 FRA/UNDP (2012), p. 16.

110 Romani CRIS and TOTEM Communications (2011).

111 *Fundación Secretariado Gitano* (2012).



the survey, and 27 % reported having experienced discrimination when accessing emergency healthcare.

The results from Spain show that among 1,497 Roma Spanish nationals and 361 Eastern European Roma from Romania and Bulgaria, aged 16 and over, 53.9 % of the Spanish Roma and 33.9 % of the Eastern European Roma respondents perceived that they had been discriminated against in health centres and hospitals in the 12 months preceding the survey.

The European Committee of Social Rights (ECSR) found in the *Médecins du Monde - International v. France* case that the national authorities had failed to: provide access to health-care for migrant Roma, in spite of their residence status, provide information, awareness-raising, counselling and screening on health issues, take measures for the prevention of diseases and accidents, provide medical assistance for migrant Roma lawfully resident or working regularly in France, and provide emergency medical assistance to migrant Roma not residing lawfully or not working regularly in France.¹¹² The ECSR unanimously found that this amounted to violations of Article 11 (right to protection of health) and Article 13 (right to social and medical assistance) in conjunction with Article E, non-discrimination clause, of the Revised European Social Charter.

The forced sterilisation of Roma women is a particularly grave issue. The European Court of Human Rights (ECtHR) ruled in two such cases concerning **Slovakia** in 2012, finding that the involuntary sterilisation of Roma women is a major human rights violation.¹¹³ In both cases, the forced sterilisation occurred between 1999 and 2002. Although the ECtHR found that Article 14 on non-discrimination raised no separate issues in either of these cases and that it did not therefore examine the state's compliance with its duty to investigate whether the applicants' sterilisation were racially motivated, the ECtHR did find that sterilisation without full and informed prior consent violated the applicants' right to be free from inhuman and degrading treatment (Article 3) and their right to respect for private and family life (Article 8).

Not long before the ECtHR ruled in these cases, the Slovak Government Council for Human Rights, National Minorities and Gender Equality adopted Resolution No. 37 on reported cases involving unlawful sterilisations of women. This resolution recommended that the government, among other steps, charge the Ministry of Healthcare with drafting a regulation on

112 Council of Europe, European Committee of Social Rights (2012b).

113 ECtHR, *N.B. v. Slovakia*, No. 29518/10, 12 June 2012; ECtHR, *I.G. and Others. v. Slovakia*, No.15966 /04, 13 November 2012. See also: ECtHR, *V.C. v. Slovakia*, No. 18968/07, 8 November 2011.

creating conditions that guarantee informed consent to sterilisation on the part of the women concerned, in line with guidelines adopted by the International Federation of Obstetrics and Gynaecology in 2011 on the performance of contraceptive sterilisation.¹¹⁴

6.5.2. Discrimination against Roma populations in housing

Roma populations in the EU face inadequate standards of living, as the FRA/UNDP surveys show. About 45 % of the Roma surveyed live in households that lack at least one of the following basic housing amenities: indoor kitchen, indoor toilet, indoor shower or bath and electricity.¹¹⁵

Similarly, reports of human rights monitoring bodies and other organisations concerning **Hungary**,¹¹⁶ **Italy**,¹¹⁷ **Lithuania**,¹¹⁸ **Portugal**¹¹⁹ and **Slovakia**¹²⁰ show that Roma remain at risk of discrimination in housing and spatial segregation.

The Roma in **Lithuania** “continue to suffer from discrimination, poverty, low educational attainment, large-scale unemployment, and inadequate standards of living, in particular as regards housing,” according to the UN Human Rights Committee.¹²¹

Similar concerns have been raised for **Portugal**, where public housing policies have failed to address the spatial segregation affecting many Roma, because of a lack of targeted measures to promote their access to mainstream social housing and because local authorities have taken steps that are not in line with international and European standards relating to the right to adequate housing, as the Commissioner for Human Rights of the Council of Europe notes.¹²²

Likewise, CERD encourages **Italy** “to intensify efforts to avoid residential segregation of Roma and Sinti communities, both citizens and non-citizens, and to develop social housing programmes for them”.¹²³

114 Slovakia, Government office (2012).

115 FRA/UNDP (2012), p. 16.

116 Habitat for Humanity Hungary (2012).

117 UN, CERD (2012b), p. 4.

118 UN, Human Rights Committee (2012), p. 2.

119 Council of Europe, Commissioner for Human Rights (2012a).

120 World Bank (2012), pp. 31–32.

121 UN, Human Rights Committee (2012), p. 2.

122 Council of Europe, Commissioner for Human Rights (2012a).

123 UN, CERD (2012b), p. 4.

“If consumers are normally provided with free electricity meters which are installed in or on buildings, such that they are accessible for visual checks, whilst in districts inhabited primarily by people belonging to the Roma community such electricity meters are attached to electricity poles at an inaccessible height of 7 m, there is a prima facie case of indirect discrimination based on ethnic origin within the meaning of Article 2 (2) (b) in conjunction with Article 8 (1) of Directive 2000/43.”

Opinion of Advocate General Juliane Kokott in C-394/11, Valeri Hariiev Belov v. ChEZ Elektro Balgaria AD and ChEZ Raspredelenie Balgaria AD

The French Constitutional Council held that several provisions of Law No. 69-3 of 3 January 1969 on the exercise of ambulatory activities and the arrangements applicable to persons travelling in **France** without a fixed abode or residence¹²⁴ did not comply with constitutional principles. Although the Constitutional Council found that the requirement for circulation permits (*titres de circulation*) for *gens do voyage* was not discriminatory, it did rule that several other provisions of the law breached the constitution, including requirements for: proof of regular income to guarantee normal living conditions, three-monthly validation of circulation documents; and three years of uninterrupted association with the same municipality to enable registration on the electoral list. The Constitutional Council also found a prison sentence foreseen for *gens do voyage* circulating without a circulation booklet to be in breach of the constitution.

The European Committee of Social Rights (ECSR) found in *International Federation of Human Rights (FIDH) v. Belgium* that the national authorities had failed to: rectify the lack of sites for Travellers; address problems stemming from non-recognition of caravans as homes; respect required conditions when carrying out evictions; and, undertake a global and coordinated policy to combat poverty and social exclusion of Travellers.¹²⁵ The ECSR unanimously found that this amounted to violations of Article 16 (right of the family to social, legal and economic protection) and Article 30 (right to protection against poverty and social exclusion) in conjunction with Article E, non-discrimination clause, of the Revised European Social Charter.

Roma populations continue to face forced evictions, the dismantling of settlements and repatriation, as was the case in **Bulgaria**, the **Czech Republic**, **France**, **Italy**, **Romania** and **Slovakia**. In a landmark ruling, the ECtHR held in *Yordanova and Others v. Bulgaria*¹²⁶ that any future forced evictions of Roma would violate Article 8, the right to private and family life. The case concerned

the authorities’ plan to evict Roma from a settlement situated on municipal land in Sofia. The applicants were 23 Bulgarian nationals of Roma origin who arrived and settled on this land in the 1960s and 1970s. The ECtHR found that, as they had lived there in makeshift houses for many years with their families, these houses had become their homes, irrespective of whether they occupied them lawfully or not. Expelling the applicants from their settlement and community would therefore negatively affect their private and family lives.

The ECtHR emphasised that, in the context of Article 8 (right to private and family life), the national authorities must consider the Roma’s status as a socially disadvantaged group and their particular needs in the proportionality assessment they are obliged to undertake, but which had not been conducted. The ECtHR held, unanimously, that in the event of any future enforcement of the removal order against the applicants, there would be a violation of Article 8 of the ECHR. In the context of the execution of the judgment in the case of *Yordanova*, the Bulgarian authorities informed that the removal order was still suspended and that the competent domestic authorities were looking for suitable alternative accommodation for the persons concerned.

Forced evictions of Roma were reported in the **Bulgarian** municipalities of Maglizh¹²⁷ and Vratsa.¹²⁸ Forced evictions were also reported in the **Czech Republic**, where about 200 Roma inhabitants were moved from their homes in the locality of Přednádraží in Ostrava-Přívoz, in August 2012. Some of them were evicted even though they were paying rent regularly. The local authorities claimed that their households did not comply with hygienic standards. The Human Rights Commissioner in the Czech Republic criticised the municipal authorities for failing to fix the poor sewage system and thereby address the hygienic and sanitary conditions at the locality of Přednádraží by fixing the poor sewage system. The commissioner called on them to make alternative affordable housing solutions available for the evicted families.¹²⁹ Similarly, the European Roma Rights Centre (ERRC) reported forced evictions in **Slovakia** where Roma families were evicted under the pretext of environmental law.¹³⁰

The European Association for the Defense of Human Rights (AEDH) reports that 11,803 EU citizens who are Roma were forcefully evicted in **France** in 2012, up from 9,396 in 2011,¹³¹ and a number of settlements were dismantled.¹³² Forced evictions and the dismantling of settlements prompted a group of United

124 France, Constitutional Council (2012).

125 Council of Europe, European Committee of Social Rights (2012b).

126 ECtHR, *Yordanova and Others v. Bulgaria*, No. 25446/06, 24 April 2012.

127 Hristov, H. (2012).

128 Medipol (2012).

129 ROMEA.cz (2012).

130 ERRC (2012a).

131 AEDH (2013); see also: ERRC (2012b).

132 Amnesty International (2012a).

Nations human rights experts to call on the French Government to ensure that its policies and practices conform in all respects to European and international human rights non-discrimination law.¹³³

The Secretary General of the Council of Europe also stressed that “simply moving Roma families around within or between states merely worsens their conditions and only comprehensive policies that ensure fair treatment and proper access to human rights will turn the situation around.”¹³⁴

The French government adopted a circular setting out the framework for state action when clearing (*évacuation*) illicit camps on 26 August 2012.¹³⁵ In September 2012, France and Romania signed a two-year agreement aiming at the reinsertion of 80 families of Romanian Roma in Romania.¹³⁶

The European Roma Rights Centre reported that **Italian** authorities also carried out forced evictions of Roma.¹³⁷ The Commissioner for Human Rights of the Council of Europe emphasised that “segregated camps and forced evictions are diametrically opposed to the text and spirit of the National Roma Inclusion Strategy” that was adopted in February 2012 and said that “the camp-based approach and the evictions associated with it were hallmarks of the ‘Nomad emergency’ policy, and should be overcome together with the corresponding Decree”.¹³⁸

Amnesty International, in its report *Unsafe foundations. Secure the right to housing in Romania* argues that **Romania** does not effectively respect, protect or fulfil the right to adequate housing for all its citizens, either in law or in practice. Marginalised communities, such as the Roma, frequently suffer systematic abuses of their right to housing, Amnesty International emphasised.¹³⁹ The forced eviction and relocation of about 300 Roma families to a disused chemical factory in Baia Mare serves as a telling example.¹⁴⁰ Twenty-two children and two adults had to be taken to hospital due to contact with toxic substances left in the buildings. “The relocation [of Roma] into the former chemical factory buildings is clearly not an adequate, alternative housing solution.”¹⁴¹

133 UN, Office High Commissioner for Human Rights (2012).

134 Council of Europe (2012).

135 France, Inter-ministerial circular on anticipation and accompanying of illegal camps evacuation, 26 August 2012.

136 France, Ministry of Foreign Affairs (2012).

137 ERRC (2012c).

138 Council of Europe, Commissioner for Human Rights (2012b), p. 20.

139 Amnesty International (2012b), p. 2.

140 AEDH (2012).

141 Council of Europe, Commissioner for Human Rights (2012c).

6.5.3. Discrimination against Roma populations in education

Despite the adoption of policies aimed at promoting Roma inclusion in education, Roma children are especially prone to experience segregation in education in several EU Member States. The segregation of Roma children in education can take several forms, with evidence showing that they can be over-represented in special remedial schools for children with intellectual and other disabilities as is the case, for example, in the **Czech Republic, Hungary, Romania or Slovakia**. Alternatively, they may be put in special classes or schools as is the case, for example, in **Austria, Finland, Greece, Latvia, Portugal or Spain**.

The Roma Education Fund reported on *Pitfalls and bias: entry testing and the overrepresentation of Romani children in special education* in the **Czech Republic, Hungary and Slovakia**.¹⁴² It found that Roma pupils are disproportionately present in special education in these EU Member States, accounting for a majority of pupils in practical schools in the Czech Republic; between 20 % and 90 % of children in special education in Hungary; and, approximately 60 % of children in special primary and secondary education in Slovakia.

Similarly, in a report on the ethnic composition of pupils of former special schools, the Public Defender of Rights in the **Czech Republic** found that “the ratio of Romany pupils to pupils of non-Romany origin in the schools monitored is wholly incommensurate in relation to the proportion of Romany people in Czech society. The proportion of Romany pupils at the ratio of 32 %, or 35 % in the schools monitored is proof of the persistent indirect discrimination against them in terms of access to education, despite the fact that the whole of the core sample was not surveyed, that is, all former special schools.”¹⁴³

In its decision of 6 December 2012, on the case of *D.H. and others v. the Czech Republic*, the Council of Europe Committee of Ministers’ Deputies noted “that according to the statistics presented in the consolidated action plan the overall percentage of Roma pupils educated in programmes for pupils with a ‘slight mental disability’ remains disproportionately high even if a slight decrease in this percentage is recorded.” The committee nevertheless acknowledged that a consolidated action plan was submitted and measures were proposed by the Czech authorities to “remove the possibility for pupils without a disability to be educated in a class for pupils with disabilities”.¹⁴⁴

142 Roma Education Fund (2012); see also: Czech Republic, Ombudsman (2012).

143 Council of Europe, Secretariat of the Committee of Ministers (2012).

144 Council of Europe, Committee of Ministers (2012).

As the Commissioner for Human Rights of the Council of Europe argues, “‘practical schools’ in the Czech Republic perpetuate segregation of Roma children, inequality and racism. They should be phased out and replaced by mainstream schools that need to be properly prepared to host and provide support to all pupils, irrespective of their ethnic origin”.¹⁴⁵

The Council of Europe Ad Hoc Committee of Experts on Roma Issues (CAHROM) endorsed two thematic reports on Roma education-related issues in May and November 2012 respectively. The first report on “inclusive education for Roma children as opposed to special schools” followed a thematic visit to the Czech Republic and Slovakia as requesting countries and Hungary, Slovenia and United Kingdom as partner countries concludes that: the system of ‘elementary practical schools’ should be radically downsized and children with special educational needs should in principle be enrolled in mainstream education, higher normative rules for socially excluded children should be defined by law; and external and internal monitoring regarding school enrolment of Roma children should be improved. The other report focused on school drop-out/ absenteeism of Roma children, following a thematic visit to the Netherlands as a requesting country and Hungary, Spain and Sweden as partner countries.¹⁴⁶

The **Hungarian** Commissioner for Fundamental Rights presented a report on the findings¹⁴⁷ of his investigation in a public school in *Jászapáti*, where pupils of Roma origin are taught in segregated classes because of supposed behavioural disorders. The Commissioner considered the practice direct discrimination and unlawful segregation, and asked the government to take measures to eliminate this kind of ethnic discrimination.¹⁴⁸

Research conducted in 23 schools located in four **Spanish** cities (Badajoz, Barcelona, Córdoba and Madrid) shows that although the Roma population in the 11 neighbourhoods covered by the research did not exceed 50 % of the inhabitants, Roma pupils in eight of the 23 schools that were part of the research made up over 80 % of the total number of pupils.¹⁴⁹

Reports from international and national human rights monitoring bodies also show that Roma children continue to be enrolled in special needs schools and segregated classes. In its concluding observations on **Austria**, CERD raised concerns about the “high dropout rates in schools among Roma students and children with a migration background”, as well as about the

“over-representation of Roma and non-citizen children in special needs schools.”¹⁵⁰ CERD nevertheless acknowledged Austria’s efforts to improve accessibility and the quality of education.

Similarly, CERD’s concluding observations on **Finland** state “that around 50 % of Roma children are enrolled in special education classes”.¹⁵¹ This is also the case for **Latvia**, where ECRI stresses that schools with separate classes for Roma remain and a large proportion of Roma children find themselves in special needs schools.¹⁵² Concerning **Portugal**, the Council of Europe Commissioner for Human Rights stressed that Roma pupils continued to be taught in separate classes.¹⁵³

The Advisory Committee on the Framework Convention for the protection of minorities, in its opinion on **Romania**, stated that “cases of Roma children being placed in schools for children with disabilities, in separate schools or in separate classrooms continue to be reported” and that a “number of decisions of the National Council for Combating Discrimination have found this conduct to be of a discriminatory nature.”¹⁵⁴

In its Chamber judgment in the case *Horváth and Kiss v. Hungary*, in January 2013, which was not final when this publication went to print, the ECtHR found that placing Roma children in schools for persons with intellectual disabilities was discriminatory.¹⁵⁵ The complaint concerned two young men of Roma origin who had been wrongly placed in schools for persons with mental disabilities and claimed that their being placed in such schools amounted to discrimination.

The ECtHR underlined the long history of wrongful placement of Roma children in special schools in Hungary. It found that the applicants’ schooling arrangement indicated that the authorities had failed to take into account their particular needs as members of a disadvantaged group. As a result, the applicants had been isolated and had received an education that made their integration into society at large difficult. The ECtHR held unanimously that the wrongful placement violated Article 2 of Protocol No. 1 (right to education) read in conjunction with Article 14 (prohibition of discrimination) of the ECHR.

In its Chamber judgment in the case of *Sampani and Others v. Greece*, in December 2012, which was not final by the beginning of May 2013, the ECtHR found

145 Council of Europe, Commissioner for Human Rights (2012d).

146 For more information on the work of CAHROM, see: <http://hub.coe.int/web/coe-portal/cahrom1>.

147 Hungary, Commissioner for Fundamental Rights (2012).

148 *Ibid.*

149 Santiago, C. and Maya, O. (2012).

150 UN, CERD (2012a), p. 7.

151 UN, CERD (2012c), p. 4.

152 Council of Europe, ECRI (2012), p. 8.

153 Council of Europe, Commissioner for Human Rights (2012a).

154 Council of Europe. Advisory Committee on the Framework Convention for the protection of minorities (2012), p. 8.

155 ECtHR, *Horváth and Kiss v. Hungary*, No. 11146/11, 29 January 2013.



that authorities' failure to integrate Roma children into the ordinary education system amounted to discrimination against them.¹⁵⁶

The case concerned the provision of education for Roma children at the 12th primary school in Aspropyrgos, Greece. The complaint was brought by 140 Greek nationals of Roma origin belonging to 38 families who, at the time of the events, lived at the Psari residential site near Aspropyrgos. Some of them were also applicants in an earlier case that gave rise to the ECtHR's *Sampanis and Others v. Greece* judgment.¹⁵⁷

The applicants complained that they or their children had been enrolled at the 12th primary school, which was attended exclusively by children from their own community and provided a lower standard of education than other schools. The applicants also complained that the authorities had refused to abide by the *Sampanis and Others v. Greece* judgment delivered in 2008.

The ECtHR, noting the lack of significant change since the *Sampanis and Others v. Greece* judgment, found that Greece had not taken into account the particular needs of the Roma children of Psari as members of a disadvantaged group and that the operation between 2008 and 2010 of the 12th primary school in Aspropyrgos, which was attended solely by Roma pupils, had amounted to discrimination against the applicants. The ECtHR held unanimously that there had been a violation of Article 14 (prohibition of discrimination) of the ECHR in conjunction with Article 2 of Protocol No. 1 (right to education).

Under Article 46 (binding force and execution of judgments), the ECtHR recommended enrolling those applicants who were still of school age at another state school and those who had reached their majority at 'second chance schools' or adult education institutes that the Ministry of Education set up under the Lifelong Learning Programme.

Court proceedings in EU Member States illustrate the types of discrimination and segregation Roma pupils experience in education. In October 2012 the Prešov Regional Court,¹⁵⁸ Slovakia, confirmed a January 2012 district court verdict¹⁵⁹ of discrimination against Roma in the education system.¹⁶⁰

The court ruled that an elementary school in Šarišské Michalany discriminated against Roma pupils by creating segregated classrooms on different floors for them. School representatives explained that they did not segregate children because of their ethnicity, but because they came from a socially disadvantaged environment. The majority of pupils classified in this way came from a nearby Roma settlement in Ostrovany.

The Office of the Government Plenipotentiary for Roma Communities described this practice as inappropriate, explaining that natural segregation, which occurs in places where only Roma children are born, differs from artificial segregation, where teachers separate children mainly because of their social and ethnic status.¹⁶¹ To combat segregation in schooling, the Slovak Ministry of Education issued guidelines, recommending schools eliminate segregationist practices for children from socially disadvantaged environments.¹⁶²

The Supreme Court in Hungary concluded in May 2012 that keeping an arrangement where children are segregated in a school setting, thereby affecting pupils with multiple disadvantages – such as a pupil with a Roma minority background and low socio-economic status – violates the principle of equal treatment.¹⁶³ The Supreme Court, however, repealed part of the revised sentence, which had obliged the defendant to take measures to eliminate the consequences of the unlawful practice.

In the United Kingdom, the Progress Report of the ministerial working group on tackling inequalities experienced by Gypsies and Travellers noted that: "there is considerable anecdotal evidence that bullying and prejudice against Gypsy, Roma and Traveller pupils are contributing to their poor attendance and behaviour – leading to disproportionately high levels of exclusion".¹⁶⁴

6.5.4. Discrimination against Roma populations in employment

Roma populations in the EU continue to face discrimination in access to employment, evidence from the FRA/UNDP surveys shows. The survey findings reveal that more than half of the Roma respondents looking for work reported that they experienced discrimination because of their Roma background in the 12 months preceding the survey. The survey findings also show that only 40 % of the Roma surveyed are aware of laws forbidding discrimination against ethnic minority people when applying for a job.¹⁶⁵

156 ECtHR, *Sampani and Others v. Greece*, No. 59608/09, 11 December 2012.

157 ECtHR, *Sampanis and Others v. Greece*, No. 32526/05 5 June 2008.

158 Slovakia, Prešov Regional Court No. 20, Co 125/2012, 30 October 2012.

159 Slovakia, *Rozhodnutie Okresného súdu v. Prešove*, č. konania 25C 133/2010, 5 December 2011.

160 *Ibid.*

161 The Slovak Spectator (2012).

162 Slovakia, Ministry of Education, Science and Sports (2012).

163 Hungary, Supreme Court, Pfv.IV.20.068/2012/3.szám.

164 United Kingdom, Department for Communities and Local Government (2012), p. 10.

165 FRA/UNDP (2012), p. 12.

In September 2012, the World Bank launched its report on *Reducing vulnerability and promoting the self-employment of Roma in Eastern Europe through financial inclusion*.¹⁶⁶ The report shows that a substantial share of Roma adults reported that they had experienced discrimination because of their ethnicity over the last five years in all five countries covered by the survey: **Bulgaria, Czech Republic, Hungary, Romania and Slovakia**.

Discrimination occurred in various areas, ranging from education to healthcare, housing and the labour market, the report shows. With regards to the labour market, Roma respondents in Slovakia reported the highest levels of ethnic discrimination among job seekers (78 %), closely followed by the **Czech Republic** (73 %) and **Bulgaria** (55 %). In comparison, Roma respondents in **Hungary** (45 %) and **Romania** (30 %) reported the lowest levels of discrimination.¹⁶⁷

Similarly, a study on the situation of Roma in **Germany** argues that Sinti and Roma are systematically insulted as well as disadvantaged in the labour market. The study remarks that their often poorer situation in employment, healthcare and education stems from discrimination processes, exclusion and persecution.¹⁶⁸

The Commissioner for Human Rights of the Council of Europe highlights that Roma in a number of Member States are denied employment on discriminatory grounds, due to their ethnicity.¹⁶⁹

In its concluding observations on **Finland**, CERD expressed its concerns that the Roma continue to face discrimination in the enjoyment of social and economic and cultural rights, in particular in access to employment.¹⁷⁰ Similarly, the UN Committee on Economic, Social and Cultural Rights expressed its concerns that the Roma continue to suffer discrimination in employment in **Slovakia**.¹⁷¹

The Council of Europe Committee of Ministers stressed that despite efforts from **Italian** authorities, Roma and Sinti still face poverty, extreme hardship and discrimination on a daily basis in all social areas including employment.¹⁷²

Similarly, the Advisory Committee on the Framework Convention for the Protection on National Minorities notes that although **Spanish** authorities at national and

regional level have continued to implement comprehensive plans to promote equal opportunities for Roma, the data available indicate that a significant proportion of the Roma population continues to face important disadvantages in all social areas including employment.¹⁷³

ECRI's report on **Sweden** echoes this finding, stressing that, "according to civil society, Roma continue to be particularly vulnerable to discrimination in access to employment."¹⁷⁴

Outlook

The review of Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law foreseen under its Article 10 by the end of November 2013 will provide an opportunity to assess the performance of EU Member States in combating racism and xenophobia.

The European Commission's report on the application of Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (*Racial Equality Directive*) is expected for autumn 2013 and will provide an opportunity to assess the policies and legal measures EU Member States have taken to combat ethnic and racial discrimination.

The deterioration of the situation in Greece and the scape-goating of migrant and minority populations that accompanied it must serve as a warning signal to EU institutions and other EU Member States to actively counter the mainstreaming of extremist ideology in a timely, decisive and effective fashion.

EU Member States' adoption of National Roma Integration Strategies begins a process that will continue and be monitored until at least 2020. When implementing these strategies, Member States will identify specific measures to implement their strategies, develop projects and actions, establish clear timetables and allocate appropriate funding to ensure their success and the better inclusion of Roma in EU society. To achieve significant progress in the near future, Member States shall ensure that regional and local integration policies focus on Roma in a clear and specific way, and address the needs of Roma with explicit but not exclusive measures to prevent and compensate for the disadvantages they face.

166 World Bank (2012b).

167 *Ibid.*

168 End, M. (2012); Ataman, F. (2012); and Spiegel (2012).

169 Council of Europe, Commissioner of Human Rights (2012e).

170 UN, CERD (2012c).

171 UN, Committee on Economic, Social and Cultural Rights (2012b).

172 Council of Europe, Committee of Ministers (2012b).

173 Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities (2012), p. 7.

174 Council of Europe, ECRI (2012a), p. 31.



References

All hyperlinks were accessed on 2 May 2013.

- Amnesty International (2012a), *Chased away: forced evictions of Roma in Ile-de-France*, London, Amnesty International, available at: www.amnesty.org/en/library/asset/EUR21/012/2012/en/ef5c3d8e-27df-4963-9b98-3b6209a1bf26/eur210122012en.pdf.
- Amnesty International (2012b), *Unsafe foundations. Secure the right to housing in Romania*, London, Amnesty International, available at: www.amnesty.org/en/library/asset/EUR39/002/2012/en/cdd21a79-59b9-4e55-9e14-5f4c28e1bbo0a/eur390022012en.pdf.
- Andriessen, I., Nievers, E. and Dagevos, J. (2012), *Op achterstand. Discriminatie van niet-westerse allochtonen op de arbeidsmarkt*, the Hague, Sociaal en Cultureel Planbureau.
- Ataman, F. (2012) 'Roma fordern entschiedenes Vorgehen', 12 December 2012, available at: <https://mediendienst-integration.de/artikel/roma-fordern-entschiedenes-vorgehen.html>.
- Austria, Ministry of Interior, Federal Agency for State Protection and Counter-Terrorism (*Bundesministerium für Inneres, Bundesamt für Verfassungsschutz und Terrorismusbekämpfung*) (2012), *Verfassungsschutzbericht 2012*, available at: www.bmi.gv.at/cms/BMI_Verfassungsschutz/BVT_VSB_2012_V20120608_online.pdf.
- Bartlett, J., Birdwell, J. and Benfield, J. (2012a), *Populism in Europe: Sweden*, London, Demos, available at: www.demos.co.uk/files/PopulismSweden_-_web.pdf?1330001610.
- Bartlett, J., Birdwell, J. and de Lange, S. (2012b), *Populism in Europe: Netherlands*, London, Demos, available at: www.demos.co.uk/files/476zzy_Netherlands_Book_o6_web.pdf?1346844657.
- Bartlett, J., Birdwell, J. and Froio, C. (2012c), *Populism in Europe: CasaPound*, London, Demos, available at: www.demos.co.uk/files/477a_Populism_Italy_web.pdf?1349355822.
- Bartlett, J., Birdwell, J. and Littler, M. (2011), *The new face of digital populism*, London, Demos, available at: www.demos.co.uk/files/Demos_OSIPOP_Book-web_o3.pdf.
- Bartlett, J., Birdwell, J. and McDonnell, D. (2012d), *Populism in Europe: Lega Nord*, London, Demos, available at: www.demos.co.uk/files/Lega_Nord_-_web.pdf?1349354875.
- Bartlett, J., Birdwell, J., Bani, M. and Benfield, J. (2012e), *Populism in Europe: Denmark*, London, Demos, available at: www.demos.co.uk/files/Denmark_-_Web.pdf?1337010831.
- Bartlett, J., Birdwell, J., Krekó, Benfield, J. and Gyori, G. (2012f), *Populism in Europe: Hungary*, London, Demos, available at: www.demos.co.uk/files/Demos_Hungary_Book_web-1.pdf?1327923915.
- Belgium, Centre for Equal Opportunities and Opposition to Racism, CEOOR (*Centrum voor Gelijkheid van Kansen en Racismebestrijdingi/Centre pour l'Egalité des Chances et la Lutte contre le Racisme*) (2012), 'Discriminatie in de uitzendsector: nieuwe steekproef bevestigt hardnekkige discriminatie', 2 July 2012, available at: www.diversiteit.be/index.php?action=artikel_detail&artikel=750&select_page=215.
- Belgium, Department of Work and Social Economics (*Departement Werk en Sociale Economie*) (2012), *Jaarrapport 2011*, Brussels, Department of Work and Social Economics, [www.werk.be/sites/default/files/Jaarrapport_Inspectie % 20Werk % 20en % 20Sociale % 20Economie_2011.pdf](http://www.werk.be/sites/default/files/Jaarrapport_Inspectie%20Werk%20en%20Sociale%20Economie_2011.pdf).
- Belgium, Federal Police (2012), *Statistiques policières de criminalité, Belgique: 2000- semestre 1 201/ Politiële criminaliteitsstatistieken, België: 2000- semester 1 2012*, available at: www.polfed-fedpol.be/crim/crim_statistieken/2012_trim2/pdf/nationaal/rapport_2012_trim2_nat_belgique_fr.pdf.
- Belgium, Federal public service 'Justice' (*Service public fédéral Justice/Federale Overheidsdienst Justitie*) (2012), 'Communiqué de presse, Conseil des Ministres 20 juillet 2012 : La violence inspirée par la discrimination et le racisme sera plus sévèrement punie/Persbericht Ministerraad, 20 juli 2012 : Door discriminatie en racisme geïnspireerd geweld zal strenger bestraft worden', Press release, 20 July 2012, available at: [www.presscenter.org/fr/pressrelease/20120720/augmentation-des-peines-pour-les-crimes-et-d % C3 % Aglits- % C3 % Ao-mobile-discriminatoire](http://www.presscenter.org/fr/pressrelease/20120720/augmentation-des-peines-pour-les-crimes-et-d-%C3%A9agilit%C3%A9-Ao-mobile-discriminatoire).
- Bulgaria, Ministry of Justice (*Министерство на правосъдието*) (2012), *Проект на Наказателен кодекс – Особена част, в която са включени Допълнителна разпоредба с легални дефиниции на употребените в кодекса думи и изрази, както и Преходни и заключителни разпоредби, съдържащи необходимите изменения и допълнения в действащите закони*.
- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, OJ 2000 L 180 (*Racial Equality Directive*).
- Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, OJ 2008 L 328 (*Framework Decision on Racism and Xenophobia*).

Council of Europe (2012), 'Secretary General Thorbjørn Jagland welcomes French meeting on Roma', Press release - DCo84 (2012), Strasbourg, 21 August 2012, available at: [https://wcd.coe.int/ViewDoc.jsp?Ref=DC-PRo84 % 282012 % 29&Language=lanEngl ish&Ver=original&Site=DC&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE](https://wcd.coe.int/ViewDoc.jsp?Ref=DC-PRo84%2012%29&Language=lanEngl ish&Ver=original&Site=DC&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE).

Council of Europe, Advisory Committee on the Framework Convention for the protection on minorities (2012), *Third Opinion on Romania adopted on 21 March 2012*, available at: www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_3rd_OP_Romania_en.pdf.

Council of Europe, Advisory Committee on the Framework Convention for the Protection on National Minorities (2012), *Third Opinion on Spain*, Strasbourg, Council of Europe, 13 November 2012.

Council of Europe, Commissioner for Human Rights (2012a), *Report by Nils Muižnieks, Council of Europe Commissioner for Human Rights, following his visit to Portugal from 7 to 9 May 2012*, CommDH(2012)22, July 2012.

Council of Europe, Commissioner for Human Rights (2012b), *Report by Nils Muižnieks, Council of Europe Commissioner for Human Rights, following his visit to Italy from 3 to 6 July 2012*, CommDH(2012)26, September 2012.

Council of Europe, Commissioner for Human Rights (2012c), 'Romania: Commissioner concerned about the relocation of Roma in a toxic building', Press release, 7 June 2012, available at: www.coe.int/t/commissioner/news/2012/120607baiamare_EN.asp.

Council of Europe, Commissioner for Human Rights (2012d), 'Roma segregation remains a serious problem in the Czech Republic', Press release, November 2012, available at: www.coe.int/t/commissioner/News/2012/121115CzechRepublic_en.asp.

Council of Europe, Commissioner of Human Rights (2012e), *Human Rights of Roma and Travellers in Europe*, Strasbourg, Council of Europe, available at: www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf.

Council of Europe, Committee of Ministers (2012), Decision, Case No. 8, *DH and Others against the Czech Republic*, 1157th meeting, 6 December 2012, available at: <https://wcd.coe.int/ViewDoc.jsp?id=2010875&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=E DB021&BackColorLogged=F5D383>.

Council of Europe, Committee of Ministers (2012), Resolution CM/ResCMN(2012)10 on the implementation of the Framework Convention for the Protection of National Minorities by Italy, 4 July 2012, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1959485&Site=CM>

www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Sweden/SWE-CbC-IV-2012-046-ENG.pdf.

Council of Europe, European Commission against Racism and Intolerance (ECRI) (2012a), *ECRI Report on Sweden*, Strasbourg, Council of Europe, 25 September 2012, available at: www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Sweden/SWE-CbC-IV-2012-046-ENG.pdf.

Council of Europe, ECRI (2012b), *ECRI Report on Denmark*, Strasbourg, Council of Europe, 22 May 2012, available at: www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Denmark/DNK-CBC-IV-2012-025-ENG.pdf.

Council of Europe, ECRI (2012c), *ECRI Report on Latvia (fourth monitoring cycle)*, Strasbourg, Council of Europe, 21 February 2012, available at: <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Latvia/LVA-CbC-IV-2012-003-ENG.pdf>.

Council of Europe, European Committee of Social Rights (2012a), Decision on the merits, *Médecins du Monde - International v. France*, No. 67/2011, 11 September 2012, available at: http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC67Merits_en.pdf.

Council of Europe, European Committee of Social Rights (2012b), Decision on the merits, *International Federation of Human Rights (FIDH) v. Belgium*, No. 62/2012, 31 July 2012, available at: www.coe.int/T/DGHL/Monitoring/SocialCharter/Complaints/CC62Merits_en.pdf.

Council of Europe, European Committee of Social Rights (2012a), *Conclusions 2011 (Slovenia)*, Strasbourg, Council of Europe, January 2012, available at: www.coe.int/t/dghl/monitoring/socialcharter/Conclusions/State/Slovenia2011_en.pdf.

Council of Europe, Secretariat of the Committee of Ministers (2012), DH-DD(2012)803: Communication from the Czech Republic concerning the case of D.H. and others against Czech Republic (No. 57325/00), 14 September 2012, available at: <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2153914&SecMode=1&DocId=1924992&Usage=2>.

Croatia, Criminal Code (*Kazneni zakon*), Official Gazette (*Narodne novine*) No. 125/2011, 14/12, 21 December 2012, available at: http://narodne-novine.nn.hr/clanci/sluzbeni/2011_11_125_2498.html.

Croatia, Ministry of Interior (*Ministarstvo unutarnjih poslova*) (2012), *Pregled temeljnih sigurnosnih pokazatelja i rezultata rada u 2011, godini 1*, January 2012, available at: [www.mup.hr/UserDocImages/statistika/2012/pregled % 202011.pdf](http://www.mup.hr/UserDocImages/statistika/2012/pregled%202011.pdf).



Cyprus, Law No. 134(I)/2011 transposing the Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law, 21 October 2011.

Czech Republic, Ministry of Interior (*Ministerstvo Vnitra*) (2012), *Zpráva o extremismu a projevech rasismu a xenofobie na území České republiky v roce 2011, vyhodnocení plnění koncepce boje proti extremismu pro rok 2011 a Koncepce boje proti extremismu pro rok 2012*, available at: www.mvcr.cz/clanek/extremismus-vyrocnizpravy-o-extremismu-a-strategie-boje-proti-extremismu.aspx.

Czech Republic, Ombudsman (*Veřejný ochránce práv*) (2012), *Research on the ethnic composition of the former pupils of special schools (Výzkum veřejného ochránce práv k otázce etnického složení žáků bývalých zvláštních škol)*, available at: www.ochrance.cz/fileadmin/user_upload/DISKRIMINACE/Vyzkum/Vyzkum_skoly-zprava.pdf.

Dauvrin, M., Derluyn, I., Coune, I., Verrept, H. and Lorant, V. (2012), 'Towards fair health policies for migrants and ethnic minorities: the case study of Ethealth in Belgium', *BMC Public Health* 12:726, available at: www.biomed-central.com/content/pdf/1471-2458-12-726.pdf.

De Standaard (2012), '*Uitzendkantoren blijven discrimineren*', 2 July 2012, available at: http://www.standaard.be/artikel/detail.aspx?artikelid=DMF20120701_00207664.

Decker, O., Kiess, J. and Brähler, E. (2012), *Die Mitte im Umbruch: Rechtsextreme Einstellungen in Deutschland 2012*, Berlin, Druckerei Braul, available at: www.fes-gegen-rechtsextremismus.de/pdf_12/mitte-im-umbruch_www.pdf.

Denmark, Danish Institute of Human Rights (DIHR) (2012), *Race og Etnisk Oprindelse Status 2012*, Copenhagen, DIHR, available at: www.menneskeret.dk/files/pdf/Publikationer/Status/dk/2012/STATUS_2012_IMR-Race_og_etnisk_oprindelse.pdf.

Denmark, Danish Security and Intelligence Service (*Politiets Efterretningstjeneste*) (2013), *Kriminelle forhold i 2011 med mulig ekstremistisk baggrund*, available at: www.pet.dk/~media/Forebyggende%20sikkerhed/RACI-rapporter/RACIRapport2011.pdf.ashx.

End, M. (2012), *Antiziganismus, Zum Stand der Forschung und der Gegenstrategien*, December 2012, published by *RomnoKher- Haus für Kultur, Bildung und Antiziganismusforschung*, available at: https://mediendienst-integration.de/fileadmin/Dateien/Gutachten_Antiziganismusforschung_fertig_a.pdf.

ERRC (2012c), 'Italy's Forced Evictions of Roma Undermine National Policy Commitments', Press release, 31 July 2012,

available at: www.errc.org/article/italys-forced-evictions-of-roma-undermine-national-policy-commitments/4032.

Estonia, Parliament (*Riigikogu*) (2012), *Karistusseadustiku muutmise seaduse eelnõu*, available at: www.riigikogu.ee/?op=steno&%20op=steno&stcommand=stengrogramm&day=26&date=1349942323&pkpkaua=1&paevakord=10937.

European Association for the Defense of Human Rights (*Association Européenne pour la défense des Droits de l'Homme*) (2012), *AEDH strongly condemns the forced rehousing of 2,000 Romanian Roma to an old highly toxic chemical plant*, 12 June 2012.

European Association for the Defense of Human Rights (2013), *Recensement des évacuations forcées de lieux de vie occupés par des Roms étrangers en France*, available at: <http://www.aedh.eu/Recensement-des-evacuations,1903.html>.

European Commission (2012a), *Discrimination in the EU in 2012*, Special Eurobarometer 393, Brussels, November 2012.

European Commission (2012b), *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, National Roma Integration Strategies: a first step in the implementation of the EU Framework*, COM(2012) 226 final, Brussels, 23 May 2012.

European Court of Human Rights (ECtHR), *Sampanis and Others v. Greece*, No. 32526/05, 5 June 2008.

ECtHR, *Yordanova and Others v. Bulgaria*, No.25446/06, 24 April 2012.

ECtHR, *NB. v. Slovakia*, No. 29518/10, 12 June 2012.

ECtHR, *V.C. v. Slovakia*, No. 18968/07, 8 November 2011.

ECtHR, *I.G. and Others. v. Slovakia*, No. 15966/04, 13 November 2012.

ECtHR, *Sampani and Others v. Greece*, No. 59608/09, 11 December 2012.

ECtHR, *Horváth and Kiss v. Hungary*, No. 11146/11, 29 January 2013.

European Network Against Racism (ENAR) (2012), *Racism in Europe: ENAR Shadow Report 2010-2011*, Brussels, ENAR, available at: http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/shadowReport_EN_final%20LR.pdf.

European Roma Rights Centre (ERRC) (2012a), 'Slovak Republic Targets Roma Homes as 'Waste'', Press release, 20 December 2012, available at: www.errc.org/article/slovak-republic-targets-roma-homes-as-waste/4081.

ERRC (2012b), 'Hollande Should Keep His Election Promises Regarding Roma', Press release, 22 August 2012, available at: www.errc.org/article/hollande-should-keep-his-election-promises-regarding-roma/4039.

Europol (2012), *TE-SAT 2012: EU terrorism situation and trend report*, available at: <https://www.europol.europa.eu/sites/default/files/publications/europoltsat.pdf>.

Fekete, L. (2012), *Peddlers of hate: the violent impact of the European far right*, London, Institute of Race Relations.

Finland, Police College of Finland (*Poliisiammattikorkeakoulu*) (2012), *Poliisin tietoon tullut viharikollisuus Suomessa 2011*, available at: [www.poliisiammattikorkeakoulu.fi/poliisi/poliisioppilaitos/home.nsf/files/99989817AF566D6EC2257AD00037641B/\\$file/Raportteia104_web.pdf](http://www.poliisiammattikorkeakoulu.fi/poliisi/poliisioppilaitos/home.nsf/files/99989817AF566D6EC2257AD00037641B/$file/Raportteia104_web.pdf).

FRA (European Union Agency for Fundamental Rights) (2012a), *Antisemitism: Summary overview of the situation in the European Union 2001–2011*, Luxembourg, Publications Office of the European Union (Publications Office).

FRA (2012b), *EU-MIDIS Data in Focus Report 6: Minorities as victims of crime*, Luxembourg, Publications Office.

FRA (2012c), *Making hate crime visible in the European Union: acknowledging victims' rights*, Luxembourg, Publications Office.

FRA/UNDP (2012), *The situation of Roma in 11 EU Member States. Survey results at a glance*, Luxembourg, Publications Office.

France, Constitutional Council (2012), Decision No. 2012-279 QPC, 5 October 2012, available at: www.conseil-constitutionnel.fr/conseil-constitutionnel/english/priority-preliminary-rulings-on-the-issue-of-constitutionality/decisions-of-the-constitutional-council-qpc/2012/decision-no-2012-279-qpc-of-5-october-2012.115932.html and www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/2012/2012-279-qpc/decision-no-2012-279-qpc-du-05-octobre-2012.115699.html.

France, Court of Auditors (*Cour des comptes*) (2012), *L'accueil et l'accompagnement des gens du voyage*, available at: www.ccomptes.fr/Publications/Publications/L-accueil-et-l-accompagnement-des-gens-du-voyage.

France, CSA Institute (*Conseil supérieur de l'audiovisuel*, CSA) (2012), *Baromètre de la perception des discriminations au travail*, No. 1101846, January 2012, available at: www.ilo.org/public/french/region/eurpro/paris/actualites/download/discrimiz012prive.pdf.

France, Defender of Rights (*Défenseur des Droits*) (2012), *Rapport Annuel 2011*, Paris, Defender of Rights, available at: www.defenseurdesdroits.fr/sites/default/files/upload/ddd_raa_2011.pdf.

France, Inter-ministerial circular on anticipation and accompanying of illegal camps evacuation (*Circulaire interministérielle relative à l'anticipation et à l'accompagnement des opérations d'évacuation des campements illicites*), 26 August 2012, available at: http://circulaire.legifrance.gouv.fr/pdf/2012/08/cir_35737.pdf.

France, Ministry of Foreign Affairs (2012), *Déplacement conjoint de MM. Valls et Cazeneuve en Roumanie (12 et 13 septembre 2012)*, available at: www.diplomatie.gouv.fr/fr/pays-zones-geo/roumanie/la-france-et-la-roumanie/visites-8988/article/deplacement-conjoint-de-mm-valls.

France, National Consultative Commission on Human Rights (*Commission nationale consultative des droits de l'homme*, CNCDH) (2012), *La lutte contre le racisme, l'antisémitisme et la xenophobie, année 2011*, Paris, CNCDH, available at: www.ladocumentationfrancaise.fr/var/storage/rapports-publics/124000269/0000.pdf.

France, National Consultative Commission on Human Rights (2012), *Avis sur les statistiques « ethniques »*, available at: http://www.cncdh.fr/sites/default/files/12.03.22_avis_sur_les_statistiques_ethniques.pdf.

Fundación Secretariado Gitano (2012), *Población gitana, empleo e inclusión social. Un estudio comparado: población gitana española y del Este de Europa*, available at: www.gitanos.org/publicaciones/empleo_20e_%20e_inclusion/empleo_e_inclusion_social.pdf.

Gallová Kriglerová, E. and Kadlečková, J. (2012), *Verejná mienka v oblasti pravcového extrémizmu, Bratislava, Nadácia otvorenej spoločnosti*, Bratislava, Open Society Foundation, available at: http://www.cvek.sk/uploaded/files/vyskumna_sprava.pdf.

Gauci, J.P. (2012), *ENAR Shadow Report 2010 – 2011: Racism and related discriminatory practices in Malta*, Brussels, European Network Against Racism, available at: <http://cms.horus.be/files/99935/MediaArchive/publications/shadow%20report%202010-11/18.%20Malta.pdf>.

Germany, Expert Council of German Foundations on Integration and Migration (*Sachverständigenrat deutscher Stiftungen für Integration und Migration*, SVR) (2012), *Benachteiligungserfahrungen von Personen mit und ohne Migrationshintergrund im Ost-West-Vergleich*, Berlin, Federal Anti-discrimination Agency, available at: www.antidiskriminierungsstelle.de/SharedDocs/



Downloads/DE/publikationen/expertise-Ost-West-Vergleich.pdf?__blob=publicationFile.

Germany, Federal Anti-discrimination Agency (*Antidiskriminierungsstelle des Bundes, ADS*) (2012), *Pilotprojekt „Anonymisierte Bewerbungsverfahren“ – Abschlussbericht*, Berlin, Bonn and Frankfurt/Oder, ADS, Kowa, IZA, available at: www.antidiskriminierungsstelle.de/SharedDocs/Downloads/DE/publikationen/Abschlussbericht-anonymisierte-bewerbungsverfahren-20120417.pdf?__blob=publicationFile.

Germany, Federal Foreign Office (2012), *10. Bericht des Bundesregierung über ihre Menschenrechtspolitik*, Berlin, Federal Foreign Office, available at: www.auswaertiges-amt.de/cae/servlet/contentblob/629370/publicationFile/173236/121024_10-MR_Bericht.pdf

Germany, Federal Foreign Office (*Auswärtiges Amt*) (2010), *9. Bericht des Bundesregierung über ihre Menschenrechtspolitik*, Berlin, Federal Foreign Office, available at: www.auswaertiges-amt.de/cae/servlet/contentblob/358008/publicationFile/131983/9MR-Bericht-pdf.pdf.

Germany, Ministry of Interior (*Bundesministerium des Innern*) (2012), *Verfassungsschutzbericht 2011*, available at: www.verfassungsschutz.de/download/SHOW/vsbericht_2011.pdf.

Germany, Open Society Justice Initiative (2012), *Submission to the UN Human Rights Committee: Review of Germany*, 18–19 October 2012, available at: www.opensocietyfoundations.org/briefing-papers/submission-un-human-rights-committee-review-germany?utm_source=Open+Society+Institute&utm_campaign=6f35ef5018-justice-20121018&utm_medium=email.

Greece, Ministry of Public Order and Citizen Protection (*Υπουργείο Δημόσιας Τάξης και Προστασίας του Πολίτη*) (2012), *Παρουσίαση Σχεδίου Προεδρικού Διατάγματος για τη Σύσταση Τμημάτων και Γραφείων Αντιμετώπισης Ρατσιστικής Βίας*, Press release, 29 October 2012, available at: www.mopocp.gov.gr/index.php?option=ozo_content&lang=&perform=view&id=4398&Itemid=555.

Greece, Racist Violence Recording Network (2012a), *'Racist Violence Recording Network presents its findings about racist violence in Greece'*, Press release, 23 October 2012, available at: www.unhcr.gr/fileadmin/Greece/News/2012/pr/12pr28en.doc.

Greece, Racist Violence Recording Network (2012b), *'Recording network of incidents of racist violence: presentation of the results of the pilot phase'*, Press release, 21 March 2012, available at: www.nchr.gr/print_document.php?category_id=3&document_id=1474.

Habitat for Humanity Hungary (2012), *Éves jelentés a lakhatási szegénységről – 2011*, available at: http://www.habitat.hu/files/Eves_jelentes_a_lakhatasi_szegenysegrol_2011_Habitat_for_Humanity_Magyarorszag.pdf.

Heitmeyer, W. (2012), *Deutsche Zustände, Folge 10*, Berlin, Suhrkamp Verlag.

Hickman, M.J., Thomas, L., Nickels, H.C. and Silvestri, S. (2012), *'Social cohesion and the notion of 'suspect communities': a study of the experiences and impacts of being 'suspect' for Irish communities and Muslim communities in Britain'*, *Critical Studies on Terrorism*, Vol. 5, No.1, pp. 89–106.

Hristov, H. (2012), *'Demolition of the Roma houses in Maglitz – political pre-election PR'*, *Obektiv*, No. 205, December 2012, available at: www.bghelsinki.org/bg/publikacii/obektiv/khristo-khristov/2012-12/butaneto-na-romkite-kshi-v-mglizh-politicheski-predizboren-piar/.

Human Rights Watch (2012), *Hate on the streets: xenophobic violence in Greece*, available at: www.hrw.org/sites/default/files/reports/greece0712ForUpload.pdf.

Hungary, Commissioner for Fundamental Rights (2012), *Közlemény: A jászapáti iskola szegregációs intézkedéseinek nyomán*.

Hungary, Supreme Court, Pfv.IV.20.068/2012/3.szám.

Ireland, Office for the Promotion of Migrant Integration (2012), *Reported racist crime*, available at: www.integration.ie/website/omi/omiwebv6.nsf/page/statistics-RacistIncidentsstatisticscrime-en.

Joronen, M. (2012), *Romanien ja maahanmuuttajien syrjintä asunnonhaussa*, Finnish League for Human Rights (*Ihmisoikeusliitto*), Report 4/2012, Helsinki.

Jugendschutz.net (2012), *Right-wing extremism online: report 2011 on researches and counter strategies*, Mainz, Jugendschutz.net, available at: http://www.hass-im-netz.info/fileadmin/dateien/dokumente/PDFs/english/report_cyberhate_2009.pdf.

Lahlali, M., Andino, W. and Spaas, N. (2012), *Praktijktests Discriminatie Antwerpse en Gentse Woninghuurmarkt, Publicatie Minderhedenforum*, 20 September 2012, available at: http://www.minderhedenforum.be/documents/onlineRapport_Praktijktests_Minderhedenforum_2012.pdf.

Larja, L., Warius, J., Sundbäck, L., Liebkind, K., Kandolin, I. and Jasinkaja-Lahti, I. (2012), *Discrimination in the Finnish Labor Market – an Overview and a Field Experiment on Recruitment*, Helsinki, Ministry of Employment and

the Economy (*työ- ja elinkeinoministeriö/arbets- och näringsministeriet*).

Lithuania, Institute for Ethnic Studies (2012), *Results of a public opinion survey conducted by the Institute for Ethnic Studies at the Lithuanian Social Research Centre in 2012 (Lietuvossocialinių tyrimų centro etninių tyrimų instituto atliktos visuomenės nuostatų apklausos 2012 m. rezultatai)*, available at: www.ces.lt.

Lithuania, Ministry of Justice, Information Technology and Communications Department (*Informatikos ir ryšių departamentas prie Lietuvos Respublikos teisingumo ministerijos*) (2012a), *Nusikalstamumo ir ikiteisminių tyrimų statistika*, available at: [Lithuania, Ministry of Justice, Information Technology and Communications Department \(2012b\), *Nusikalstamumo ir ikiteisminių tyrimų statistika*, available at: \[Luxembourg, Police Luxembourg \\(*Police Grand-Ducale*\\) \\(2012\\), *Rapport d'activité 2011 de la Police Grand-Ducale*, available at: \\[www.police.public.lu/actualites/statistique/rapport_stat_2011/rapport-statistique-2011.pdf\\]\\(http://www.police.public.lu/actualites/statistique/rapport_stat_2011/rapport-statistique-2011.pdf\\).\]\(http://www.ird.lt/infusions/report_manager/reports/txt_file.php?fv=data/1_201212_lt/f-motyvai-201212.data.txt&ff=%3C%20-%207CMOTYVAI%207C1%207C--%203E&tt=Duomenys%20apie%20nusikalstamas%20veikas%20asmens%20olygiateisi%20C5%20A1kumui%20ir%20s%20C4%2085%20C5%20BEin%20C4%2097s%20laisvei%20Lietuvos%20Respublikoje%20%28Forma_Motyvai%2029.</p></div><div data-bbox=\)](http://www.ird.lt/infusions/report_manager/reports/txt_file.php?fv=data/201012/f-motyvai-201012.data.txt&ff=%3C%20-%207CMOTYVAI%207C1%207C--%203E&tt=Duomenys%20apie%20nusikalstamas%20veikas%20asmens%20olygiateisi%20C5%20A1kumui%20ir%20s%20C4%2085%20C5%20BEin%20C4%2097s%20laisvei%20Lietuvos%20Respublikoje%20%28Forma_Motyvai%2029.</p></div><div data-bbox=)

Mediapol (2012), 'Excavators demolish Roma ghetto in Vratsa', 25 October 2012.

Mental Health Network, National Health Service (NHS) Confederation (2012), *Race Equality in Mental Health*, Briefing note, May 2012, Issue 239, available at: www.nhsconfed.org/Publications/Documents/Race_equality_in_mental_health_final_for_website_8_May.pdf.

Mikulska, A. and Patzer, H. (2012), *Bieg przez płotki. Bariery na drodze do integracji migrantów w Polsce*, Warsaw, Helsinki Foundation for Human Rights, available at: http://www.hfhr.pl/wp-content/uploads/2012/06/HFPC_Bieg_przez_plotki_bariery.pdf.

Netherlands, Tierolf, B. and Hermens, N. (2012), *Poldis rapportage 2011*, available at: http://radar.nl/sites/radar/files/20120830113846_1_poldis_2011.pdf.

Nickels, H.C., Thomas, L., Hickman, M.J. and Silvestri, S. (2012a), 'De/constructing suspect communities: a critical discourse analysis of British newspaper coverage of Irish and Muslim communities', *Journalism Studies*, Vol. 13, No. 3.

Nickels, H.C., Thomas, L., Hickman, M.J. and Silvestri, S. (2012b), 'Constructing 'suspect' communities and Britishness: Mapping British press coverage of Irish and Muslim communities, 1974–2007', *European Journal of Communication*, Vol. 27, No. 2.

Nordsieck, W. (2012), *Parties and elections in Europe*, available at: www.parties-and-elections.eu.

Organization for Aid to Refugees (*Organizace Pro Pomoc Uprchlíkům*) (2012), *Combating racism, xenophobia and extremism in Central Europe*, available at: http://docs.opu.cz/Brozura_extremismus_final_ENG_WEB.pdf.

Organization for Security and Co-operation in Discretionary hyphen Europe/Office for Democratic Institutions and Human Rights (OSCE-ODIHR) (2012), *Hate crimes in the OSCE region: incidents and responses – Annual Report for 2011*, Warsaw, OSCE/ODIHR, available at: <http://tandis.odihhr.pl/hcr2011>.

Poland, Police (*Policja*) (2012), *Przestępstwa przeciwko porządkowi publicznemu (252-264a)*, available at: <http://statystyka.policja.pl/portal/st/1115/>.

Poland, Prosecution General (*Prokuratura Generalna*) (2012), *Sprawozdania i statystyka*, available at: www.pg.gov.pl/bip/index.php?o,813,o.

Public Issue (2012), 'Η δημοτικότητα της Χρυσής Αυγής πριν & μετά τις εκλογές - κοινωνικά χαρακτηριστικά', 12 October 2012, available at: www.publicissue.gr/2054/gd_popularity.

Rights Equality and Diversity European Network (2012), *Neo-Nazi Golden Dawn party organizes Greek-only blood bank and food delivery*, available at: www.red-network.eu/?i=red-network.en.news.307.

Roma Education Fund (2012), *Pitfalls and bias: Entry testing and the overrepresentation of Romani children in special education*, Budapest, Roma Education Fund, available at: <https://urresearch.rochester.edu/institutionalPublicationPublicView.action?institutionalItemId=21704&versionNumber=1>.

Romani CRISS and TOTEM Communications (2011), *Stereotipuri, prejudecăți și discriminare etnică: Perspectiva Romilor*.

Romania, Ministry of Foreign Affairs (2012), 'Ministry of Foreign Affairs hails French Government decision to ease Romanian and Bulgarian citizens' access to the French labour market', Press release, 23 August 2012, available at: www.mae.ro/en/node/14974.



Romania, National Council for Combating Discrimination (*Consiliul Național pentru Combaterea Discriminării*), decision No. 103/28.03.2012.

ROMEACZ (2012), 'Czech Govt Human Rights Commissioner: Ostrava is failing its residents', 3 August 2012, available at: www.romea.cz/english/index.php?id=detail&detail=2007_3524.

Santiago, C. and Maya, O. (2012), *Segregación escolar del alumnado gitano en España*, April 2012, *Federación de Asociaciones de Mujeres Gitanas Kamira*, Fundación Mario Maya, available at: [http://federacionkamira.org.es/Que_hacemos_-_proyectos_files/Informe % 20S...pdf](http://federacionkamira.org.es/Que_hacemos_-_proyectos_files/Informe%20S...pdf).

Seršić, D.M. and Vukelić, A. (2012), 'Vojislav Trifunović or Tomislav Lučić: who will be easier to hire in Zagreb? testing ethnic and age discrimination through the method of field experiment' (*'Vojislav Trifunović ili Tomislav Lučić: tko će se lakše zaposliti u Zagrebu? Testiranje diskriminacije po nacionalnoj i dobnoj osnovi metodom prirodnog eksperimenta'*), *Revija za sociologiju*, Vol. 42, No.1.

Sewell, H. and Waterhouse, S. (2012a), *Making Progress on Race Equality in Mental Health*, March 2012, London, NHS Confederation, Mental Health Network, available at: [www.nhsconfed.org/Publications/Documents/Making % 20Progress % 20on % 20Race % 20Equality % 20in % 20Mental % 20Health % 20FINAL % 20SUBMITTED % 2014 % 2005 % 2012.pdf](http://www.nhsconfed.org/Publications/Documents/Making%20Progress%20on%20Race%20Equality%20in%20Mental%20Health%20FINAL%20SUBMITTED%2014%2005%2012.pdf).

Slovakia, Government office (*Vláda SR*) (2012), *Návrh deviatej a desiatej periodickej správy Slovenskej republiky k Medzinárodnému dohovoru o odstránení všetkých foriem rasovej diskriminácie*, UV-15020/2012, 16 May 2012, available at: www.rokovania.sk/Rokovanie.aspx/BodRokovaniaDetail?idMaterial=20975.

Slovakia, Ministry of Education, Science and Sports (2012), *Pedagogical and Organizational Instructions for the school year 2012/2013 (Pedagogicko organizačné pokyny na školský rok 2012/2013)*, available at: www.minedu.sk/data/att/3970.pdf.

Slovakia, Ministry of Interior (*Ministerstvo vnútra*) (2012), *Štatistika kriminality v Slovenskej republike*, available at: www.minv.sk/?statistika-kriminality-v-slovenskej-republike-kopia-1.

Slovakia, Prešov Regional Court No. 20, Co 125/2012, 30 October 2012.

Slovakia, *Rozhodnutie Okresného súdu v. Prešove*, č. konania 25C 133/2010, 5 December 2011.

Slovakia, Štatistický úrad SR (2012), *Počet a podiel platných hlasov odovzdaných pre politické strany*, available at: <http://app.statistics.sk/nrsr2012/sr/tab3.jsp?lang=sk>.

SOS Racismo and CEAR-Euskadi (2012), *'Práctica del testing en el estudio de la discriminación en el acceso a la vivienda de la población migrante y refugiada en Bilbao'*, *MUGAK*, No. 58, pp. 38–41, available at: www.mugak.eu/revista-mugak/no-58/practica-del-testing-en-el-estudio-de-la-discriminacion-en-el-acceso-a-la-vivienda-de-la-poblacion-migrante-y-refugiada-en-bilbao.

Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (*Consejo para la Promoción de la Igualdad de Trato y No Discriminación de las Personas por el Origen Racial o Étnico*) (2011), *Informe anual sobre la situación de la discriminación y la aplicación del principio de igualdad de trato por origen racial o étnico en España 2010*, available at: www.igualdadynodiscriminacion.org/recursos/publicaciones/2011/pdf/informeAnual2010.pdf.

Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (2012a), *Informe anual sobre la situación de la discriminación y la aplicación del principio de igualdad de trato por origen racial o étnico en España 2011*, available at: www.igualdadynodiscriminacion.org/recursos/publicaciones/2012/documentos/2012_12_1A.pdf.

Spain, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin (2012b), *Estudio anual sobre la discriminación por el origen racial o étnico: la percepción de las potenciales víctimas 2011*, Madrid, Council for the Promotion of Equal Treatment and Non-Discrimination on the Grounds of Racial or Ethnic Origin, available at: www.igualdadynodiscriminacion.org/recursos/publicaciones/2012/estudio_2011.htm.

Spain, Ministry of Employment and Social Security (*Ministerio de Empleo y Seguridad Social*) (2012), *Handbook for training security forces in identifying and recording racist or xenophobic incidents*, Madrid, Spanish Observatory on Racism and Xenophobia, available at: <http://www.oberaxe.es/>.

Spiegel (2012), *'Regierung versagt beim Schutz von Sinti und Roma'*, 12 December 2012, available at: www.spiegel.de/politik/deutschland/sinti-und-roma-studie-prangert-rassismus-an-a-872375.html.

Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2012a), *Statistikens roll i arbetet mot diskriminering – en fråga om strategi och trovärdighet*, LED 2011/187, 31 October 2012, available at: http://www.do.se/Documents/rapporter/Statistikens%20roll%20i%20arbete%20mot%20diskriminering_en%20fr%C3%A5ga%20om%20strategi%20och%20trov%C3%A4rdighet_ej%20bilagor.pdf.

Sweden, Equality Ombudsman (*Diskrimineringsombudsmannen*) (2012b), *Rätten till sjukvård på*

lika villkor, available at: www.do.se/sv/Material/Ratten-till-sjukvard-pa-lika-villkor/.

Sweden, Government Office (*Regeringen*) (2012), *Främlingsfienden inom oss*, SOU 2012:74, 9 November 2012, *Arbetsmarknadsdepartementet*, available at: www.regeringen.se/sb/d/108/a/203123.

Sweden, Swedish National Council for Crime Prevention (*Brottsförebyggande rådet*) (2012), *Hatbrott 2011: statistik över polisanmälningar med identifierade hatbrottsmotiv*, available at: www.bra.se/download/18.1ff479c3135e8540b29800016186/2012_07_Hatbrott_2011_webb.pdf.

The Slovak Spectator (2012), 'Court ruling opens door to integration', 23 January 2012, available at: http://spectator.sme.sk/articles/view/45107/2/court_ruling_opens_door_to_integration.html.

United Nations (UN), Committee on Economic, Social and Cultural Rights (2012a), *Concluding observations on Spain*, 6 June 2012, available at: www2.ohchr.org/english/bodies/cescr/docs/E.C.12.ESP.CO.5-ENG.doc.

UN, Committee on Economic, Social and Cultural Rights (2012b), *Concluding observations on Slovakia*, Geneva, 8 June 2012, available at: <http://www2.ohchr.org/english/bodies/cescr/cescrs48.htm>.

UN, Committee on the Elimination of Racial Discrimination (CERD) (2012a), *Concluding Observations on Austria*, 31 August 2012, available at: www2.ohchr.org/english/bodies/cerd/docs/CERD.C.AUT.CO.18-20.pdf.

UN, CERD (2012b), *Concluding Observations on Italy*, 9 March 2012, available at: www2.ohchr.org/english/bodies/cerd/docs/CERD.C.ITA.CO.16-18.pdf.

UN, CERD (2012c), *Concluding Observations on Finland*, 31 August 2012, available at: www2.ohchr.org/english/bodies/cerd/docs/CERD.C.FIN.CO.20-22.pdf.

UN, Human Rights Committee (2012), *Consideration of reports submitted by State parties under Article 40 of the Covenant. Concluding observations adopted by the Human Rights Committee at its 105th session*, 9-27 July 2012.

UN, Office of the High Commissioner for Human Rights (2012), 'Roma evictions / expulsions: "France must comply with international non-discrimination standards"', 29 August 2012, available at: www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12466&LangID=E.

United Kingdom, Association of Chief Police Officers (2012), *Total of recorded hate crime from police forces in England, Wales and Northern Ireland during the calendar year 2011*, available at: [www.report-it.org.uk/files/final_acpo_hate_crime_data_2011_\(revised_oct_2011\)_1.pdf](http://www.report-it.org.uk/files/final_acpo_hate_crime_data_2011_(revised_oct_2011)_1.pdf).

United Kingdom, Crown Office and Procurator Fiscal Service (2012), *Hate crime in Scotland, 2010-11*, available at: www.copfs.gov.uk/Publications/2011/05/Hate-Crime-Scotland-2010-11.

United Kingdom, Crown Prosecution Service (2012), *Hate crime and crimes against older people report 2011-2012*, available at: www.cps.gov.uk/publications/docs/cps_hate_crime_report_2012.pdf.

United Kingdom, Department for Communities and Local Government (2012), *Progress report by the ministerial working group on tackling inequalities experienced by Gypsies and Travellers*, April 2012, London, Department for Communities and Local Government, available at: www.communities.gov.uk/documents/planningand-building/pdf/2124046.pdf.

United Kingdom, Home Office (2012a), *Racist incidents, England and Wales 2011/12*, available at: www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/racist-incidents-1112/.

United Kingdom, Home Office (2012b), *Statistical news release: hate crimes, England and Wales 2011/12*, available at: www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/hate-crimes-1112/hate-crimes-1112-snr?view=Binary.

United Kingdom, Police Service of Northern Ireland (2012), *Trends in hate motivated incidents and crimes recorded by the Police in Northern Ireland 2004/05 to 2011/12*, available at: www.psni.police.uk/hate_motivated_incidents_and_crimes_in_northern_ireland_2004-05_to_2011-12.pdf.

United Kingdom, Scottish Government (2012), *Statistical bulletin: crime and justice series: racist incidents recorded by the police in Scotland 2010-11*, available at: www.scotland.gov.uk/Resource/0039/00394647.pdf.

Weave Consulting (2011), *Racial Discrimination in Malta: Research Report*, Blata I-Bajda, NCPE.

World Bank (2012a), *Policy advice on the integration of Roma in the Slovak Republic: employment and social protection, financial inclusion, education, housing, health, monitoring and evaluation*, 24 July 2012.

World Bank (2012b), *Reducing Vulnerability and Promoting the Self-Employment of Roma in Eastern Europe Through Financial Inclusion*, 4 September 2012, available at: www.romadecade.org/files/downloads/Employment%20Resources/World%20Bank%20Financial%20Inclusion.pdf.

