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Applying Tolerance Indicators

APPLYING TOLERANCE INDICATORS:

ANNEX to the report on ASSESSING TOLERANT AND INTOLERANT DISCOURSES AND PRACTICES IN POLITICAL LIFE

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ANNEX TO THE CLUSTER REPORT: ASSESSING TOLERANT AND INTOLERANT DISCOURSES AND PRACTICES IN POLITICAL LIFE

Indicators presented:

Indicator 4.1 Ethnic and religious tolerance. Existence of legislation that punishes racist discourse

Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times

Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties

Indicator 4.4 Ethnic tolerance. Racist violence in public life

Indicator 4.5 Religious tolerance. Racist violence in public life

Indicator 4.6 Influence of radical far right or anti-immigrant parties

Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions

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Detailed Comparative Country Overview of Indicator 4.1 Ethnic and religious tolerance. Existence of legislation that punishes racist discourse

Country	Score	Motivations for score regarding Indicator 4.1 Ethnic and religious tolerance. Existence of legislation that punishes racist discourse
Bulgaria	High	<p>Time period: 2004-2012 Level of assessment: National</p> <p>Legislation that punishes racist discourses exists. It is up to the EU standard, and there are no legal or procedural problems impeding its application.</p> <p>The Protection Against Discrimination Act (PADA), in force since 2004, protects all natural persons in the territory of Bulgaria against numerous types of discrimination, including racism and racist discrimination. Art. 78 envisages fines for persons who commit discrimination, unless they are liable to more severe punishment.</p> <p>The Penal Code included several articles criminalising racist discourses. Art. 162 envisages imprisonment and fines for racist hate-speech in the means of mass communication, for racially motivated violence, and for formation, leadership and membership in groups propagating racism and participating in racist violence. Art. 163 further specifies penalties for persons participating in a crowd rallied to attack groups of the population, individual citizens or their property in connection with their national, ethnic or racial affiliation (deprivation of liberty for one to six years; if the assault results in severe bodily injury or death, the punishment is between three to fifteen years). According to Art. 419, instigation to racist violence is punishable by imprisonment of up to one year.</p> <p>Sources: Hajdinjak, Kosseva, Zhelyazkova, 2012 ; Penal Code, 1968 ; Protection Against Discrimination Act, 2004.</p>
Denmark	High	<p>Time period: 2000-2012 Level of assessment: National</p> <p>In Denmark racist discourse or hate speech is prohibited according to §266b of the Danish penal code (also known as the ‘racism paragraph’), which states; “(1) Any person who, publicly or with the intention of wider dissemination, makes a statement or imparts other information by which a group of people are threatened, insulted or degraded on account of</p>

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		<p><i>their race, colour, national or ethnic origin, religion or sexual inclination shall be liable to a fine or to imprisonment for any term not exceeding two years. (2) When the sentence is meted out, the fact that the offence is in the nature of propaganda activities shall be considered an aggravating circumstance."</i></p> <p>Section 1 of the paragraph was introduced 1939 in order to protect Danish Jews. In 1971 the wording was changed to include the term 'race' in order to correspond to the UN Convention on Elimination of Racial Discrimination. In 1987 the paragraph was made to include also 'sexual orientation', and the second section on propaganda activities was introduced in 1995.</p> <p>The paragraph has been highly contested in Denmark and has over the last decade caused recurring public debate. Critics argue that the paragraph unreasonably constrain the Danish constitution's §77, which secures freedom of speech. Proponents of the paragraph on the other hand, argue that freedom of speech should always be balanced against especially vulnerable minorities' right to freedom from discrimination. It is also underlined that hateful statements in private cannot be prosecuted under the paragraph, only when they are made in public.</p> <p>Despite the existence of the paragraph since 1939, and the relatively high numbers of complaints filed over the last decade, the juridical practice in the area suggests considerable limitations to the application of the paragraph. Although anybody can file a case building on §266b, not only the offended part, it is only the <i>Director of Public Prosecutions (Rigsadvokaten)</i> who can press charges. As the decision by the <i>Director of Public Prosecution</i> on whether or not to press charges is final and cannot be appealed, the decision not to prosecute constitutes exhaustion of national remedies. The position of the <i>Director of Public Prosecutions</i> has for long been that only grave cases should be prosecuted as the right to freedom of speech calls for a narrow interpretation of § 266b. In addition, it has been put forward that politicians enjoy a 'particularly extensive freedom of expression' (DRC 2010).</p> <p>The <i>Documentary and Advisory Centre on Racial Discrimination, Denmark (DACoRD)</i> as well as the <i>Danish Institute of Human Rights (DIHR)</i> have on several occasions raised concerns with this juridical practice and the limited application of §266b. DACoRD observed in their 2010 assessment to the <i>UN Committee on the Elimination of Racial Discrimination</i></p>

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		<p>(CERD) ‘that the prosecution authorities have for nearly a decade in effect created a barrier against effective investigation of violation of Section 266b by politicians or other participants in the public debate and thereby a presumption against effective remedies for victims of such statements’ (DRC 2010). Likewise, in their 2011 periodic assessment made to the UN <i>Human Rights Committee</i> (OHCHR), DIHR recommended that the <i>Director of Public Prosecutions</i> started a practice of further transparency by making public also the filed cases where the decision taken was not to prosecute (DIHR 2011).</p> <p>Sources: DRC, 2010; DIHR, 2011; Dansk Institut for Menneskerettigheder: http://humanrights.dk/home; Dokumentations- og rådgivningscenter for racediskrimination: http://www.drcenter.dk/</p>
Germany	High	<p>Time period: 1959-2012 Level of assessment: National</p> <p>The most important legislation in this context is § 130 of the criminal code, the law against “incitement of the people” (Volksverhetzung). This law sanctions 1.) incitement to hatred against parts of the population, that endangers the public peace and 2.) the violation of the human dignity of others by insulting parts of the population, maliciously slurring or slandering with 3 months up to 5 years imprisonment. The law also explicitly sanctions the negation of the Holocaust. The glorification of the Nazi government from 1933 to 1945 has recently also been added as punishable in the legal sense.</p> <p>The law has been extended to the present version out of the experiences of the Nazi era and the persecution and mass murder of Jews and other groups of the population. It can however be applied to all other cases of incitement against parts of the population that endanger the public peace. It has however to be proven, that the specific act or statement is of a quality that endangers the public peace and/or violates the human dignity of others by insulting parts of the population. The latter is not always easy to prove as shown in the explanations to indicator 4.2, and not every hate speech or rightwing extremist act or speech can be prosecuted by the help of this law, which also has generally to be balanced with the right to freedom of opinion.</p> <p>Sources: German criminal code</p>

Country	Score	Motivations for score regarding Indicator 4.1 Ethnic and religious tolerance. Existence of legislation that punishes racist discourse
Greece	Medium	<p>Time period: 2007-2011 Level of assessment: National</p> <p>Legislation exists, but it is inadequate for facing current challenges of cultural, ethnic and religious diversity amidst a severe economic and humanitarian crisis that is coupled with a spectacular rise of racist violence. The main tool for dealing with racist crime is Law 927/1979 (as amended by Law 1419/1984 and Law 2910/2001): a statute containing four short articles of a purely criminal law character, aiming at the punishment of overtly discriminatory practices on racial, ethnic or religious grounds. This contains a definition of racist hate crime and hate speech and it also penalises organisations that promote racial discrimination. Moreover, according to article 23 of law 3719/2008, which amended article 79 of the above cited law, racist motivation is treated as an aggravating circumstance, an adjustment of national legislation to European recommendations. Greece was also one of the last countries to transpose the Racial Equality and the Employment Framework Directives into the national legislation in 2005.</p> <p>However, the 927/1979 is considered to be of limited use in the sense that it intends to punish racial discrimination if that is the sole ground for the relevant action or activity. Most importantly, this has been rarely applied by Greek courts, and never by an ex officio prosecution. Moreover, new draft law on racism approved by the cabinet of ministers in October 2011 was blocked by the far-right party (LAOS) that participated in the government. Furthermore, no specific sanctions are provided by legislation against public servants reported as perpetrators of racist violence/ hate crime. This is a particularly important issue as several human rights and migrant NGOs as well as the ECRI reports have found that public officials, police officers, coast guards, are among the most frequently reported alleged perpetrator groups.</p> <p>Sources: Law 927/1979/ FEK 139/ A/ 28.6.1979; Kouki, Triandafyllidou (2012); National Commission for Human Rights (Greece) (2011); ECRI (2009); Raxen (2010).</p>

Country	Score	Motivations for score regarding Indicator 4.1 Ethnic and religious tolerance. Existence of legislation that punishes racist discourse
Hungary	Medium	<p>Time period : 1990-2012 Level of assessment : National</p> <p>Like other countries, Hungary struggles to reconcile the freedom of speech with the protection of human dignity.</p> <p>This tension is reflected in several laws governing different aspects of hate speech. The penal code punishes incitement to hatred against a community. The civil code in turn protects human dignity and allows for civil action suits if that dignity is offended. This law however does not allow for the prosecution of hate speech directed at groups; it can only be applied if an individual against whom the hate speech was directed can be identified. The previous government (Socialists, left-centre, 2002-2010) passed a stricter law on hate speech but the law was declared un-constitutional because it breached the freedom of speech. Civil rights organisations also opposed the stricter laws, arguing that they would not lead to a more robust defense of the people or groups against whom these actions were taken. They argued instead for the more consistent application of existing laws. The balance has thus been in favour of free speech in recent legislative activities. Hungary receives a low score on this indicator for its 1) its emphasis on free speech (over a more robust hate crime legislation) and 2) its failure to consistently and stringently apply existing hate crime legislation.</p> <p>Note: The debate over the freedom of speech and hate speech has been ongoing since the early 1990s</p> <p>Sources: Index, 19.02.2008 ; TASZ, 2012 ; Magyar Narancs.hu, 11/09/2003; Dinók, 2012; Szabolcs, 2012; Chance for Children Foundation (CFCF), European Roma Rights Centre (ERRC).</p>
Ireland	Medium	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework. In Ireland, legal protections from discrimination are found in the Irish Constitution, under EU law and in domestic statutes. The Employment Equality Acts (EEA) 1998-2004 and the Equal Status Acts (ESA) 2000-2004 are the principal pieces of anti-discrimination law. The EEA prohibits discrimination in relation to employment on the basis of: gender, family status, marital status, age, disability,</p>

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		<p>sexual orientation, religious belief, race, and membership of the Traveller community. The ESA outlaws discrimination on the same grounds with regard to goods, services and education.</p> <p>The right to free speech is guaranteed under the Constitution (Article 40.6.1.i), provided that liberty of expression 'shall not be used to undermine public order or morality or the authority of the State'.</p> <p>The Prohibition of Incitement to Hatred Act 1989, proscribes words or behaviours which are 'threatening, abusive or insulting and are intended or, having regard to all the circumstances, are likely to stir up hatred' against 'a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation'.</p> <p><i>Note: Both the National Consultative Committee on Racism and Interculturalism (NCCRI) and the Irish Human Rights Commission (IHRC) have highlighted weaknesses in the Prohibition of Incitement to Hatred Act 1989 and its application. In March 2012 a question to the Minister for Justice and Equality asked if he planned to update and consolidate legislation on racially or ethnically motivated crimes and address judges' discretion in considering aggravating factors, including racial motivation.</i></p> <p>Sources: Employment Equality Acts 1998-2004; Equal Status Acts 2000-2004; Irish Constitution, 1937; Prohibition of Incitement to Hatred Act 1989; Dáil Debates, 2012; IHRC, 2005; NCCRI, 2001.</p>
Italy	High	<p>Time period: 2000-2012 Level of assessment: National</p> <p>In Italy protection against discrimination has been ratified by the Italian Constitution (art.3), in which it is affirmed that people "have equal social dignity and are equal before the law". Italy also adheres to the international laws (e.g. the Universal Declaration of Human Rights) and enforced the EU directive 2000/43/CE.</p>

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		<p>Based on this directive in 2003 the UNAR (National Office against racial discrimination) has been built. The Office has the task to promote and guarantee equality among people. It exercises the right to carry out checks regarding racist events and discourses, it monitors media and web, keeps in touch with local organizations and associations. It intervenes in the most flagrant cases of measures which were discriminatory, it expresses its opinion and asks for the removal or the revision of such measures.</p> <p>Anyway, UNAR has not a very complete monitoring, but other anti-discrimination actions are promoted (by the judicial system, or on initiative of civil society organisations or also by private citizens) without its supervision or support (thanks to a legislation that exists before the UNAR's foundation).</p> <p>Looking at the legislation and at the legal context we can evaluate Italy as scoring high on this indicator.</p> <p>Sources: EU directive 2000/43/CE ; UNAR web site and documents, at http://www.unar.it/</p>
Spain	High	<p>Time period: 2003-2012 Level of assessment: National</p> <p>The 1978 Constitution guarantees equality and no discrimination (art. 14 and 9.2)</p> <p>The Spanish law against discrimination and hate speech is in accordance to EU recommendations on the matter and cover the same areas. Hate speech can be prosecuted in the line of article 510 of the Penal code. Nevertheless, several interviewees, public and NGO reports underline the ambiguity of the word «incitement» to racist violence which has led to contrary decisions of Courts so far. Article 515 foresee the illegality of organisations promoting violence and hate with racist or discriminatory objectives.</p> <p>Each autonomous community's Ombudsman is also entitled to process discriminations faced by citizens.</p> <p>Following the recommendation of the European directive 2000/43 article 13, the Spanish state created the Council for the promotion of equal treatment and non- discrimination on the grounds of racial or ethnic origin in December</p>

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		<p>2003 (Law 62/2003) which composition and competences are only established in 2007 (RD 1267/2007) and which started its activities in 2009. The council is placed under the authority of the Ministry of Social Affairs.</p> <p>Since 2010, several improvements have been made in fighting hate speech and racist violence. The new Strategic plan of Citizenship and Immigration 2011-2014 has improved anti-discriminatory measures as well as the Action plan for the Gypsy community 2010-2012. In 2010, the government took also a regulation against violence and racism in sports. A new project of Comprehensive law for equal treatment and no discrimination has been adopted by the Council of Ministers in 2011. It addressed criticisms of the ECRI on the fact that the Council for the promotion of Equal treatment was not formally an independent body and on irregularities in the transcription in internal law of the 2000 Directive. The new law never came into force due to the advanced general elections of November 2011. The new Parliament rejected its processing in September 2012 and its approbation is thus still pending.</p> <p>Despite these small limitations, the Spanish law is in accordance to European recommendations on hate speech and racist violence.</p> <p>Sources: SPAIN. Council of ministers, 2011; Ministry of Labour and Immigration, 2011; ENAR: Sara Benedi-Lahuerta S. (with the support of Federación Estatal de Asociaciones de Sos Racismo), 2012; SREEC, 2011; European Commission against Racism and Intolerance, 2011; EU. Fundamental Rights Agency (FRA), 2012; Consejo para la promoción de la igualdad de trato y no discriminación de las personas por el origen racial o étnico, 2011.</p>

Detailed Comparative Country Overview of Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
Bulgaria	Medium	<p>Time period: 2004-2012 Level of assessment: National</p> <p>The application of the legislation suffers from chronic illnesses characteristic for the entire Bulgarian legal and judicial system –exceptionally slow and flawed legal proceedings. A good illustration are two examples: violent anti-Roma rallies from September 2011 and attack on believers at the Sofia mosque in May 2011.</p> <p>The Sofia mosque incident was organised by the extreme nationalist party “Attack.” Despite being headed by easily identifiable leaders (Volen Siderov, the head of the “Attack” and several of their MPs), the prosecution started a procedure against “unknown perpetrators.” Several charges were brought up, however, the assaults were prosecuted as “hooliganism” rather than acts of discriminatory violence. By November 2012, no verdicts have been passed down.</p> <p>Anti-Roma violence in September 2011, provoked by a death of a non-Romani man who was allegedly hit on purpose by a minibus with a Romani driver, lasted for a couple of days before the police intervened and arrested more than 350 people.</p> <p>According to media reports, the Prosecutor General responded to the protests by sending instructions to regional prosecutors, reminding them of the need to respond to acts that may amount to violence on racial, religious and ethnic grounds. By February 2012, 16 persons were investigated for their role in the anti-Roma violence, but none of these cases has finished with a verdict.</p> <p>Only one person was sentenced to ten months’ imprisonment (suspended for three years) for setting up a Facebook group calling for the “Slaughter of the Gypsies.”</p> <p>Sources: Amnesty International, 2012; Bulgarian Helsinki Committee, 2012; Commission for Protection against Discrimination, 2010; Hajdinjak, Kosseva, Zhelyazkova, 2012.</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
Denmark	Medium	<p>Time period: 2004-2012 Level of assessment: The assessment includes juridical practice at the level of city courts, district courts and the supreme court</p> <p>If one compares the number of complaints filed on hate speech in Denmark with the number of actual prosecutions by the <i>Director of Public Prosecutions</i> and the actual convictions you get a picture of a juridical practice in the area of restraint and reluctance in the application of the legislation. According to the <i>Documentary and Advisory Centre on Racial Discrimination, Denmark</i> (DACoRD) the number of complaints filed in Denmark about hate speech was 27 in 2004, 54 in 2005, 66 in 2006, 26 in 2007, and 17 in 2008 (DRC 2010: 17). The numbers of prosecutions in the same years were 3, 0, 5, 9, and 0 (Rigsadvokaten 2012).</p> <p>However, the conviction rate is high as only two of these seventeen cases led to pardoning of the accused. Among the convicted over the last decade have been two MPs for the <i>Danish People's Party</i> – Morten Messerschmidt and Jesper Langballe.</p> <p>The restraint and reluctance in application of paragraph 266b of the Danish penal code has led to international criticism by the <i>UN Committee on the Elimination of Racial Discrimination</i> (CERD). However, following up on the raised critique the <i>Documentary and Advisory Centre on Racial Discrimination, Denmark</i> (DACoRD) concludes in 2010 that no significant improvements have been made since their last examination in 2006 (DRC 2010).</p> <p>Note: It has not proven possible to get reliable data on the number of complaints filed for the period from 2008-2012.</p> <p>Sources: Rigsadvokaten, 2012; DRC, 2010; DIHR, 2011; Dansk Institut for Menneskerettigheder: http://humanrights.dk/home; Dokumentations- og rådgivningscenter for racediskrimination: http://www.drcenter.dk/</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
Germany	Medium	<p>Time period: 2010-2012 Level of assessment: National</p> <p>Paragraph 130 of the criminal code against incitement of the people has been mainly applied to perpetrators whose right-wing extremist political views have been obvious, like different officials of the NPD (National democratic party of Germany), like their former chairman Udo Voigt in October 2012, the neo-facist activist Martin Wiese in May 2012 or another NPD official Udo Pastörs in October 2010. As mentioned above it seems easier to prove the intention of “incitement of the people” or violation of others human dignity, if the perpetrators can be easily assigned to the rightwing extremist parties or organisations and – like Voigt did with Hitler’s “Waffen-SS” – officially praise parts of the National Socialist regime. In March 2010 the Federal Constitutional Court reversed three judgements because of incitement of the people against an association, which had advertised a campaign for the repatriation of foreigners and for a “liveable, German Augsburg”. The judges ruled, that the freedom of opinion had been violated by the convictions. The highest national court explained, that a violation of the human dignity could only be detected if the targeted person was “denied her right to live as equal personality within the national community and if she was treated as a degraded being.(...) Accordingly the criminal courts confronted with the parole ‘Foreigners out’ only act on the assumption of an attack on the human dignity if other surrounding come with it.”</p> <p>As an example of a hate speech not originating from a right-wing-extremist Thilo Sarrazin and his book “Germany does away with itself” are a prominent example. Sarrazin accused Muslims in Germany to lower the population’s intelligence through their immigration and reproduction. The publication of 2010 had been sold 1,3 million times end of 2011. The ACCEPT project has analysed the debate about this book and observed a considerably negative effect on both the public discussion about Muslims in Germany and on parts of the Muslim community themselves. The author had been accused of incitement of the people 47 times, but has not been convicted because of the difficulty to prove the elements of a crime. This very well observed case is not the only one, but demonstrates, how difficult it can be to apply the § 130 in court.</p> <p>As can be seen from the NPD-official Pastör’s own defence in court, the above mentioned ideas of the SPD-official Thilo Sarrazin are used be right-wing-extremists in order to make their own views more acceptable in public. Apart</p>

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		<p>from attacks on Jews Pastörs had accused Turks of trying to conquer Europe with ‘semen-bombs’ and thus referred to a similar argument of Sarrazin, that Turks and other Muslim immigrants tried to conquer the country by reproduction. While the former makes it easy for judges to fine him with §130, because of his outspoken hatred against all kinds of perceived ‘foreigners, the latter could not be fined in all the 47 cases of his accusation because he denied a racist view and the courts had difficulties proving him wrong.</p> <p>Sources: Mühe, 2012; Speit, 2010; Süddeutsche.de, 19.10.2010; Süddeutsche.de, 15.05.2012; Merkur-online.de, 05.03.2010</p>
Greece	Low	<p>Time period: 2007-2011 Level of assessment: National</p> <p>There is a failure to effectively apply existing legal provisions, admitted by the Minister of Justice (2012). There are no independent mechanisms to assess their application, no official data on racist crimes, no unified official system for recording and monitoring racist crimes in cooperation with the police and NGOs, while no perpetrator of a violent racist attack has been sentenced until today. There is a great discrepancy between the evidence provided by the authorities about racist violence crimes and that provided by other sources.</p> <p>1972/79 has been rarely applied and never by an ex officio prosecution. The prosecution of three people for the September 2011 stabbing of Ali Rahimi, a 24-year-old Afghan asylum seeker, is the first time any prosecution against racist violence has taken place since 1999, when K. Plevris was acquitted on the court judgement that racial origin was not the sole ground for hate speech through an anti-Semitic book. As for the trial of the three people, this has been postponed six times. It remains unclear whether the prosecutor will argue the attack had been motivated by racist or xenophobic sentiment. Moreover, the 2008 provision has to date never been applied. Article 187 of the Greek criminal code regarding criminal groups is never put into effect. Prosecutors and judges receive no specialized training, and there are no dedicated prosecutors for racist and xenophobic crimes. Overall, there is an unwillingness of the criminal investigation authorities to record racist violence incidents, to investigate the cases thoroughly and to</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
		<p>arrest the perpetrators.</p> <p>Moreover, victims of racist attacks rarely report the acts against them, as they fear of getting arrested or deported by police officers (since a large part among them are undocumented migrants or asylum seekers). In addition the role of police as a guarantor of the human rights of all people is questioned by NGOs including the Hellenic League for Human Rights and Amnesty International, as police officers are among the most frequently reported alleged perpetrator groups of racist attacks. Another reason why victims of racist violence do not place a complaint with the police is because the complaint fee is relatively high and so are the expenses for civil party representation before a criminal court.</p> <p>Sources: Human Rights Watch, 2012; Amnesty International, 2012; Hellenic League for Human Rights, 2012; Racist Violence Recording Network, 2012; Roupakiotis, 2012; Antigone, 2011; Institute of Race Relations, 2012</p>
Hungary	Low	<p>Time period : 2002-2012 Level of assessment : National</p> <p>Between 2005 and 2010 there were only three legally binding judgments invoking hate crime legislation. Courts have been reluctant to invoke these laws, (wrongly) presenting their objections in terms of data protection issues (the ethnic background of the victim should not be revealed). Other prosecutors and judges have been reluctant to examine the racial or other hate motivations behind the crimes in question. Some claim that it is difficult to identify the perpetrators of hate crimes; others recognise hateful speech but are unwilling to identify it as ‘incitement’ or ‘instigation’ against a group, citing the difficulty of establishing a direct link between hate speech and action. For these and related reasons, laws against hate speech or acts are rarely applied and Hungary receives the score of ‘low’.</p> <p>Note: Whilst a number of observers have argued that the problem is not with the laws but with their application, no significant progress has been made in their application over the past ten years.</p> <p>Sources: Dinók, 2012; Szabolcs, 2012.</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
Ireland	Medium	<p>Time period: 1989-2012 Level of assessment: National</p> <p>The first, and to date only, legislation against racist behaviour in Ireland through the criminal law is the Prohibition of Incitement to Hatred Act 1989. It introduces a number of offences concerning incitement to hatred, but there are weaknesses in the Act and its application.</p> <p>With the exception of incitement to hatred, racist behaviour is not expressly criminalised in law. Offences against the person, property offences and public order offences committed with racist intent are treated no differently from the basic offences where racist intent is absent. Criminal assaults motivated by race hate are prosecuted as generic assaults or assaults causing harm, etc.</p> <p>Similarly, there are no statutory provisions prescribing aggravated sentences for offences committed as an expression of race hate. Judges have discretion whether or not to treat a racist motive as an aggravating factor when determining sentence in any individual case; there is neither statutory authority nor binding precedent compelling them to do so. Few cases have been successfully pursued. For example: The first conviction under the Act – of a Dublin Bus driver in 2000 - was quashed by the Circuit Court in 2001. The Judge acknowledged that his behaviour towards a Gambian man had been appalling, but ruled that the words he used did not warrant conviction under the Act.</p> <p>Prosecution is also at the discretion of the Director of Public Prosecution. In 2008 the Immigrant Council of Ireland lodged an official complaint in relation to an article written by Kevin Myers for the Irish Independent newspaper, questioning whether the article, titled 'Africa is giving nothing to anyone - apart from AIDS' had breached the Prohibition of Incitement to Hatred Act 1989. The Office of the Director of Public Prosecutions decided not to prosecute because of the weakness of the legislation.</p> <p>Sources: Honohan & Rougier, 2012; Schweppe & Walsh, 2008; RTE News, 2001; NCCRI, 2001; Lynch, 2012.</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
Italy	Medium	<p>Time period: 2000-2012 Level of assessment: National (legislation, institutional bodies such as UNAR) and local (practices of individuals – generally lawyers – and associations – such as Avvocati per Niente)</p> <p>Despite the anti-discrimination legislation and UNAR, the application of legislation is medium.</p> <p>UNAR, for example, can give opinion but it cannot engage in legal action in defence of people who have been discriminated against. It has not the power to intervene legally or to apply sanctions directly. Secondly, it is founded within the Presidency of the Council of Ministries, consequently it is not completely autonomous. For these reason the application of legislation is not always easy.</p> <p>Some interventions to make the legislation respected are done by civil society actors, as the Association Avvocati per Niente (transl.: Association of Pro-Bono Lawyers), which is an association of lawyers who want to guarantee justice for the weak and defends the rights of people free of charge. The association is promoted and supported by other civil society actors (i.e. promoted by Caritas, and sustained by the Christian Associations of the Italian Workers and Trade Unions).</p> <p>Basis for assessment: constitutional/legal context but also practices. We can evaluate Italy as scoring medium on this indicator, because there are only some attempts to make the legislation respected.</p> <p>Sources: Ambrosini and Caneva, 2012; Dossier Caritas, 2012; www.unar.it; www.asgi.it; http://www.hrw.org</p>
Spain	Medium	<p>Time period: 2000-2012 Level of assessment: National</p> <p>Difficulties in applying the legislation come from opposite interpretations by Courts of the 510 article of the Penal code on Incitement of violence and hate. In addition, judges often make the freedom of speech prevail over the harm caused by hate speech. In addition, reports show that victims of discrimination and racist violence report very few cases (4%) and that most of them would not do it again. There is a real difficulty for social organisations and</p>

Country	Score	Motivations for score regarding Indicator 4.2 Ethnic or religious tolerance. Application of such legislation in recent times
		<p>victims to see their complaint effectively admitted to process and to obtain a condemnation when it concerns hate speech or racism.</p> <p>Nevertheless, there were improvements in fighting racist violence and hate speech in recent years. Since the creation of the Council for the promotion of equal treatment and non-discrimination on the grounds of racial or ethnic origin, the creation of a network of help centres for victims of discrimination on grounds of racial or ethnic origin (managed by NGOs) and the creation of the Public prosecutor for discrimination and hate crime in Barcelona, the awareness and assistance to victims has improved. Several trials of neo-nazi groups or crimes from individuals with a neo-nazi or fascist ideology have led to sentences to jail (cf. Cases of Hammerskin in Madrid, Kalki bookshop in Barcelona, or football hooligans). One of the representatives of Plataforma per Catalunya (anti-immigrant party) has also been sentenced for hate speech in 2011.</p> <p>Sources: Red de centros de asistencia a víctimas de discriminación por origen racial o étnico, 2012; ENAR: Sara Benedi-Lahuerta S. (with the support of Federación Estatal de Asociaciones de Sos Racismo), 2012; SREEC, 2011; European Commission against Racism and Intolerance, 2011; EU. Fundamental Rights Agency (FRA), 2012; Consejo para la promoción de la igualdad de trato y no discriminación de las personas por el origen racial o étnico, 2011.</p>

Detailed Comparative Country Overview of Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties

Country	Score	Motivations for score regarding Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties
Bulgaria	Low	<p>Time period: 2005-2012 Level of assessment: National</p> <p>A far-right nationalist party “Attack” was founded in 2005 and has been represented in the Parliament since then (8.14% on 2005 elections and 9.36% in 2009; threshold for entering Parliament is 4%).</p> <p>Sources: Hajdinjak, Kosseva and Zhelyazkova, 2012.</p>
Denmark	Low	<p>Time period: 2011 Level of assessment: Assessed only in regards to the electoral share for national parliament</p> <p>In the 2011 national election the <i>Danish People’s Party</i>, often considered an anti-immigration, gained 12.3% of the total vote, making it the third biggest party in Denmark. This electoral share has been more or less stable since 2001.</p> <p>The success of the <i>Danish People’s Party</i> is partly the effect of a strong leadership, which has successfully mainstreamed the public image and perception of the party by e.g. excluding a range of rank-and-file members who have made racist or discriminatory public statements. Thus, the <i>Danish People’s Party</i> has managed do distance itself from the far and radical right, and position itself as exponent of ‘tight, but fair’ immigration and integration policies. This position has appealed to a rather large group of Danes who are not necessarily racist in any way, but concerned vis-à-vis social cohesion and welfare state provisions in the light of increased ethno-cultural diversity following immigration.</p> <p>While it can be justified to categorize the Danish People’s Party as anti-immigrant, it seems less obvious that the party can meaningfully be labeled ‘far right’ or ‘radical right party’. The Danish People’s Party has over the years proposed and backed a number of proposals, which has made Danish immigration and asylum laws among the toughest in the world, and members of the party has repeatedly problematized Islam and parts of Muslim culture.</p>

Country	Score	Motivations for score regarding Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties
		<p>However, the party does not legitimize violence against minorities, although individual members have been shown to have connections to far right movements and following excluded. Maybe the best way to categorize the Danish People's Party is as a 'right-wing populist party', which along the anti-immigration stand draws upon anti-elitist and anti-EU discourses.</p> <p>Note: The score 'low' relies on the classification of the Danish People's Party as 'anti-immigrant'. As argued, a better classification is maybe 'right-wing populism', including anti-immigrant stands.</p> <p>Sources: Meret, Susi, 2011.</p>
Germany	Medium	<p>Time period: 2006-2012 Level of assessment: National</p> <p>None of the right-wing extremist parties like NPD, DVU, REP or any of the relatively new right-wing populist parties that mainly campaign against Muslims and Islam, has yet entered the Federal Parliament. However in certain areas of Germany the votes for the right wing extremist parties is considerably high. Especially in the Eastern German federal states right-wing extremist views are spreading. The Friedrich-Ebert-Foundation observed, that from 2006 to 2012 the number of people holding a right-wing extremist worldview has risen from 6,6 to 15,8 per cent. However the phenomenon is not limited to Eastern Germany. While in certain Eastern German regions more than 5% of the population voted for one of the above mentioned right-wing extremist parties, in some Western German regions those parties together gained also more than 3%.</p> <p>The new right-wing populist parties had not run for the last federal elections in 2009, but for local elections of parliaments of individual federal states, like North Rhine Westphalia where the "People' Movement Pro NRW" gained more than 1% of the votes in the last two elections and is therefore financially supported by the federal state. The right-wing extremist party is mainly campaigning against Muslims in Germany and has therefore been positively mentioned by the Norway terrorist Breivik in his manifest. In communal elections they won enough votes for</p>

Country	Score	Motivations for score regarding Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties
		<p>entering different city parliaments. The national counterpart “Pro Deutschland” aims at participating in the next national elections in 2013.</p> <p>Also the right-wing extremist and neo-Nazi party NPD sends delegates to different communal parliaments in all federal states except of Hamburg and to federal state parliaments of Mecklenburg-West Pomerania and Saxony. It has however not managed to enter the national parliament with only 1,8% of the national vote in 2009. The attempt of the Federal Government to ban the party failed in 2003 because of informers of the intelligence services being represented in leading positions of the party.</p> <p>Sources: Meister, 16.11.2012; Niedermayer, 26.08.2011; Zeit-online, 16.11.2011; Beucker, 27.07.2011.</p>
Greece	Low	<p>Time period: May-June 2012 (last national elections) Level of assessment: National</p> <p>In the Greek parliamentary elections of May 2012, Golden Dawn received 6.97% of the popular vote on an anti-immigrant platform. In the rerun of the elections in June 2012, their share of the vote was 6.92%. This percentage was enough for entering the parliament for the first time with 18 seats.</p> <p>Golden Dawn is a nationalist far right organization, whose members have been repeatedly accused of carrying out acts of violence and hate crimes against immigrants, political opponents and ethnic minorities. Golden Dawn is not just engaged in anti-immigrant rhetoric, but has a clear racist political position and conducts violent attacks against migrants on a frequent basis all over urban areas in the country.</p> <p>Sources: Ministry of Internal Affairs, 2012; Kouki and Triandafyllidou, 2012.</p>
Hungary	Low	<p>Time period : 2010-2012 Level of assessment : National</p> <p>Jobbik (Movement for a Better Hungary), a radical right party, received 17 % of the vote in 2010, the third largest</p>

Country	Score	Motivations for score regarding Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties
		<p>share of the votes after the governing party and the socialists (former governing party). Their share of the vote translated into 44 seats in parliament (out of 386).</p> <p>Sources: HUNGARY, National election office, 2010</p>
Ireland	High	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework.</p> <p>Ireland has not seen the emergence of any real right-wing, anti-immigrant party, or indeed any significant political campaign or protest against immigrants as a reaction to its recent large-scale immigration.</p> <p>One anti-immigration voice has been the Immigration Control Platform (ICP), a single-issue political grouping which put up candidates in the 2002 and 2007 Irish general elections. It is not registered as a political party; its candidates ran as independents in the 2007 Irish general election, and nationally, its three representatives received less than 0.1% of the total votes cast.</p> <p>No candidates ran on this platform in the election of 2011. The ICP still maintains a website.</p> <p>Sources: Honohan & Rougier (2012); ICP Website</p>
Italy	Low	<p>Time period: 1990-2012 Level of assessment: National and regional</p> <p>The Northern League party appeared on the political scene at the beginning of the 1990s and among the themes</p>

Country	Score	Motivations for score regarding Indicator 4.3 Electoral share of far right / anti-immigrant and anti-minority parties
		<p>proposed in its political agenda was the opposition to Rome centralism, the opposition to a transfer of resources to the southern regions, the promotion of a strong federalism (or even secessionism), finally the hostility towards immigrants and nomads. Although it is not defined and considered as a far right party, anti-immigrants discourses and actions has characterised its identity and programme since its birth.</p> <p>In 2008 the party, which was part of the right-wing coalition, obtained about the 8% of the national vote. Votes were concentrated in the Northern regions, in which the percentage of immigrant residents is the highest. The presidency of two important Italian regions is held by Northern League's members. Only in the 2011 administrative elections there was a turnaround, because of corruption charges against some of its members.</p> <p>For these reasons we can evaluate Italy as scoring high.</p> <p>Sources: Ambrosini and Caneva, 2010; Ambrosini and Caneva, 2012; Ruzza and Fella, 2009; Manconi and Resta, 2010.</p>
Spain	High	<p>Time period: 2003-2012 Level of assessment: National and regional (Catalonia)</p> <p>There is no presence of far-right parties at national or local parliaments. Far-right parties such as Plataforma per Catalunya, España 2000 or the Falange nacional have seats in a few local councils.</p> <p>In national parliament elections, all far-right parties gather less than 1% of votes.</p> <p>In spite of the growing presence of Plataforma per Catalunya in the public space and in municipal councils of Catalonia, this party has failed to enter the Catalan parliament twice and its share of votes remain very stable (2,4% in 2010 and 2012 elections).</p> <p>Sources: Burchianti and Zapata-Barrero, 2012; SPAIN. Ministry of Interior Affairs, 2012.</p>

Detailed Comparative Country Overview of Indicator 4.4 Ethnic tolerance. Racist violence in public life

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
Bulgaria	Low	<p>Time period: 2011-2012 Level of assessment: National</p> <p>According to an OSCE Office for Democratic Institutions and Human Rights report, in 2011 the Bulgarian police has recorded 29 incidents of racist violence against ethnic minorities or immigrants. As the population of Bulgaria is 7.5 million, this is more than 3 incidents per 1 million people. 29 such incidents is also a substantial increase from 2010 and 2009 – in both years, 20 such incidents were recorded.</p> <p>Sources: Bulgarian Helsinki Committee, 2012; Hajdinjak, Kosseva, Zhelyazkova, 2012; OSCE ODIHR, 2012.</p>
Denmark	Medium	<p>Time period: 2000-2010 Level of assessment: National and locally in Copenhagen</p> <p>Hate crimes are defined by § 81.6 of the Danish penal code. It states that when a crime such as violence or vandalism is committed because of the victim's race, ethnicity, skin colour, religious beliefs or sexual orientation, this should be considered an aggravating circumstance (the so-called 'hate crime' paragraph).</p> <p>Reliable, systematic and continuous statistics on hate crimes in Denmark are scarce, due to differences locally in categorizing offences and the difficulty in establishing whether or not a violent offence e.g. against an immigrant is motivated by racism or something else. Thus, there are good reasons to believe that recorded hate crimes only shows the tip of the iceberg and that significant 'shadow numbers' exist as many cases of hate crimes are not reported or recorded as such. On the other hand, there is also the risk that cases are categorized as hate crimes due to e.g. racist statements made, but that the motive for the offence in reality was something else. The data that do exist comes primarily from two sources: 1) crimes reported to the Danish Security and Intelligence Service as having a potential hate crime motive, and 2) the Ministry of Justice's victim survey, which among other things investigates the degree to which victims experienced racism or homophobia as a motive behind violent offences.</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
		<p>The number of hate crimes reported with the Security and Intelligence Service was 28 in 2000, 116 in 2001, 68 in 2002, 52 in 2003, 36 in 2004, 87 in 2005, 227 in 2006, 35 in 2007, 175 in 2008, 306 in 2009, and 334 in 2010 (DRC 2010: 18; PET 2011). The large rise of cases in 2009-2010 is due to a new practice of recording, where all offences with a potential extremist background are included. Thus, from 2000 to 2008 the numbers cover racist and religious hate crimes, while numbers from 2009 onwards includes also offences with a political motivation e.g. on the far left. In 2010, 62 of the recorded cases (amounting to 18.6%) had a clear racist motive.</p> <p>Numbers from the Ministry of Justice's victim survey from 2008 suggest that the number of hate crimes reported to the Security and Intelligence Service is underestimated. According to the victim survey, 10% of the victims of violence, vandalism etc. found that they had been targeted because of racism (Andersen & Nour 2011: 26). In terms of actual cases, this equals 8,824 cases in which the victims answered 'yes, positive' or 'yes, maybe' to whether they believed that the motive for the crime was racism, and 3,176 gave these answers for sexual orientation, a total of 12,000. The large discrepancy between these figures (12,000) and the total figure reported to the Security and Intelligence Service in 2008 (175) suggests that a large number of hate crimes are not reported or investigated as such. The same kind of discrepancy between experienced hate crimes and reported hate crimes can be found locally in Copenhagen where a special report was made by the <i>Danish Institute of Human Rights</i> in 2008 on discrimination and hate crimes (DIHR 2008: 16).</p> <p>Both nationally and locally much have been done to combat hate crimes and to make the reporting of such crimes easier and more effective (Andersen & Nour 2011). Anti-discrimination campaigns and celebration of tolerance and democracy campaigns have been rolled out in the streets, in schools, youth clubs, sports clubs and in the media repeatedly (see for example the campaign 'Stop hate crimes; www.stophadforbrydelser.dk). In terms of improving the recording of hate crimes several NGOs (such as <i>LGBT Denmark</i>) have started registering hate crimes. But locally some municipalities have also created websites for the purpose of self-reporting hate crimes.</p> <p>Note: If the scoring is done only with reference to the numbers of racist hate crimes the score would be 'low'. However, the uncertainty regarding the numbers and the significant amount of public initiatives targeting hate crimes points towards 'medium' as the more precise score.</p> <p>Sources: Andersen, Lisbeth Garly & Susanne Nour, 2011; DIHR, 2008; DRC, 2010; PET, 2011.</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
Germany	Medium/ Low	<p>Time period: 2011 Level of assessment: National and local</p> <p>NGOs counselling victims of right-wing extremist violence have counted 706 incidents in 2011, most of which (374) have been attacks against young people with left wing or alternative political view. 226 of the cases have been considered by the NGOs as having a racist background, which is almost 3 incidents per 1 million German citizens. The number of racist attacks in 2011 would therefore classify Germany as somewhere in between the low and the medium level of tolerance in regard to racist violence in public life. The number of attacks also varies highly between regions. Saxony, Saxony-Anhalt and Berlin were regions with considerably high numbers of attacks. Therefore the latter regions should rather be seen as low than medium level of ethnic tolerance in regard to racist violence. Berlin for example has seen 70 cases of racist attacks in 2011, which classifies the federal state as low in regard to ethnic tolerance. The NGO Reach Out has expressed, that the perpetrator of racist attacks – different from attacks on young left-wing people – have often not been part of the right-wing extremist scene, but have expressed their “everyday racism” with “extreme brutality”. Correspondingly the SPD foundation Friedrich-Ebert-Stiftung found in their most recent survey about antidemocratic views that the latter could be found not only on the margins, but as well in the middle of society.</p> <p>Note: Regions vary highly in regard to incidents of racist violence in public life. Therefore the classification of the whole of Germany as showing a medium level of ethnic tolerance in regard to racist violence could be misleading, as there exist large regions, that would rather qualify as low ethnic tolerance in this respect.</p> <p>Sources: CURA – Opferfonds rechte Gewalt (online); Weinbender (online); Decker et al., 2012.</p>
Greece	Low	<p>Time period: 2011 Level of assessment: National <u>but</u> no official data, aggregated individual self-reported incidents, over representation of the Athens metropolitan region.</p> <p>Given the complete absence of official data, remarks about the trends in racist crime for the period under</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
		<p>examination are drawn by unofficial data and relevant initiatives taken by Non Governmental Organisations and human rights groups in the country, for instance from the international NGO Human Rights Watch or the national NGO Antigone. These all testify to a massive flare up of anti-immigrant violence in public life during the last year that has been inadequately met by police, judiciary and national authorities so far.</p> <p>More importantly, the Racist Violence Recording Network, established and run by the UN Refugee Agency and the Hellenic League for Human Rights, along with other 23 NGOs working for migrants' rights, attempted in a pilot study to monitor the escalation of racist attacks, that according to reports in printed and electronic media, have become daily occurrence in the country. During the period January-September 2012, the Racist Violence Recording Network documented, after interviewing victims, 87 incidents of racist violence against refugees and migrants, while clarifying that these are 'only the tip of the iceberg'.</p> <p>Note: The level of assessment is national BUT since there are no official data, the information provided here relies on research conducted by NGOs and human rights networks. These cannot and do not refer to the national level properly speaking, but focus on self-reported individual incidents of racist crimes which usually come from the Athens metropolitan region.</p> <p>Sources: Roupakiotis, 2012; National Commission for Human Rights, 2011; Racist Violence Recording Network, 2012; Antigone, 2011; Human Rights Watch, 2012; Greek Council for Refugees and Pro Asyl, 2012.</p>
Hungary	Medium	<p>Time period : 2002-2012 Level of assessment : National</p> <p>Civil rights activists claim that most racist attacks are not prosecuted. In 2011 there were less than 10 criminal convictions for racist attacks.</p> <p>Civil rights groups attribute this low prosecution rate to the reluctance of the police and the courts to investigate suspicious incidents for their racial motivations. As a result, only 'extremely obvious' cases are convicted. In addition, victims must have 'visible injuries' to prove they had been attacked. Courts prefer convictions for aggressive or anti-social behaviour or other crimes less severe than racism.</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life																					
		<p>Hungarian courts have not been very successful in curtailing the activities of paramilitary groups inciting hatred against local Roma populations. Since the mid 2000s these groups have organised a lot of 'hate marches' in settlements with large Roma populations. In 2009, one such group, the Hungarian Guard (the paramilitary wing of Jobbik), was banned for organising such marches. In its decision, the court argued that 'The ethnic and racial opinions expressed at these... events... have... breached the basic principle of the right to human dignity.' More groups however were founded in subsequent years, and their activities have not been prosecuted; the Hungarian Guard also re-formed. The new (centre-right) government (2010-present) introduced more stringent penalties for those offending the law but the law itself has mostly not been applied. Paramilitary groups continue to organise "hate marches" without interference from local police.</p> <p>Note: The score of 'medium' reflects the official number of racist attacks in Hungary for 2011. Civil rights organisations would put this number considerably higher, which, if substantiated, could result in an overall score of 'low'. In 2009: 12 cases of hate crime (Amnesty International)</p> <p>Sources: Czene, 2012; <i>Nepszabadsag online</i>, 29.05.2012; <i>Galamus.hu</i>, 19.06.2012; Attila, Ferenc and Balázs, 2011; Vidra and Fox, 2012.</p>																					
Ireland	Low	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework and official statistics.</p> <p>The statistics of racist incidents provided by the Office for the Promotion of Migrant Integration (OPMI) (source: Central Statistics Office (CSO)) are as follows:</p> <table border="1"> <thead> <tr> <th></th> <th>2006</th> <th>2007</th> <th>2008</th> <th>2009</th> <th>2010</th> <th>2011</th> </tr> </thead> <tbody> <tr> <td>Minor Assault</td> <td>39</td> <td>50</td> <td>45</td> <td>30</td> <td>37</td> <td>35</td> </tr> <tr> <td>Assault Causing Harm</td> <td></td> <td>17</td> <td>12</td> <td>13</td> <td>7</td> <td>20</td> </tr> </tbody> </table>		2006	2007	2008	2009	2010	2011	Minor Assault	39	50	45	30	37	35	Assault Causing Harm		17	12	13	7	20
	2006	2007	2008	2009	2010	2011																	
Minor Assault	39	50	45	30	37	35																	
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Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life						
		Harassment		11	9		7	
		Criminal Damage (Not Arson)	39	42	29	22	23	15
		Robbery from the Person	5					
		Public Order Offences	51	57	42	34	27	30
		Drunkenness Offences		6				
		Offences under the Prohibition of Incitement to Hatred Act (1989)	5	13	15	10		
		Menacing Phone Calls			5			
		Other Offences*	34	18	15	19	26	14
		Totals	173	214	172	128	127	114
		<p>As the population of Ireland is just under 4.6 million, over 100 racist incidents per year indicate that social/public life has been characterised by frequent incidents of racist violence against ethnic minority or immigrant individuals over the past few years on the scale adopted here.</p> <p><i>Note: In October 2011, the Immigrant Council of Ireland launched a report documenting high levels of racist violence and harassment endured by migrants living in Dublin. In 2012 a report by the Irish Network Against Racism argued that Ireland's legal framework does not protect society from racist violence and crime. It stated that racist violence and crime accounted for 75% of the racist incidents reported to the network last year, or 113 of the 149 incidents reported; and that 'Only one in six people report racist incidents to the police, often due to fear or the fact they feel nothing can be done'.</i></p> <p>Sources: Honohan & Rougier, 2012; OPMI website; CSO statistics; ICI, 2011; Lynch, 2012.</p>						
Italy	Medium	<p>Time period: 2008-2012 Level of assessment: National</p> <p>Assessment does not distinguish between religious and ethnic tolerance (no data available)</p>						

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
		<p>Every year UNAR makes a report on discrimination, based on the complaints received by its contact centre or via web. The complaints have been made directly by people who have been discriminated against or by associations/organizations which signal the complaints of people who have asked for help to them, or by witnesses. UNAR has the task to verify the pertinence of the complaints. In 2008 the relevant complaints were 323, in 2010 they were 540, in 2011 there were 799.</p> <p>Despite these data are an instrument to check the discrimination, there are some limits. The complaints collected are only those which are signalled to UNAR or to the organizations/associations which collaborate with it. Discriminatory events which are not signalled are not counted. Secondly, discriminatory actions, events and procedures are collected, which not necessarily become incidents of racist violence. Finally, the complaints are not distinguished according to the reason of discrimination (ethnic affiliation, faith, etc.)</p> <p>Note: It is very difficult to evaluate Italy on this indicator because of the lack of data on racist violence. We can score it looking at the data on complaints made by people and collected by Unar and the network of associations which collaborate with it. Based on the indicator's description we should evaluate it as low (more than 3 complaints per 1 million people during the last year), but, as we are talking about complaints and not racist incidents, we have to put the evaluation back in the right perspective.</p> <p>Sources: Research on discrimination indicators www.unar.it</p>
Spain	Medium	<p>Time period: 2010-2011 Level of assessment: National (but only partial)</p> <p>Due to the lack of efficient record of racist violence, hate crimes and hate speech, it is very difficult to evaluate the position of Spain as regards to this indicator. In addition, the distinction between violence in relation with ethnic origin or religious orientation is rarely made and makes it difficult to assess in practice in the absence of explicit motivations of the perpetrators.</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
		<p>Different NGOs and platforms at national and European level as well as legal sources are trying to monitor racist violence in Spain. Their data are quite different. ECRI 2011 report on Spain mentions that national NGO (<i>Movement against intolerance</i>) estimates 4000 events of racist violence each year in the country but scarce important hate crimes. The RED network reports 27 racist and hate crime alerts between 2010 and 2012. Between 1991 and 2010, there were 80 registered murders with a racist motivation.</p> <p>At Spanish level, NGOs such as SOS Racism and <i>Movement against intolerance</i> are monitoring racist and discriminatory incidents in the country.</p> <p>The only official data on hate crime and hate speech is the one of the Fiscalia de Barcelona on Hate crime and discrimination, which covers only Catalonia. It reports 70 complaints in Catalonia in 2010 for racial, ethnic and national discrimination, 8 cases of religious discrimination and 5 of anti-semitism. As for the reasons of the complaints for ethnic, racial and national discrimination, 24% were for lesions, 24% for harming fundamental rights, 12% for harming moral integrity, 12% for threats. The Fiscalia has followed 69 cases during the same year but most of them have been archived. 20 cases have been considered serious cases, taking together racist violence and hate speech.</p> <p>In a recent study of FRA on minorities as victims of crimes, 9% north African, 7% Latin-Americans and 6% Romanians who had suffered incidents in the last year think that it is related to their immigrant or minority background.</p> <p>Several domains have been reported as problematic in the country as regards to racist violence, mainly its expression in sport (football, basketball) and as regards to the activity of neo-Nazi and racist groups. In both domains, improvements have been detected in fighting racist violence. Several individuals inspired by neo-Nazi ideology have been prosecuted and sentenced during 2011 and 2012. And legal rules, recommendations and codes of conduct have been issued by public institutions to eradicate racist violence in sport as recommended by ECRI and other national or European platforms. In addition, reports of evidences of racial profiling from the police are creating awareness among police officials. Police organisations as well as public authorities have published recommendation for law-enforcement officers.</p> <p>It remains that the continuous claims for reliable statistics on hate crimes and hate speech are not addressed by</p>

Country	Score	Motivations for score regarding Indicator 4.4 Ethnic tolerance. Racist violence in public life
		<p>Spanish public authorities, which complicates any kind of action to fight racist violence. In addition, very few cases are effectively denounced, precisely because of the general feeling that such complaints will not be taken seriously nor effectively prosecuted.</p> <p>Few cases of racist violence are reported in Spain each year and evidences of hate crimes or hate speech remain low in the country. Several improvements have been detected in the last year, with a more effective the prosecution of such crimes. However, there is a severe lack of public data and all evidences point toward the fact that few cases are effectively reported and denounced as compared to real cases in the country. For this reason Spain is ranked MEDIUM on this indicator.</p> <p>Sources: MCRT, Informe RAXEN, 2011^a; RED network, 2012; Fiscalía de Barcelona. Servicio de Delitos de Odio y Discriminación, 2011; Movimiento contra la Intolerancia, 2011; ENAR: Sara Benedi-Lahuerta S. (with the support of Federación Estatal de Asociaciones de Sos Racismo), 2012; SREEC, 2011; European Commission against Racism and Intolerance, 2011; EU. Fundamental Rights Agency (FRA), 2012.</p>

Detailed Comparative Country Overview of Indicator 4.5 Religious tolerance. Racist violence in public life

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
Bulgaria	Medium	<p>Time period: 2011-2012 Level of assessment: National and local</p> <p>The Grand Mufti reported nine physical assaults on Muslims in 2011, three of which resulted in serious injury. In addition, there were several cases of property damage against mosques, the offices of the Chief Mufti, and against Muslim graves. The most serious incident occurred in May 2011, when about 150 protestors organised by the extreme nationalist party “Attack” gathered in front of the Sofia mosque, disrupting the Friday prayer and demanding the removal of loudspeakers from the minaret. The Attack supporters threw eggs and stones on the worshipers, provoking scuffles between the two groups and with the police, which tried to separate them. Five Muslim believers were wounded, one of them seriously.</p> <p>During a rally organised by nationalist party VMRO in Bourgas (April 2011), the House of Prayer of Jehovah Witnesses was violently attacked. Several members of the church, who had gathered for the Sunday service, were beaten.</p> <p>The attacks on religious minorities, and especially the May incident at the Sofia mosque, provoked massive condemnation of these acts by a wide range of actors – NGOs, civil society, media and political and state institutions, However, to date judiciary has been exceptionally slow in punishing the perpetrators.</p> <p>Sources: Bulgarian Helsinki Committee, 2012; Dyankova, Ilareva, 2011; Hajdinjak, Kosseva, Zhelyazkova, 2012.</p>
Denmark	Medium	<p>Time period: 2000-2010 Level of assessment: National and locally in Copenhagen</p> <p>Distinguishing between hate crimes based on race and religion is very difficult. For example, it can be close to impossible to determine based on short police reports if an immigrant with Arabic background was beaten up because he is dark colored or because he is a Muslim. However, if we look at hate crimes reported with the Danish Security and Intelligence service for the year of 2010 we find that 10 cases (3% of all recorded hate crimes) were</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
		<p>recorded as having a religious motive, typically vandalism targeted religious symbols or places (PET 2011).</p> <p>It is difficult building on the available Danish data to investigate the percentage share of religious hate crimes over time. However, the overall numbers of hate crimes reported with the Security and Intelligence service might give an indication of the relative size of religiously motivated hate crimes against immigrants. The numbers show significant yearly changes in hate crimes (all types); 28 in 2000, 116 in 2001, 68 in 2002, 52 in 2003, 36 in 2004, 87 in 2005, 227 in 2006, 35 in 2007, 175 in 2008, 306 in 2009, and 334 in 2010 (DRC 2010: 18; PET 2011). In particular the rising numbers in 2001, 2005 and 2006 are noteworthy.</p> <p>An argument can be made that these numbers can be explained by particular events in those years that have turned public perceptions negative in Denmark vis-à-vis immigrants, and in particular people considered to be Muslims. Thus, the rise in 2001 can be connected to the events of 9/11, the rise in 2005 to the London bombings and the rise in 2006 to the Danish Muhammad cartoon crisis (Andersen & Nour 2011). However, this explanation would require further research to be probably validated.</p> <p>The 10 reported cases of hate crimes with a religious motive in 2010 include cases where the victim has been Muslim, Jewish and Christian. Media coverage from 2010 and 2011, and statements from Jewish organizations, suggest that there has been an increase in street harassment of Jews and vandalism against Jewish religious symbols in the capital of Copenhagen in recent years.</p> <p>As way of furthering religious tolerance and combating religiously motivated hate crimes, a number of interfaith activities and campaigns have been launched, often in collaboration with municipalities and backed by public funding. One example of such initiatives is the Copenhagen based 'Faiths in harmony', which among other things arranges interfaith street fairs and parties (see http://www.troiharmonidk.dk).</p> <p>Sources: Andersen, Lisbeth Garly & Susanne Nour, 2011; DIHR, 2008 ; DRC, 2010; PET, 2011.</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
Germany	Medium/ Low	<p>Time period: 2011-2012 Level of assessment: National and local</p> <p>Racist violence on the basis of religion is very poorly documented in Germany. The only religious category that is registered by the intelligence service is anti-Semitism. Regarding anti-Semitic crime, 2011 has seen 16 violent acts and 795 other criminal acts. Although different NGOs have registered, that anti-Muslim attitudes and also crime has been rising strongly during the last years, the intelligence services do not register them as a category on its own. Therefore only vague estimations can be made regarding the real dimensions of anti-Muslim violence in the country. Looking at mosque attacks the Federal Government has stated lately, that during the last ten years from 2001 to 2011 219 politically motivated crimes targeting mosques have been registered. Among those attacks have been more than a dozen arson attacks. The number does not include desecration and attacks on mosques and other Islamic places, that have not been regarded as politically motivated by the police. Furthermore some NGOs are critical towards the numbers published by the government, as recent attacks on mosques, that have been reported by the media are not listed. One such example is the series of 6 arson attacks on Berlin mosques between 2010 and 2011. They are not listed in the above numbers, because the perpetrator has been regarded as having diminished criminal responsibility.</p> <p>Apart from the lacking data about racist attacks on the basis of religion, some recent scientific surveys have shown high and rising numbers of anti-Muslim attitudes within the German population. The anti-Muslim views were especially rising in the middle of society and rather left from the middle. The survey "Deutsche Zustände" shows, that highly educated people were getting more and more intolerant towards Muslims, but also spoke about rising anti-Semitic tendencies within the population. Another recent survey comparing attitudes towards non-Christian religions in European countries proved, that Germans were far more intolerant towards Muslims and other non-Christian religions than their European neighbours and were less ready to give other religions equal rights.</p> <p>Note: The biggest problem in this field is the poor data, especially in the field of anti-Muslim violence. This data situation makes it practically impossible to surely classify Germany as either having low or middle religious tolerance, whereas regarding other factors I would tend towards 'low tolerance'</p> <p>Sources: Federal Parliament, 18.05.2012; Brauns, 05.05.2012; Jansen, 04.12.2010; Pollack, 2010; Spiegel online, 06.02.2012.</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
Greece	Medium	<p>Time period: 2011 Level of assessment: National with limitations: see note.</p> <p>Given the complete absence of official data, remarks about the trends in racist crime for the period under examination are drawn by unofficial data and relevant initiatives taken by Non Governmental Organisations and human rights groups in the country (see above, indicator 4.4), which highlight the rise of racist violence in the country, but not as directed against religious minority individuals.</p> <p>Racist violence is rising at an alarming speed all over the country. Media news give evidence to numerous attacks against places of worship in various places around the country during the last year. This is testified by UNHCR 2011 Report on Religious Freedom in the country, where abuses or discrimination based on religious belief were reported. Moreover, the Antigone 2011 report and i-Red news give evidence of such attacks against Muslim worship places around Athens and Piraeus, while this was also the case in Thrace, where the Muslim minority resides (see Hellenic League for Human Rights).</p> <p>Notwithstanding those individual incidents, overall cases of racist attacks as documented by NGOs reports are not reported as being directed against religious minority individuals (or groups of people) because of their faith. They form part of the general rise of racism against migrant populations in the country.</p> <p>Note: The level of assessment is national BUT since there are no official data, the information provided here relies on research conducted by NGOs and human rights networks. These cannot and do not refer to the national level properly speaking, but focus on self-reported individual incidents of racist crimes which usually come from the Athens metropolitan region.</p> <p>Sources: National Commission for Human Rights, 2011; Racist Violence Recording Network, 2012; Antigone, 2011; Human Rights Watch, 2012; Racist Violence Recording Network, 2012; Hellenic League for Human Rights, 2012; RED network, 2012; UNHCR, 2012.</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
Hungary	Medium	<p>Time period : 2002-2012 Level of assessment : National</p> <p>Recently there have been incidents of individuals and groups with radical right affiliations and/or sympathies attacking Jewish people in the street.</p> <p>Note: Here again officially there are very few attacks on Jews (which in part is a reflection of the proportion of Jews in Hungary's population, about 1%). We still gave a score of medium because these incidents point to a new and disturbing intolerance toward religious minorities.</p> <p>Sources : HVG, 5 June 2012 ; HVG, 13 June 2012; <i>Galamus.hu</i>, 19 June 2012.</p>
Ireland	Medium	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework.</p> <p>There is no 'real' or 'official' disaggregation of data under 'racist' incidents in relation to 'religion' and therefore no accurate 'numbers' for the total of 'religiously-motivated crimes/violence' in Ireland.</p> <p>The task of publishing police recorded crime statistics fell to the Central Statistical Office (CSO) in 2006. However, as the Gardaí (Police) do not record religiously aggravated crime the CSO does not have any data on offences that may be classed specifically as religiously-motivated.</p> <p>To date, the CSO has run four crime and victimization surveys starting in 1998, 2003, 2006 with the most recent in 2010. The published data categorizes respondents by: sex; nationality: "Irish or Non-Irish"; and by age. Religion is also not investigated as a catalyst for victimization.</p> <p>Anti-Semitism In July 2011, information from the CSO revealed that, while racist incidents were overall decreasing, offences against</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
		<p>the Jewish community rose to 13 in 2010 from 5 in 2009 before declining to 2 2011.</p> <p>Islamophobia From 2001 to 2008, the NCCRI documented a range of qualitative reports of damage to property, intimidation, stereotyping, discrimination, and violent physical abuse directed towards Muslims for being Muslim – exact numbers are not however available.</p> <p><i>Note: For Carr (2011) current methods utilized to measure racism in Ireland fail to target and thus fail to regulate Islamophobia as a specific form of racist behaviour. This raises questions about the efficacy of data on racism in Ireland and its utility in policy formation.</i></p> <p>Sources: Honohan & Rougier, 2012; Carr, 2011; NCCRI website; CSO, 2010.</p>
Italy	Medium	<p>Time period: 2008-2012 Level of assessment: National</p> <p>Assessment does not distinguish between religious and ethnic tolerance (no data available)</p> <p>The only data on the reasons of discrimination (not incident of racist violence) have been collected by the organizations/associations which collaborate with UNAR. Representatives of these associations have answered to a UNAR's questionnaire, in which there were questions about the kinds of discrimination these associations have collected through the cases they dealt with. Among 174 associations 69.2% said that discrimination occurs because of race/color, 46.2% said it occurs because of ethnicity/nationality and only 15.4% because of religion. Nevertheless, the data are not statistically representative, even though they have been collected at a national level.</p> <p><i>Note: As above, it is very difficult to evaluate Italy on this indicators because of the lack of data. We can score it looking at the data mentioned above, which however are based on discrimination events collected by associations, and not on racist violence. Based on the description of the indicator we should evaluate it as Low (more than 3</i></p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
		<p>complaints per 1 million people during the last year), but, as we are talking about complaints and not racist incidents based on religion, we have to put the evaluation back in the right perspective. So our score is medium.</p> <p>Sources: Research on discrimination indicators www.unar.it</p>
Spain	High	<p>Time period: 2011 Level of assessment: National (but only partial)</p> <p>As for racist violence, there is a lack of reliable data on violence against believers or against persons in reason of their alleged religion. These motivations, when registered are in general hard to distinguish from racist violence and more generally hate crimes or speech. The report on religious freedom in Spain of the US Department of State states that there are “some reports of societal abuses and discrimination based on religious affiliation, belief, or practice” and that they target mainly Jews and Muslims. There are few direct violent acts against Jews or Muslims in reason of their religion in Spain. The official data of the Fiscalia de Barcelona on Hate crime and discrimination, which covers only Catalonia reports 8 cases of religious discrimination and 5 of anti-Semitism out of 70 complaints in Catalonia in 2010.</p> <p>There are 48.000 Jews in Spain. The international report of the Anti-Defamation League shows that anti-Semitic feelings in Spain are among the highest in Europe (53% answer probably true to three out of four anti-Semitic stereotypes). In spite of that, explicit public violence is low in the country. The Observatory of Anti-Semitism (NGO) reports in 2011 two events of violent speech against an association named “Sefarad Aragon” and during several basketball matches involving an Israeli team or Jewish players. It also reports several incidents of anti-Semite graffiti or statements in the media. In 2010, the same organisation had reported 28 incidents, while the Movement against intolerance had reported 400 anti-Semitic incidents that year.</p> <p>As for anti-Muslims incidents, even if there are evidences of a growing rejection of Muslims in the country (cf. CIS opinion polls), there are few registered anti-Muslims violent events or aggressions. Islamophobia is expressed publicly mainly through protests against the establishment of Mosques, public demonstrations of radical right and racist groups or public speech expressing racist views on Muslims and/or Arabs.</p> <p>Despite several incidents and a growing discourse stigmatizing Muslims and Islam in the country, direct violence is low</p>

Country	Score	Motivations for score regarding Indicator 4.5 Religious tolerance. Racist violence in public life
		and we rank Spain HIGH on this indicator. Sources: UNITED STATES. Department of State, 2012; Anti-Defamation League, 2012; Observatory of Antisemitism, 2012; CIS, 2012.

Detailed Comparative Country Overview of Indicator 4.6 Influence of radical far right or anti-immigrant parties

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
Bulgaria	Low/ Medium	<p>Time period: 2009-2012 Level of assessment: National</p> <p>The last government (GERB – Citizens for European Development of Bulgaria; in power from July 2009 to March 2013) has openly relied on the parliamentary support of Attack, often subscribing to its openly anti-Roma and anti-Turkish views. This collaboration lasted from July 2009 elections until the aftermath of May 2011 incident at the Sofia mosque (see indicator 4.5), which was condemned by the Prime Minister and other officials. Since then, Attack turned from a loyal supporter into a critic and opponent of the government.</p> <p>GERB government, on its part, relied until the end of its term on the support of another populist-nationalist party (Order, Lawfulness, Justice; known for its anti-corruption agenda, but also for its strong anti-Islamic positions). Order, Lawfulness, Justice has no direct impact on the government, but is often given concessions in exchange for its support.</p> <p>Sources: Hajdinjak, Kosseva, Zhelyazkova, 2012.</p>
Denmark	High	<p>Time period: 2012 Level of assessment: National</p> <p>If one accepts that the <i>Danish People’s Party</i> (DPP) is an anti-immigrant party then assessing the influence of the party on policy-making is highly dependent on timing. From 2001 to September 2011 the <i>Danish People’s Party</i> served as the parliamentary basis of the Centre-right minority government.</p> <p>During this period the Danish People’s Party had significant influence on immigration and integration policies, leading to tightened rules on family reunification, naturalization, permanent residence etc. (Meret 2011, Lindekilde & Bech forthcoming).</p> <p>After promising to repeal some of the sharpest parts of the Liberal-Conservative-DPP immigration policy program, but keeping many of its early changes, the Social Democratic, Social Liberal and Socialist parties together won enough</p>

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
		<p>votes in 2011 to establish a minority government, with the support of the far-left Red-Green Alliance. With the Social Liberals and the Red-Greens pushing hardest for repeals of many policies affecting immigrants, the new government promised a “new approach to immigrants’ residence in Denmark” (Danish Government 2011). In repealing the most restrictive of the previous government’s policies, new Social Democratic/Social Liberal/Socialist government removed the point systems from the family reunification and permanent residence rules, among other things, while retaining many of the requirements for self-support. It retained requirements to pass Danish language exams in integration, permanent residence and citizenship policies, but lowered the required levels so that all immigrants would have a possibility of fulfilling the requirements.</p> <p>After the Centre-left government took office in September 2011 the <i>Danish People’s Party</i> has been marginalized in opposition without much influence on policy-making.</p> <p>The current government has declared that it will collaborate with any party that is willing to back the Government’s political program, including the <i>Danish People’s Party</i>, but it has so far closed political deals without giving any concessions to the party.</p> <p>Sources: Danish Government, 2011; Lindekilde & Cochran Bech (forthcoming); Meret, Susi, 2011.</p>
Germany	Medium	<p>Time period: 2009-2012 Level of assessment: National</p> <p>The direct influence of radical right-wing or anti-immigrant parties can probably be regarded as weak as those parties do not have any considerable standing in politics. Therefore I would score Germany as “high” in this specific category. However there can be observed considerable influence especially by anti-immigrant public discourses that are often fuelled by individual public officials, like Thilo Sarrazin with his book “Germany does away with itself”. The latter has caused a considerable anti-immigrant and especially anti-Muslim debate in Germany, which has been observed to have influenced rhetorics of government officials on issues like integration and Muslims.</p>

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
		Sources: Mühe, 2012.
Greece	Low	<p>Time period: June-November 2012 Level of assessment: National</p> <p>The current coalition government was elected in June 2012 amidst a severe crisis. It subscribes to anti-immigrant views and radical far-right propaganda, on the one hand since national authorities do not respond to the alarming rise of hate speech and racist violence and on the other, since they adopt themselves an anti-immigrant stance, as reported by international and national human rights groups and NGOs.</p> <p>The case of Greek citizenship law and its (failed) reform reflects the way far right propaganda is endorsed in national policies: In March 2010 the Greek Parliament voted in a new law (law n. 3838/2010) on citizenship and naturalization that transformed Greek citizenship from the 3rd most exclusionary of all European countries to become average in Europe. The legislation was opposed by right wing party New Democracy, now ruling party, and its leader Antonis Samaras, whose pre-electoral campaign was based on an anti-immigrant platform promising to cancel the new law. Restricting citizenship was debated as fighting irregular immigration, following actually declarations by the far-right party Golden Dawn and the right wing one Independent Greeks that many irregular migrants are regularised and eventually they -or their Greek-born children — become Greek. More irregular migrants then choose to move to Greece or remain there in hope of Greek citizenship. Mr. Samaras had declared on this issue in March 2012 ‘Our cities have been occupied by illegal immigrants. We will take them over again’, mainstreaming, thus, far right propaganda. Even if those allegations had no rational foundation, as explained in detail by the Ministry of Justice (July 2012), the current Minister of Interior announced upon election that the citizenship law will be amended making the requirements more stringent and actually restoring the jus solis previously in practice. On 13rd November the Council of State ruled unconstitutional the law and the day after the Prime Minister called the law to be repealed.</p> <p>Similarly in the ratification of the legislative act concerning first reception and detention centres for irregular migrants, signed on October 2nd 2012 by the Parliament, we read that in those centres will be detained: ‘migrants illegally residing in our country, who have inundated the centre of the capital and other big cities provoking serious problems in the fields of security, social cohesion, public health and economy of the country’.</p>

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
		<p>Another interesting and sad example is the Golden Dawn party question raised in Parliament to the Minister of Education asking how many foreign children are enrolled in municipal nurseries. The Minister promised to make an inquiry instead of repealing the argument on ethnic discrimination grounds (children whose parents are legally resident in Greece have a legal right to apply for a position in the admittedly scarce municipal nurseries. The places in municipal nurseries are allocated on the basis of socio-economic and demographic features of the family, such as income, single parent, more than one child, and not citizenship).</p> <p>Sources: Law 3838/2010/FEK 49/A/24.03.2010; Legislative Act 20.3.2012/ FEK 61/ A/ 21.3.2012; Greek Ministry of Interior, 16 July 2012; Kouki and Triandafyllidou, 2012; Triandafyllidou, 2012; Hellenic League for Human Rights, 2012; MIPEX, 2011; MIPEX, 2012; <i>Ekathimerini</i>, 11 October 2012.</p>
Hungary	Medium	<p>Time period : 2006-2012 Level of assessment : National</p> <p>Jobbik, the far right party is not in the current government (Fidesz, the centre-right governing party, won an outright 2/3 majority in the election, thus not requiring it to form a coalition with other parties). But electoral support for Jobbik and Fidesz can potentially overlap: some Fidesz supporters are drawn to the far right, and some Jobbik supporters drift to Fidesz. Fidesz has accordingly been cautious about alienating potential voters who sit on the fence between Jobbik and Fidesz. This has meant that Fidesz has been reluctant to publicly condemn some of Jobbik's more intolerant excesses. (See also our discussion below under 4.7 for related developments in the media.) The current government has also pursued and strengthened a 'welfare for work' policy that had the support of Jobbik (and first introduced by the Socialist party when it was in power). The new version of the law 1) requires welfare recipients to work in public works programmes as a condition of receiving benefits and 2) lowers the amounts of benefits welfare recipients can receive by about 25%. The law contains no mention of the Roma but the Roma are disproportionately affected by the law.</p> <p>Note: Jobbik's first electoral success came in 2009 (European Parliament elections). It had been politically active for several years prior to that (sometimes as the Hungarian Guard, it's paramilitary wing)</p>

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
		Sources: Bíró Nagy, Boros and Varga, 2012; Bíró Nagy and Varga, 2010; Vidra and Fox, 2012.
Ireland	High	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework.</p> <p>Ireland has no real right-wing, anti-immigrant party. The one anti-immigration voice - the Immigration Control Platform (ICP) – is a political grouping, not a registered political party, and can be seen as uninfluential and marginalised.</p> <p>An Anti Racism Election Protocol developed in 2001 by the NCCRI in partnership with all political parties has been endorsed by Fianna Fáil, Fine Gael, Green Party, Labour Party, Sinn Féin, Socialist Party, Workers’ Party, Libertas, and People before Profit. The Protocol has played an important role since 2001 in ensuring that elections are conducted in such a way that they do not incite hatred or prejudice on the grounds of ‘race’, colour, nationality or ethnic or national origin, religious belief and membership of the Traveller Community.</p> <p>Sources: Honohan & Rougier, 2012; NCCRI Protocol, 2001.</p>
Italy	Low	<p>Time period: 1990-2012 Level of assessment: National and regional (success of the Northern League party at regional level).</p> <p>The most extraordinary example of the influence of the Northern League party is the fact that the Ministry of Interior in the last government (before the Monti’s government) was Roberto Maroni, a leader of this party, which had held this office for 3 years (2008-2011). Another example is the last immigration law, the Bossi-Fini law enacted in 2001 which take the name from the politician Umberto Bossi, the founder of the Northern League Party. Finally, the presidency of two important Italian regions is held by Northern League’s members. Generally we can say that the programme of the Northern League Party has influenced the discourses of all right wing parties, with its emphasis on the issues of urban security and illegal flow of migrants.</p>

Country	Score	Motivations for score regarding Indicator 4.6 Influence of radical far right or anti-immigrant parties
		<p>For these reasons our score is low.</p> <p>Sources: Ambrosini, Caneva, 2010; Ambrosini, Caneva, 2012; Triandafyllidou and Ambrosini, 2011; Cento Bull, 2010.</p>
Spain	Medium	<p>Time period: 2010-2012 Level of assessment: National</p> <p>The far-right or anti-immigrant parties have no direct and formal influence on politics. In particular, no far-right party member has been member of national or regional executives. Nevertheless, there is an indirect influence of anti-immigrant parties and organisations which put the governments under pressure through street activism and provocative campaigns. In addition anti-immigrant statements have been retaken by prominent representatives of mainstream (and mainly conservative) parties without evidence of a direct influence of the far-right.</p> <p>The influence of anti-immigrant parties has been especially present in Catalonia over the last years, through the activism of the Platform for Catalonia who tries to weigh on debates about immigration (public provisions for migrant integration policies, undocumented immigrant access to welfare...) and the presence of Islam (building of places of worship, the wearing of full-veil...). Another political party, España 2000, also tries to influence the political debate in the autonomous community of Valencia and Madrid.</p> <p>But the main issue regarding anti-immigrant politics is the mainstreaming of anti-immigrant statement and the instrumentalisation of migration issues in electoral campaigns. Mainstream politicians regularly put the blame on immigrants for social and economic problems or insecurity, spreading stereotypes and falseness. There are few political or legal mechanisms that can lead to condemn publicly these statements.</p> <p>Sources: Burchianti and Zapata-Barrero, 2012</p>

Detailed Comparative Country Overview of Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
Bulgaria	Medium	<p>Time period: 2010-2012 Level of assessment: National</p> <p>Since 2010, intolerant media reporting and incidents of hate-speech have been on the rise. In addition to two TV channels (SKAT and Alfa) and newspaper Ataka (published by the Attack party), which follow an openly expressed ultra-nationalist agenda, mainstream media that have signed the Ethic Code of Bulgarian Media also abound with examples of intolerant reporting.</p> <p>According to the Commission for Protection against Discrimination, the ethic commissions of the print media and the Council of Electronic Media regularly fail to protest against hate speech.</p> <p>On the other hand, pro-minority views and positions of human and minority rights activists are also well represented in the media and in the public debates. While it is true that intolerant views are rarely sanctioned, their impact is rather limited. In most cases, manifestations of hate speech and intolerant positions are countered by a wide range of voices and positions opposing them.</p> <p>In May 2011, the Penal Code was amended to criminalise hate speech. Article 162 (1) envisages sanctions for propagating or instigating hatred, discrimination or violence on the basis of race or ethnic background through hate speech, print, or other channels for mass communications.</p> <p>Sources: Bulgarian Helsinki Committee, 2012; Dyankova and Ilareva, 2011; Penal Code, 1968.</p>
Denmark	Medium	<p>Time period: 2001-2010 Level of assessment: National</p> <p>Public opinion and public medialized debates on issues of immigration and integration in Denmark has over the last decade been highly polarized. There is a mixed picture of pro- and anti-immigrant rhetoric and both positions, in public debate, the media and on governmental agendas, have supporters and defenders of relatively similar size. Thus, the</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
		<p>media debate in general, and in regards to particular controversies (e.g. the Danish cartoon crisis), features many immigrant skeptics, who worry about the challenges of ‘too much diversity’, but they are counter-weighed by many active tolerant voices, who argue that increasing diversity is either enriching or not a problem (Lindekilde 2012, 2009). The November 2001 national election in Denmark marked a significant change in Danish politics – a significant move to the right. The 2001 national election has been termed the ‘immigrant election’ as issues of immigration, integration, cultural differences and national identity were at the very top of the political agenda. It marked a fundamental shift in Danish politics in the sense that the ‘new politics’ of value-oriented issues such as immigration and integration for the first time crowded out the ‘old politics’ of distribution-oriented issues such as taxation, welfare and economy, and became decisive for the election result (Togeby 2003; Lindekilde & Bech forthcoming). After the election these debates continued, fed by the government’s proclaimed ‘cultural battle’, which was a confrontation with the alleged cultural relativism and failed multiculturalism of the previous period. As in other European countries, Islam and Muslim communities became increasingly cast in public debates as the cultural ‘other’ to which ‘Danishness’ was defined by opposition (Hervik 2012, Hussain 2004). A certain degree of mainstreaming of elements of discourse predominantly pushed originally by the <i>Danish People’s Party</i> can be identified in this period. For example, the view that immigrants in general, and Muslims in particular, should affirm core ‘common values’, and that little tolerance should be applied to those who are not willing to do this, has increasingly been shared by Liberals, Conservatives and Social Democrats (Mouritsen & Vincents Olsen 2011). However, substantial differences still exists as to how deep this assimilation of norms and values should be, and how it should be pursued, resulting still in a polarized public debate on integration and immigration issues.</p> <p>Sources: Hervik, 2012; Hussain, 2004; Lindekilde, Lasse & Emily Cochran Bech (forthcoming); Lindekilde, 2009; Lindekilde, 2012; Mouritsen & Olsen, 2011; Togeby, 2004.</p>
Germany	Medium	<p>Time period: 2009-2012 Level of assessment: National</p> <p>The German media landscape contains anti-immigrant positions as well as their counterparts. However the anti-Muslim positions in particular seem to be having far more weight than those that speak about Muslims in a neutral to positive</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
		<p>way.</p> <p>During the media debate following the publishing of the anti-immigrant and especially anti-Muslim book of the SPD politician Thilo Sarrazin those political voices, that strongly criticised him have continually given way to the voices, that perceived the author as a brave ‘breaker of taboos’, who spoke out for the German masses, who perceived ‘too much tolerance’ towards Muslims in German politics. Leading politicians like Federal Chancellor Angela Merkel have considerably changed their utter criticism towards criticism of Muslims, who seemingly bore the greatest responsibility for their own integration.</p> <p>The University of Münster has found in a survey about religion and opinion leaders, that leading German journalists perceived ideological criticism towards Christian churches as outdated. “Most of the opinion leaders perceived a cultural Renaissance of the Christian religion – in drawing boundaries towards Islam”.</p> <p>Another recent survey of the Vodafone Foundation, the British Council and the Institute of Strategic Dialogue has found that almost 90% of the interviewed Muslims in both German and the UK do not feel represented by the established media in the respective country. They perceived a stereotypical presentation of Muslims and disrespectful media-image of Islam.</p> <p>Sources: Mühe, 2012; Gärtner; Gabriel; Reuter, 2012; Vodafone Foundation, online, 2012.</p>
Greece	Low	<p>Time period: November 2011- January 2012 Level of assessment: National</p> <p>According to academic research, media in the country is mainstreaming anti-immigrant positions by representing negative stereotypes regarding non-nationals and fostering a xenophobic and ethnocentric public attitude. For instance, there is an extensive use in the Greek media of words like <i>lathrometanastes</i> (illegal migrants), <i>xenoi</i> (aliens), <i>paranomoi</i> (illegals), which tend to relate migration with criminality, intrusion and insecurity.</p> <p>MEDIVA project on the role of the media in representing diversity produced media indicators assessing whether and to what extent specific media outlets (newspapers, TV stations, news web sites) evaluated reflect diversity and promote migrant integration. In the case of Greece, apart from one newspaper and its 100% negative representation of</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
		<p>migrants, other media appeared as offering predominantly negative representations but to a lesser extent (in about $\frac{3}{4}$ of all items migrants are represented negatively, i.e. creating problems, doing bad things). In 90% of all news items referring to migrants, migrants are represented as passive social actors, i.e. being acted upon rather than contributing themselves to social and political life.</p> <p>Note: There are many studies on the issue, but of a qualitative nature. We relied upon the Mediva Project indicators due to its (also) quantitative perspective.</p> <p>Sources: MEDIVA, 2012 ; Ali, Vouyioukas, Liapi, 2009 ; Constantinidou, 2001; Pavlou, 2001; Kadouri, 2009; Fragkiskou, 2009.</p>
Hungary	Low	<p>Time period : 2006-2012 Level of assessment : National</p> <p>The mainstream media have become increasingly hostile toward the Roma, the poor, and other marginalised groups over the past several years. There is a growing tendency to present minorities (especially the Roma) in a negative light, and there are at the same time fewer voices defending minorities in the mainstream media. Negative stereotypes and radical views that often are found first in the online sources affiliated with the radical right are becoming increasingly widespread in the mainstream media, albeit in less overtly racist tones.</p> <p>Our research uncovered two important ways in which this has occurred in recent years. First, the notion of 'Gypsy crime' has received greater legitimacy and currency in the mainstream media. This age old (racist) idea that criminality is in the blood of Gypsies was revived in the mid-2000s by the radical right but has since found increasing legitimacy in the mainstream media as well. Second, and connected to this, there has been a move to 'break with taboos', bring an end to political correctness, and confront the Gypsy problem head on. 'Taboos' and 'political correctness' in the past were barriers against racism; these have now been lifted, first in the radical right media, but now in the mainstream media as well.</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
		<p>Note: The murder of a Hungarian man by several Roma in 2006 is widely recognised as the incident that sparked the re-emergence of the ‘Gypsy crime’ trope.</p> <p>Sources: Bernáth, Messing, 2012; Vidra and Fox, 2012.</p>
Ireland	Medium	<p>Time period: 1990-2012 Level of assessment: National</p> <p>The basis for this assessment is the constitutional and legal framework and existing studies/media surveys.</p> <p>Ireland’s new ethnic and cultural ‘diversity’ has been generally relatively well perceived, it has been seen as an ‘enrichment’ and a ‘revitalization’ of society. However, there are also concerns that there might be ‘too much’ diversity which has potentially negative implications for Irish society and ‘Irishness’. Institutional responses to issues of toleration with respect to the immigrant minorities have focused on themes of anti-racism and interculturalism. Racism has been identified as an issue in Irish society, but the extent of racism is a matter of debate.</p> <p>A mixed picture of pro- and anti-migrant/minority rhetoric in public debate, the media and on governmental agendas has emerged over the years. Two issues in particular have generated mainstream anti-immigrant or minority rhetoric. From 1997 media headlines referred repeatedly to ‘refugee crises’ or ‘floods’, ‘swamping’ and ‘influxes’ of asylum seekers. Such headlines can be contrasted with the positive representation that Bosnian and later Albanian Kosovar programme refugees received. Prior to 2004, reports of non-EU, especially African, women arriving in late stages of pregnancy supposedly to avail of Irish citizenship for their children born in Ireland featured widely in headlines, and the debate on the citizenship referendum that limited ius soli citizenship in 2004 was tinged by anti-immigrant sentiment.</p> <p>Notions that there might be ‘too much tolerance’ and/or ‘too much diversity’ emerged sporadically in the debates on both the (Muslim) hijab in Irish schools and the (Sikh) turban in the Garda Reserve.</p> <p>Sources: Honohan & Rougier, 2012; Loyal, 2011; Fanning, 2011; Ruhs, 2004; Luibhéid, 2004; Lentin, 2003; Lentin, 2004; Irish Times, 1997, 1998, 1999, 2001; Irish Independent, 1997, 1998; Evening Herald, 1999.</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
Italy	Medium	<p>Time period: 2010-2012 Level of assessment: National</p> <p>Mainstream public debates and media are dominated by both the anti-immigrant and pro-immigrant discourses and they inform the agendas of political parties. The research of UNAR quoted above outlines that the area in which most of discrimination occurred is media, followed by work. The pertinent complaints regarding mass media are 22.6% of the total pertinent complaints, those regarding work are 19.6%. These areas are the main context of discrimination in the 2010, too. Specifically, the complaints in the media are: 10.7% in the newspapers, 4.6% on tv, 0.8% in radio, 84% in web. Another research (Osservatorio di Pavia, 2011) outlines that in Italian news immigration is represented as alarming in 14% of news concerning immigrants, compared with an average of 3.2% in Europe. Immigration to Italy is usually described by mass media as an emergency, and a lot of emphasis is given to the arrival of migrants by boat to Lampedusa. The anti-immigrants positions, with the discourses about security, have influenced attitudes and opinions of Italians about immigration (Valtolina 2011). A third study conducted by the University of Rome La Sapienza during the first half of 2008 found that only 26 out of 5,684 television news stories on immigrants did not relate to crime or security issues – a statistic Navi Pillay, the United Nations High Commissioner for Human Rights, called “stunning” following her March 2010 visit to Italy (Human Rights Watch, 2011).</p> <p>Media observers and representatives of anti-racism NGOs have become increasingly concerned about the negative portrayal of immigrants and minorities, including Roma and Sinti, in media reporting, and the impact of this reporting on public perceptions of these minorities.</p> <p>Sources: Research on discrimination indicators www.unar.it; Osservatorio di Pavia, 2011; Valtolina, 2011; Human Rights Watch, 2011.</p>
Spain	Medium	<p>Time period: 2000-2012 Level of assessment: National</p> <p>Studies on media coverage of migration issues draw a mixed picture.</p>

Country	Score	Motivations for score regarding Indicator 4.7 Media mainstreaming of anti-immigrant or anti-minority positions
		<p>On the one hand, several studies highlight the fact that media have actively contributed to spread misconceptions and stereotypes on migrants, especially during the first years of increase in immigration flows. The media have contributed to picture migrants as invaders, using the words “avalanche” or “surge” when talking about immigration. They also contributed to kindle local controversies by giving them too much or inappropriate coverage (in the case of Vic’s controversy in 2010 for example, or of the ‘burqa’ controversies in 2011).</p> <p>On the other hand, there are several positive initiatives from the media or public authorities regulating the media, aiming at guaranteeing a fair and balanced coverage of migration-related issues. The Catalan audiovisual council for example has created a Commission for audiovisual diversity promoting a better representation of multiculturalism and diversity in the media. A programme of the public Catalan television, <i>Tot un Mon</i> aims at presenting positive examples of migrants’ experiences and at fighting stereotypes. Several public or private bodies, with the help of practitioners and academics, have edited guides and recommendations for a better coverage of migration and diversity.</p> <p>Sources: Cea D.Ancona, 2007; van Dijk, 2003; Zapata-Barrero, Van Dijk, 2007; Checa-Olmos, 2008; Burchianti, Zapata-Barrero, 2012; Xambó, 2011; www.mesadiversitat.cat; www.tv3.cat/totunmon</p>

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About ACCEPT PLURALISM – project identity

Acronym	ACCEPT PLURALISM
Title	Tolerance, Pluralism and Social Cohesion: Responding to the Challenges of the 21st Century in Europe
Short Description	<p>ACCEPT PLURALISM questions how much cultural diversity can be accommodated within liberal and secular democracies in Europe. The notions of tolerance, acceptance, respect and recognition are central to the project. ACCEPT PLURALISM looks at both native and immigrant minority groups.</p> <p>Through comparative, theoretical and empirical analysis the project studies individuals, groups or practices for whom tolerance is sought but which we should not tolerate; of which we disapprove but which should be tolerated; and for which we ask to go beyond tolerance and achieve respect and recognition.</p> <p>In particular, we investigate when, what and who is being not tolerated / tolerated / respected in 15 European countries; why this is happening in each case; the reasons that different social actors put forward for not tolerating / tolerating / respecting specific minority groups/individuals and specific practices. The project analyses practices, policies and institutions, and produces key messages for policy makers with a view to making European societies more respectful towards diversity.</p>
Website	www.accept-pluralism.eu
Duration	March 2010-May 2013 (39 months)
Funding Scheme	Small and medium-scale collaborative project
EU contribution	2,600,230 Euro
Consortium	17 partners (15 countries)
Coordinator	European University Institute Robert Schuman Centre for Advanced Studies
Person Responsible	Prof. Anna Triandafyllidou
EC officer	Ms. Louisa Anastopoulou, Project Officer, Directorate General for Research and Innovation, European Commission