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and
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Study for the
Rothschild Foundation (Europe)
of the

**MONITORING OF RACISM, XENOPHOBIA
AND ANTISEMITISM IN EUROPE**

May 2007

Executive Summary

In late 2006, Peer Baneke and Bill Seary were commissioned by the Rothschild Foundation (Europe) to conduct a mapping study of efforts to monitor antisemitism, racism and xenophobia in Europe. This report contains their findings, based on visits to eight countries¹ and meetings with a wide range of governmental and non-governmental organisations.

Monitoring is undertaken for one (or both) of two reasons:

- monitoring for advocacy (to press administrations to take action on the needs of particular groups; to demonstrate the reality of racism in a particular situation; to provide evidence for court cases involving racism, xenophobia or antisemitism...); and
- monitoring for performance measuring and policy development (to inform policy and legislation - intergovernmental bodies have identified this as a key element in combating racism, xenophobia and antisemitism).

In principle, thanks to European Union legislation there are now common legal definitions of direct and indirect discrimination across all Member States. However understanding of the concept of indirect discrimination is poorly developed in many countries. Outside the United Kingdom, the concept of structural racism is virtually unknown. Moreover, “race” and “ethnicity” are predominantly cultural rather than biological concepts. It is not possible to make categorical decisions about which race an individual belongs to. Even if it were, history provides many examples of the dangers of imposing such distinctions. As a result, in many countries there is a debate about the acceptability of the collection of ethnic data in terms of the balance between individual privacy and the need for data and the value of monitoring information in the fight against racism, xenophobia and antisemitism.

Where governments do try to measure race, they tend to avoid direct questions and ask proxy ones such as “what country were your parents born in?” or “what language do you speak at home?”.

International organisations such as the European Commission on Racism and Intolerance use a standardised procedure in writing or reviewing their reports. However, full standardisation would depend upon a more common legislative base among states than that which exists today.

There are currently no standards for monitoring practices at the national level. We were told by many people the national contexts vary so much that even standardized methods would lead to different results across Europe.

¹ Belgium, Germany, France, Italy, Hungary, Austria, Poland and the United Kingdom

Key Lessons

a) It is important that governments take responsibility for ensuring the monitoring of their own activities and of racism, xenophobia and antisemitism in society at large.

At the national level, the situation in Great Britain is rather different from that in the other countries we visited. In recent years, public authorities in Great Britain have been required to monitor their work with the aim of identifying any discrimination. Elsewhere, racism, xenophobia and antisemitism by right-wing organisations are monitored by a number of governments.

Effective action in this area is only possible when governments (or other authorities - football provides a clear case where local activism and a firm political stand by UEFA have begun to reduce the number of racial incidents seen in stadiums) become involved. Governments still need to be convinced of the need for monitoring.

As a result of European Union legislation, there should now be independent bodies in each country to receive complaints in this area. Most of these are very new and have yet to become well known. Their ability to monitor racism is still not developed. The role of the police and other authorities in combating racism, xenophobia and antisemitism is seen as important everywhere. The extent to which police attention is focused on the problems depends strongly upon the extent of political leadership. Slow, or non-existent, justice for cases reported to the police reduces the will of victims to complain. In addition, monitoring of profiling or discrimination by law enforcement agencies is not widespread.

b) For advocacy work monitoring needs input by community groups and local nongovernmental organisations. Such groups require financial support which needs to be paid in advance; it needs to cover all the necessary expenses; and, most important, it needs to be available on a continuing basis. Not only is continuity needed in order to make judgements about the trends in racism, xenophobia and antisemitism, it also enables such groups to retain staff and build their skills. Community groups and nongovernmental organisations are best placed to carry out monitoring resulting in strategic litigation and in the preparation of shadow reports.

Impact

The overall impact of monitoring is hard to quantify. The report gives some examples, including:

- the reports of the European Commission against Racism and Intolerance have been used by the European Court of Human Rights both in terms of evidence on the situation in a particular country and in terms of defining racism;
- the work of the European Roma Rights Centre in documenting the situation of Roma groups was one of the main reasons that Roma rights were raised in the accession negotiations between the European Union and the central European countries;
- the work of the members of the Football Against Racism in Europe network in recording and publicising the extent of racist behaviour in and around football

matches led directly to the antiracism campaign during the 2006 World Cup and to the robust line being taken on racism by the new president of the Union of European Football Associations.

Ideas for funders

- make grants available for activities intended to persuade governments of the need for monitoring of racism, xenophobia and antisemitism;
- make grants available to encourage community groups to carry out and use monitoring;
- finance access to the support and training needed to make the monitoring work of non-governmental organisations and community groups more effective;
- set up a grant programme - open fairly widely to civil society organisations - to fund work that demonstrates problems and stimulates thinking about solutions; and
- allocate resources to full and frequent evaluations of any programme it decides to establish in this area.

Selected Annexes

EU level monitoring

Official

European Union Monitoring Centre (EUMC) - now replaced with the Fundamental Rights Agency

The EUMC was based in Vienna with 39 staff, four national experts and a varying number of interns. It developed the European Racism and Xenophobia Information Network (RAXEN) by contracting with agencies in each of the Member States that collected and sent to EUMC available information on a regular basis and in response to particular requests. Their reports were analysed by EUMC which published synthesis reports. It is generally recognised that the quality of these reports grew during the life of EUMC. They were used by the Commission to support and inform its initiatives.

EUMC produced an annual report that covered developments in five key areas: employment, housing, education, racist violence and legislation. Recent special reports have covered Islamophobia, antisemitism, Roma education, the experience of migrants,

EUMC has now been wound up and its work and staff are in the process of being reformed into a new Fundamental Rights Agency covering a wide range of discriminations. There will be additional professional staff (10 in 2007 and others to be added in later years), sharing the current administrative arrangements. A multiannual programme for the new agency has still to be worked out. The RAXEN network has been extended.

European Commission

The European Commission undertakes work on racism, xenophobia and antisemitism in a wide range of contexts. Here we list the ones with greatest relevance to monitoring.

European Commission - Directorate General for Justice, Freedom and Security (DG JLS)

DG JLS is starting a five year plan for data collection on crime (including racist crime).

European Commission - Directorate General for Employment, Social Affairs and Equal Opportunities (DG EMPL)

As part of its strategy to tackle discrimination, DG EMPL has set up a high-level group of experts to provide analysis of the social and labour market integration of ethnic minorities – and develop policy recommendations to improve the situation. Prof. Rita Süssmuth – former president of the German parliament and a former German federal minister responsible for equal opportunities – chairs the group. The

group will focus on issues such as bringing disadvantaged ethnic groups into the labour market.

DG EMPL has contracted with the Migration Policy Group (MPG) to support a network of legal experts in anti-discrimination to support its work by providing independent information and advice on relevant developments in the Member States.

This network provides detailed country reports on each of the Member States. MPG is also contracted to produce the Anti-Discrimination Law Review which regularly reports developments in the field of discrimination.

European Commission - Directorate General for Research (DG RTD)

The funding programmes of DG RTD can cover some research into racism, xenophobia or antisemitism. For example, one project, recently completed studied “The European Dilemma”. It was intended “to systematically and comparatively investigate key practices of xenophobia and racial discrimination in eight European countries and to articulate policy implications and strategies to deal with such problems on local, national and EU levels.”

European Commission - Directorate General for Information Society and Media (DG INFSO)

This has a concern with abuse on the web and it funds hotlines on internet problems - these are mainly directed at child abuse but also cover racism, xenophobia and antisemitism.

Eurobarometer

Eurobarometer is the public opinion service of the European Union. It has recently released a report on public opinion on various aspects of discrimination in Europe. (http://ec.europa.eu/public_opinion/archives/ebs/ebs_263_en.pdf)

European Foundation for the Improvement of Living and Working Conditions

They maintain a database on working conditions which has a section devoted to racism in the workplace (<http://eurofound.europa.eu/ewco/subjects/Racism.and.the.workplace.htm>).

European Parliament

The European Parliament produces occasional “own opinion” reports on a wide range of subjects. Recent ones include ones on Roma and on antisemitism.

Equinet

All European Union Member States are required to establish a body to promote equality and to provide independent investigation of complaints of discrimination. These bodies, which may also meet the Council of Europe criteria for specialised bodies combating race discrimination, come together in Equinet which up to now has been coordinated by the Migration Policy Group. It is now planning to become an independent body. The records kept by equality bodies provide an indication of the

trends in racism, xenophobia and antisemitism.

Non-governmental organisations

European Network Against Racism (ENAR)

ENAR is a network of European non-governmental organisations working to combat racism in all EU member states. ENAR aims to fight racism, xenophobia, anti-Semitism and Islamophobia, to promote equality of treatment between EU citizens and third country nationals, and to link local/regional/national initiatives with European initiatives.

ENAR produces shadow reports on racism, based on the work of national platforms. These give a qualitative perspective. They contain some data. However this is not comparable between countries. They do identify trends, such as the impact on civil liberties of the recent security developments. The national reports that they are based on are available on the internet. Their funding for this work is fragile – funding for the 2007 report was only agreed in March 2007.

ENAR has used a similar method to produce leaflets about the situation in 24 Member States. These are printed in the national language(s) and the texts will be available on the web in English.

It has also produced an analysis of the performance of European Union Member States in producing the National Action Plans against Racism that were agreed at the Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001

Migration Policy Group (MPG)

MPG, together with Human European Consultancy, has established and manages, for the European Commission (of the European Union), a network of independent legal experts in the non-discrimination field that provides independent information and advice. They produce annual reports on the transposition of the Racial Equality and Employment Equality Directives in national laws. They also publish the bi-annual European Anti-discrimination Law Review, which contains a section giving news from the various countries.

Other transnational monitoring

Official

Council of Europe

European Commission against Racism and Intolerance (ECRI)

ECRI was first established following the Council of Europe summit of 1993. Today its mandate is set out in Resolution (2002)8, which was adopted by the Committee of

Ministers on 13 June 2002. Its main activity is the framing of country reports, covering all the forty six Member States of the Council of Europe. Typically some ten reports are produced each year, which means that each country is the subject of a report at five year intervals. They are now coming to the end of the third cycle of reports.

ECRI reports are now widely respected. They are drafted by two members, whose research includes a visit to the country concerned involving meetings with official bodies and (in confidence) with civil society organisations. Governments have a right to comment on the reports, but not to insist upon changes. In the process of drafting the reports, ECRI has been developing its skills at using common standards for all countries. At the end of each cycle there is an evaluation, which includes a review of the format used. There are pressures towards making the cycles as comparable as possible, but practice does move on.

They have a strong principle that all countries should be judged by the same standards. They will not be deflected from making suggestions about improvements on the grounds that a country can not afford them - though they will take a more understanding line on non-compliance on such grounds. They see a real problem in terms of varying strength of civil society.

ECRI draws on country reports to frame General Policy Recommendations - ten have been published so far. In addition to the use that governments make of these reports, they also help to standardise the approach in later country reports.

General Policy Recommendation 2 deals with the arrangements for specialised bodies. This goes further in its requirements for independence than the European Union directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin - though it is not binding in the way that European Union legislation is. General Recommendation 4 calls for countries to conduct surveys "to gain a picture of the problems of racism and intolerance from the point of view of actual and potential victims".

The Framework Convention for the Protection of National Minorities (FCPNM)

This convention came into force on 1 February 1998. At present there are now 39 Member States that have acceded to or ratified the convention. This is the vast majority of Council of Europe states. However, of our countries, France and Belgium are not yet parties. The Framework convention was designed chiefly for the protection of long established minorities - including Roma/Sinti/Gypsy communities. Some of its provisions - e.g. on tolerance - cover all minorities. Also, the United Kingdom has chosen to regard it as covering all the groups covered by race relations legislation.

The convention has a monitoring system under which states produce a national report - in principle every five years - which is then reviewed by an advisory committee before the report and the comments of the committee go to the Committee of

Ministers.

The convention covers social and cultural rights and its reports are, therefore wider ranging than those of ECRI. It looks at participation, at language questions and at education.

To achieve standardisation, they use the same procedure everywhere. However the advisory committee does accept that there is a diversity of context and scope for different interpretations. Its comments in, for example, the field of education, do take account of economic possibilities;

Committee for the Prevention of Torture (CPT)

The Committee was established in 1989 under the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. All Member States of the Council of Europe are parties to this convention. The committee has the right to visit establishments in the states concerned. Its delegations have unlimited access to places of detention and the right to move inside such places without restriction. Following a visit they report to the relevant government on their findings and make recommendations for improvements.

These reports can call for more information - for example for figures for complaints against the police.

Organization for Security and Co-operation in Europe

Office for Democratic Institutions and Human Rights (ODIHR)

ODIHR was established (as the Office for Free Elections) by the Charter of Paris in 1990. Today it has a range of activities including the Tolerance and Non-Discrimination Programme, which was launched in 2004. The ODIHR is specifically tasked to: -

- serve as a collection point for information, statistics and legislation received from OSCE States on hate crimes;
- collect and disseminate best practices for responding to and combating hate crimes and for promoting tolerance and respect throughout the OSCE region;
- monitor incidents of racism, xenophobia, anti-Semitism and other forms of intolerance, including against Muslims, Christians and members of other religions;
- offer assistance and support to OSCE participating States and civil society in their efforts to combat racism, xenophobia and anti-Semitism and other forms of intolerance.

At present, ODIHR collects its information from OSCE missions, from governments and from non-governmental organisations. ODIHR intends to follow directly selected incidents which seem to have potential for having significant impact. ODIHR is concerned about the “data deficit”. It has published draft legislation in this area and it is setting up an expert group to study data collection.

ODIHR maintains a Tolerance and Non-Discrimination Information System (<http://tnd.odihhr.pl>).

High Commissioner on National Minorities

The office of the High Commissioner is understood to monitor the position of national minorities across Europe and North America. However, his mandate is for quiet diplomacy - and rather little material is published by his office.

United Nations

Committee on the Elimination of Racial Discrimination (CERD)

This committee is established by the International Convention on the Elimination of All Forms of Racial Discrimination, which is in force for all European countries. Under the convention states are required to report periodically to the Committee which reviews the reports and calls for follow up information. CERD is mainly concerned with getting information on the legislative, judicial, administrative or other measures adopted by the state, rather than monitoring the situation of potential victims. However, the official reports often attract shadow reports, which are available on the CERD website. These often have more information about the impact of racism and xenophobia.

International Labour Organisation (ILO)

ILO has commissioned discrimination testing in Belgium, Germany, the Netherlands and Spain and, later, in Italy. The method has also been carried out independently of the ILO, but guided by its methodology, in Denmark and Switzerland. The results of ILO discrimination testing in France and Sweden are expected shortly.

United Nations Educational, Scientific and Cultural Organization (UNESCO)
UNESCO has an Integrated Strategy to Combat Racism, Discrimination, Xenophobia and Intolerance. Associated with this is the European Coalition of Cities against Racism, which we understand is about to become operational.

Department of State of the United States of America

The State Department issues annual country reports on human rights practices. These contain a section on "National/Racial/Ethnic Minorities" which provides a summary of key events during the year under review.

Non-governmental organisations

Institute of Race Relations (IRR)

IRR publishes the European Race Bulletin which collates and summarises news reports from papers, magazines, NGOs and campaigns in every European country. This material can also be searched on their website (<http://www.irr.org.uk/>).

Minority Rights Group International (MRG)

MRG publishes reports covering a broad range of issues concerning the rights of minorities and indigenous peoples across the world. Some of their material - especially on Roma - is relevant to this report.

Open Society Institute (OSI)

The OSI Justice Initiative has published a study of ethnic profiling by law enforcement agencies. It also provides a website which provides information about developments in Europe including racism, xenophobia and antisemitism.

Football Against Racism in Europe (FARE)

FARE sends observers to matches they identify as being at risk. FARE wants to establish a system for monitoring progress (or lack of it). They are very conscious that with an informal system, more awareness leads to more reporting. They do not expect to have the resources to monitor all matches. However they hope to be able to pick, say, one competition a year and monitor in full. The FARE website (www.farenet.org/) carries news items from across Europe. It also enables supporters to report racist incidents.

Stephen Roth Institute for the Study of Contemporary Antisemitism and Racism

The Stephen Roth Institute (<http://www.tau.ac.il/Anti-Semitism/CR.htm>.) collects annual reports on antisemitism in many countries, including all the ones we visited. These are based on the work of local organisations, including self-defence organisations.

Islamophobia

As far as we have been able to discover, no organisation is devoted to carrying out research on islamophobic on a continuing basis. Islamophobia Watch collects news items from across the world (but with an emphasis on the United Kingdom) and publishes them on the web (www.islamophobia-watch.com). In 2006 the Pew Research Center published a study on how Westerners and Muslims view each other. This was global in scope and contained material from France, Germany and the United Kingdom.

European Roma Rights Centre (ERRC)

ERRC carries out research, monitoring, advice work, strategic litigation and report writing and publication. Their approach is fact based and starts with detailed field research in which they go and talk to communities, check facts and follow up leads. Current reports include those on France, Italy and Poland.

Belgium

Context

Belgium is a federal state with many powers devolved to various geographical and language-community governments. There are strong inhibitions surrounding the collection by government of information that places an individual in a particular language or other category. There are differences between the Flemish Community and the French speaking one in the extent to which they think it is right to collect information about, say, the extent to which ethnic minorities are represented in the labour force.

Even those statistics that are collected are difficult to get, as the federal statistics agency is notoriously underfunded and slow to release information.

Equality/specialised body

Centre for Equal Opportunities and Opposition to Racism
Rue Royale 138
1000 Brussels
+32 2 212 30 00
centre@cntr.be
www.diversiteit.be

The Centre has the task of promoting equal opportunities and fighting discrimination on the basis of race, skin colour, or national or ethnic origin and also on the basis of sexual orientation, civil status, birth, wealth, age, religion or philosophy of life, present or future state of health, disability or physical characteristic. The Centre sets up specific activities and services such as providing advice and aid to victims of discrimination, when necessary followed by legal procedures, the establishment of local complaint departments for victims of discrimination. It publishes an annual report.

RAXEN focal point

Centre for equal opportunities and opposition to racism (see above)

Human Rights institution

Centre for equal opportunities and opposition to racism (see above)

Other official monitoring

The national statistics service is forbidden to collect information on ethnic origins. This does not bind other departments.

The Ministry of Justice publishes information on the number of race crime cases.

The Flemish employment service collects information on ethnic origins, using names as a means of assigning people to ethnic groups.

Civil society monitoring

Université Libre de Bruxelles and the Katholieke Universiteit Leuven have cooperated, for example on a study of ethnic discrimination in the Brussels employment market and on a study on the employment of foreigners and Belgians of foreign origin.

In 1998 the Université Libre de Bruxelles, the University of Liège and the Interuniversitair Instituut voor de Studie van de Arbeid cooperated on a discrimination testing study for ILO.

Information about antisemitic incidents in Belgium is posted on the website www.antisemitisme.be

Mouvement contre le Racisme, l'Antisémitisme et la xénophobie (MRAX)
37 rue de la Poste
B-1210 Bruxelles
+32 2 209 6250
mrax@mrax.be
www.mrax.be

Its activities include the publication of an annual report which has statistics for its complaints service - sample of the issues and, mainly, limited to Brussels.

Germany

Context

Germany is a federal republic with much activity (both governmental and nongovernmental) on racism being carried out at the level of the federal states (Laender) or of cities. Civil society is strong in western Germany but still relatively weak in the east - which is where some of the worst racism is seen. Because of its history, there are strong pressures within mainstream German society against overt expressions of antisemitism. There are laws against holocaust denial and against right-wing extremism.

There has been a significant population of people of Turkish origin in Germany for fifty years. German citizenship law is based on decent and there are still many residents with Turkish citizenship.

The European Union directives on racism were transposed, after a protracted discussion, in August 2006.

Currently the question of collecting data disaggregated by ethnicity is under discussion in an attempt to find a balance between the need for information (for policy development and monitoring) and the risks of data being misused.

Equality/specialised body

While transposition was under discussion, the Federal Ministry for Migration, Refugees and Integration acted as the equality body required by European Union legislation. There was no official federal level system for considering complaints about racist discrimination. We understand that a director for the substantive equality body has now been appointed. At present, its powers and work plan are not known.

RAXEN focal point

European forum for migration studies (efms)
University of Bamberg
Katharinenstr, 1
96052 Bamberg
+49-951-932020-0
efms@sowi.uni-bamberg.de
www.efms.de

Human Rights Institution

German Human Rights Institute
Zimmerstr, 26-27
10969 Berlin
+49 30 259 359 0
info@institut-fuer-menschenrechte.de
www.institut-fuer-menschenrechte.de

Other official monitoring

There are good official statistics, on the employment and educational situation on non-Germans and census information has started to pick up a wider range of information on the situation of people with a recent migrant background.

In addition there are offices devoted to defending the German constitution that keep full records of rightwing antisemitic crime. However there are few official figures on the situation of members of minorities.

Courts do not use a category of racist for crime. The nearest they have is "politically motivated", which would include e.g. daubing swastikas. Recently however racist insults have been regarded as abuse which is a crime.

Each year in Germany there is a "microcensus" which is completed by a sample of the population. Since 2005 this has included a question about the place of birth of the individuals and their parents. It also distinguishes between Germans, Aussiedler and Foreigners.

For schools, there are statistics on the language used at home (<http://www.bildungsbericht.de>).

Civil society monitoring

There are many civil society organisations monitoring racism in Germany. The following is a small selection.

efms

See above

Zentrum für Antisemitismusforschung

Technischen Universität Berlin

Ernst-Reuter-Platz 7

+49 30 314-25854

www.tu-berlin.de/zfa

Stiftung Zentrum für Türkeistudien

Altendorfer Straße 3

45127 Essen

+ 49 2 01 31 98-0

info@zft-online.de

www.zft-online.de

Institute for Interdisciplinary Research on Conflict and Violence

University of Bielefeld

Universitätsstr. 20

33615 Bielefeld

+49 521 – 106 – 2442

www.uni-bielefeld.de/ikg/zi

Antidiskriminierungsnetzwerk Berlin (ADNB)

Tempelhofer Ufer 21

10963 Berlin

+49 30 613 05 328

adnb@tbb-berlin.de

www.adnb.de

ReachOut

1st floor Oranienstr. 159

Berlin-Kreuzberg

+49 30 695 68 339

info@reachoutberlin.de

www.reachoutberlin.de

Opferperspective (Brandenburg)

Rudolf-Breitscheid-Str. 164

14482 Potsdam

+49 331 8170000

info@opferperspektive.de

www.opferperspektive.de

Amadeu Antonio Stiftung

Linienstr. 139

10115 Berlin

+49 30 - 240 886 - 10

info@Amadeu-Antonio-Stiftung.de

www.amadeu-antonio-stiftung.de

Zentralrat der Juden in Deutschland

Leo-Baeck-Haus

Postfach 04 02 07

10061 Berlin

+49 30 28 44 56 - 0

info@zentralratjuden.de

www.zentralratjuden.de

Zentralrat Deutscher Sinti und Roma

Bremeneckgasse 2

69117 Heidelberg

+49 6221-981101

zentralrat@sintiundroma.de

zentralrat.sintiundroma.de

Zentralrat der Muslime in Deutschland (ZMD)

Steinfelder Gasse 32
50670 Köln
+49 221 - 1 39 44 50
sekretariat@zentralrat.de
www.zentralrat.de

Deutscher Fußball-Bund
Otto-Fleck-Schneise 6
60528 Frankfurt/Main
+49 69 - 67 88 0
info@dfb.de
www.dfb.de

Deutscher Gewerkschaftsbund Bundesvorstand
Henriette-Herz-Platz 2
10179 Berlin
www.dgb.de

France

Context

There is widespread agreement in France that racism and discrimination are not acceptable in the Republic. There are strong laws against them, including one that bans holocaust denial. Compared to many other European countries, France makes it relatively easy for people to take citizenship.

There is, however, sharp disagreement about what this absolute refusal to accept discrimination means in terms of the monitoring of the situation of people who belong to a minority. Among the political and non-governmental elites – though less so within the new government - there is a widespread opinion that the constitutional ban on discrimination places strict limits on the acceptability of such information. The state does not collect it and the Commission Nationale de l'Informatique et des Libertés controls academic and similar collections.

On the other hand there is an opinion among academics and organisations that deal directly with minority groups that the state needs to collect ethnic data if it is to be satisfied that there is in fact no discrimination. A recent EuroBarometer survey found that 78% of people in France were willing to provide information about their ethnic origins for census purposes.

There is - in official circles particularly - little understanding or acceptance of the concept of structural racism. This makes any monitoring more threatening as any discrimination that occurs is seen as implying consciously racist behaviour by someone.

Discrimination testing is permitted in employment recruitment - but only under restricted conditions, such as a ban on the use of actors. SOS Racisme gives advice on conducting discrimination testing on its web site (www.sos-racisme.org).

Equality/specialised body

Haute Autorité de lutte contre les discriminations et pour l'égalité (HALDE)

11-15 rue Saint-Georges

75009 Paris

+33 1 55 31 61 00

contact@halde.fr

www.halde.fr

HALDE is a relatively new organisation with two functions:

- the promotion of equality. Work on this function is not yet well developed;
- dealing with complaints. Since it started in 2005, HALDE has received some 6000 complaints and reached 1000 decisions. It has power to file amicus curiae documents.

The cases it takes up are summarised in an annual report.

RAXEN focal point

Centre d'Etudes des Discriminations, du Racisme et de l'Antisémitisme (CEDRA) at
Commission Nationale Consultative des Droits de l'Homme (CNCDH)
35 rue Saint-Dominique
75700 Paris
+33 1 42 75 77 13
www.commission-droits-homme.fr

Human Rights institution

CNCDH (see above)

Since 1989, the Commission has published an annual report on the fight against racism and xenophobia. On March 21st of each year, international day for action against all forms of racial discrimination, it submits the report to the Prime minister.

CNCDH conducts an annual public opinion survey.

Other official monitoring

There is growing recognition of the importance of collection information about the country of birth of parents of individuals. Questions are asked about this in the labour force survey and the housing survey. However these both use relatively small samples and second generation issues scarcely appear. In 2009, France moves to a rolling census - covering one fifth of the country each year. It is not yet clear whether it will include a question about origins.

Civil society monitoring

Many civil society actors in France collect and disseminate information about racism and xenophobia. The following list is a small selection.

Regular reports

Conseil représentatif des Institutions juives de France (CRIF)
Espace Rachi
39, rue Broca
75005 Paris
+33 1 42 17 11 11
infocrif@crif.org
www.crif.org

Collectif contre l'Islamophobie en France (CCIF)
+ 33 6 09 18 58 71
<http://www.islamophobie.net/dev/index.php>

Le CRAN
55 rue du Chateau d'Eau
75010 Paris
+33 8 70 28 47 07
contact@lecran.org
www.lecran.org

Occasional reports

Institut national d'études démographiques (INED)
133 Boulevard Davout
75980 Paris cedex 20
+ 33 (0)1 56 06 20 45
www.ined.fr

Le Centre d'Etudes et de Recherches sur la Gestion des Organisations et des Relations
Sociales (CERGORS)
41
Monitoring
Université Paris 1
Panthéon Sorbonne
+33 1 40 46 28 74
<http://cergors.univ-paris1.fr>

Inter Service Migrants - Centre d'Observation et de Recherche sur l'Urbain et ses
Mutation (ISM-CORUM)
32 Cours Lafayette
69421 Lyon Cedex 03
+33 4 72 84 78 90
dir@ismcorum.org
www.ismcorum.org

MRAP (Mouvement contre le racisme et pour l'amitié entre les peuples)
43 Bd Magenta
75010 Paris
+33 1 53 38 99 99
mrp@wanadoo.fr
www.mrap.asso.fr

Italy

Context

In Italy, there is little collection of data on racism by any official source. The data that is collected is not always accessible. Italy has only recently changed from seeing itself as a country of emigration to acknowledging that many migrants live and work in Italy.

Very few migrants indeed have Italian citizenship. They are established Roma and Sinti communities in Italy. The interaction between these communities and the rest of Italian society is often difficult.

The level of public discourse is poor – with few editors interested in improving it.

Equality/specialised body

Ufficio Nazionale Antidiscriminazioni Razziali (UNAR)
Largo Chigi 19
00187 Roma
+ 39-06 6779 2267
antidiscriminazioni@pariopportunita.gov.it
www.pariopportunita.gov.it/DefaultDesktop.aspx?page=72

This office is embedded in the equal opportunities department of the office of the Presidency of the Council of Ministers. Its remit does not cover antisemitism, which is the responsibility of the Ministry of the Interior. It has contracted with ACLI (the Christian Trade Union Association) to provide a telephone helpline. The statistics from this service appear as part of the annual report of UNAR.

RAXEN focal point

COSPE (Co-operation for the Development of Emerging Countries)
via Slataper 10
50134 Firenze
+39 055 473556
cospe@cospe-fi.it
www.cospe.it/italiano/english.php

Human Rights institution

Commissione per i Diritti Umani
Présidence du Conseil des Ministres
Palazzo Chigi - Piazza Colonna
7370 Roma - 00187
+39 6 679 55 96

Other official monitoring

INNI has statistics on workplace incidents, broken down to identify those related to migrants.

There is data on employment rates for migrants.

Civil society monitoring

COSPE, see above

Centro di Iniziativa per l'Europa (CIE)

Via Conte Verde 9

10122 – Torino

+39 011 52.29.800

segreteria@ciepiemonte.it

www.ciepiemonte.it

Fondazione Centro di Documentazione Ebraica Contemporanea

via Eupili, 8

20145 Milano

+39 02.31.63.38

cdec@cdec.it

www.cdec.it

Forum Internazionale Ed Europeo Di Ricerche Sull'immigrazione

Via Ponza 3

10121 Torino

+39 011 5160044

fieri@fieri.it

www.fieri.it

Hungary

Context

The dominating issue of racism in Hungary concerns the Roma. They are subject to high levels of abuse and face significant problems in education, employment and housing. These problems - particularly employment – have increased dramatically with the loss of unskilled jobs in recent years.

The Hungarian constitution provides for special treatment of national and ethnic minorities. This gives them rights to some self government and to the recognition of rights in the fields of education, culture and language. The minorities concerned (of which Roma are by far the most numerous) are established in terms of long term communities in Hungary. Recently arrived groups are not able to claim equivalent rights. An attempt to obtain this status for the Jewish community failed when fewer than a thousand people were prepared to sign the relevant request.

Membership of a minority is a matter of self-identification. A Hungarian citizen can choose to identify him/herself as belonging to a minority – and is free to change that identification at any point.

Hungary meets most of the requirements of the European Directives on racism and xenophobia. The main outstanding issue is the fact that the Equal Treatment Authority is based within the Minister for Social Affairs and Labour (rather than being completely independent) and that it is poorly resourced. On the other hand, the Parliamentary Commissioner for the National and Ethnic Minorities Rights is independent and has better resources. However, his mandate only covers minorities in the sense described above, and affairs occurring in the public sphere.

Recent immigration is still of relatively small scale. In fact, immigrants make up only about 1,5 percent of the Hungarian population and approximately two third are ethnic Hungarians coming from the neighboring states. The rather few black people in Hungary – mainly of African origin – face discrimination in connection, particularly, with the provision of services.

Increasingly antisemitic elements can be found in the public discourse. Article 269 of the criminal code prohibits racial and religious hatred. However, as a result of a relatively restrictive interpretation of this provision by the Supreme Court, it has rarely been applied by the courts, even in cases of blatant incitement to racial hatred

In public opinion polls, Hungarians express high - and increasing - levels of intolerance towards people from other countries.

Equality/specialised bodies
Equal Treatment Authority

Margit krt 85
1024 Budapest
+36 1 336 7843
ebh@egyenlobanasmod.hu
www.egyenlobanasmod.hu

Parliamentary Commissioner for the National and Ethnic Minorities Rights
Dr. Jeno Kaltenbach
Tüköry utca 3
1054 Budapest,
+36 1 269 3500
nekjob@obh.hu
www.obh.hu

Both bodies publish annual reports covering the cases they have considered.

RAXEN focal point

Consortium coordinated by Centre of Migration and Refugee Studies, Institute of Ethnic and Minority Studies of the Hungarian Academy of Sciences.
Orszaghaz u. 30
1014 Budapest,
+36 1 224 6790
titkarsag@mtaki.hu
www.mtaki.hu

Human Rights institution

Parliamentary Commissioner for the National and Ethnic Minorities Rights (see above)

Other official monitoring

Ethnic recording is permitted for statistical purposes – subject to special levels of data protection. There is believed to be some collation of ethnic information by official bodies but little of the information is in the public arena.

Civil society monitoring

A range of civil society actors collect or disseminate information relevant to racism and xenophobia. These include: -

Regular reports

Institute of Ethnic and Minority Studies of the Hungarian Academy of Sciences (see above), which produces an annual survey of public opinion in the field.
B'nai B'rith Budapest Lodge (address not available) which has produced an annual report on Antisemitic Discourse in Hungary. This publication is for sale (most recent edition is for 2004-2005). Previous editions are available on

<http://www.antisemitismus.net/ungarn/>

The International Law Research and Human Rights Monitoring Centre

Thököly ut. u. 151/A. 4/1.

1146 Budapest

+36 1 373 0602

www.nemzetkozijogert.hu.

They produce a report on the situation in Hungary in cooperation with the European Network Against Racism.

Hungarian Helsinki Committee

PO Box 317

1242 Budapest

+36 1 321 4141

helsinki@mail.datanet.hu

www.helsinki.hu.

Their annual report contains information about cases they have been involved with.

Legal Defence Bureau for National and Ethnic Minorities

PO Box 453/269

1537 Budapest 114

+36 1 303 8973

info@neki.hu

www.neki.hu

They help people from the official minorities (see above) to take up complaints. Their annual report summarises the cases.

Occasional reports

The Centre of Migration and Refugee Studies (see above); researches various aspects and carries out. Its work includes some discrimination testing.

The Hungarian Helsinki Committee (see above) produces reports on its projects.

Austria

Context

Racism, xenophobia and antisemitism are seen in Austria as problems entirely linked to right wing extremism. The government has recognised, however, that the – relatively small – black community has a bad public image, linked to a drug dealing element within the community. There have been official poster campaigns pointing out the contribution of black people to the whole community.

There seems to be rather little public policy discussion about the substantial Turkish community in Austria.

With some notable exceptions, civil society is relatively weak in this area and rather timid about making public statements.

Equality/specialised body

Anwaltschaft für Gleichbehandlung
within the Ministry for Health, Family and Youth
Judenplatz 6
1010 Vienna
+43 1 5320244
gaw@bmgf.gv.at

This body was originally concerned only with gender discrimination and has now had its mandate expanded to cover discrimination on the grounds of gender, age, sexual orientation, ethnic origin, religion and belief. It produces an annual report. However, records are kept by complaint, rather than by basis of discrimination.

RAXEN focal point

The RAXEN Focal Point for Austria is an interdisciplinary co-operation of three research institutes: the Ludwig Boltzmann Institute of Human Rights – Research Association, the Department of Linguistics of the University of Vienna, and the Institute of Conflict Research.

c/o Ludwig Boltzmann Institut für Menschenrechte
Heßgasse 1
1010 Wien
+43 1 4277 27432
focalpoint.bim@univie.ac.at
www.univie.ac.at/bim/focalpoint

Human Rights institution

Austrian Ombudsman Board
Singerstrasse 17
Postfach 20

1015 Vienna
+43 1 51505-0
48
Monitoring
post@volksanw.gv.at
www.volksanw.gv.at/i_english.htm

Other official monitoring

The Ministry of the Interior monitors right-wing race crime.
The census records place of birth and language used at home.

Civil society monitoring

Regular reporting

Zivilcourage und Anti-Rassismus-Arbeit (ZARA)
Luftbadgasse 14-16
1060 Wien
+43 1 929 13 99
www.zara.or.at
www.no-racism.net/rassismus

Forum gegen Antisemitismus
Seitenstettengasse 4
1010 Wien Österreich
+43 1 53104 255
info@fga-wien.at
www.fga-wien.at

Initiative muslimischer ÖsterreicherInnen (IMO)
Wahlberggasse 5/13/04
1140 Wien
www.islaminitiative.at

Fairplay
Möllwaldplatz 5/3
1040 Vienna
+43 1 713 35 94 93
fare@vidc.org
www.fairplay.or.at

Poland

Context

In Poland, there is little collection of data on racism by any official source. The data that is collected is not always accessible.

The level of public discourse is poor with frequent use of a word meaning "Jew" as a general insult.

Public Opinion Research Centre carries out an annual survey of Polish attitudes to foreigners - "Arabs" have recently become the least liked.

Equality/specialised body

None.

The government has assigned the relevant duties to the office of the:

Commissioner for Civil Rights Protection
Aleja Solidarnosci 77
00-090 Warsaw
+48 22551 77 00
www.brpo.gov.pl

RAXEN focal point

Helsinki Foundation for Human Rights
Zgoda str. 11
00-018 Warsaw
+48 22 828 10 08
hfhr@hfhrpol.waw.pl
www.hfhrpol.waw.pl

Human Rights institution

The Commissioner for Civil Rights Protection (see above)

Other official monitoring

There is a governmental team to collect information about racism. However:

- their data base is not built yet;
- at present they only record data that is sent to them directly: and
- they do not have the resources to follow through on the cases they hear about.

There are beginning to be some figures on the position of Roma people.

There are figures for court cases (especially labour law courts) in which discrimination is involved. However these cover all forms of discrimination (gender, race...) and there is no way of telling how prevalent each form is.

Civil society monitoring

Regular reporting

Never Again tries to combat indifference by monitoring hate crime. Each issue of their magazine has a list of incidents. As an organisation that has worked for ten years they have considerable experience and also an archive which can turn up contemporary reports on the neo-Nazi links of members of the governing parties.

Occasional reporting

Helsinki Foundation for Human Rights (see above)

Otwarta Rzeczpospolita" Stowarzyszenie przeciw Antysemityzmowi i Ksenofobii :
Krakowskie Przedmieście 16/18 lok.1

00-325 Warszawa

+48 22 828-11-21

otwarta@or.org.pl

or.org.pl

Foundation for the Preservation of Jewish Heritage in Poland

3rd floor, Grzybowska 2/44

00-131 Warszawa

+48 22 436 60 00

fodz@fodz.pl

www.fodz.pl

United Kingdom

Context

The United Kingdom is composed of four countries (England, Wales and Scotland - known collectively as "Great Britain" - and Northern Ireland). England and Wales share a legal system (within in which Wales has a fair degree of administrative autonomy). Scotland and Northern Ireland have separate legal systems, partly controlled by local parliaments and administrations.

Some ethnic minorities in the UK are long established (including, notably, a black community in Liverpool that has been established for more than 250 years). Even with more recently arrived communities a substantial proportion are born in the UK and therefore have British citizenship. In addition, citizenship is available to most people who have lived legally in the United Kingdom for at least five years.

As a result of the Race Relations (Amendment) Act 2000, all public bodies in Great Britain are required to monitor the impact of their work on ethnic minorities in addition all new plans need to have a race impact assessment. Northern Ireland has no equivalent legislation. In addition, in employment recruitment it is very common, especially among non-governmental organisations, for organisations to monitor their recruitment procedures.

There are some complications in the collection of data:

- there are no commonly accepted categories for keeping such records. In Great Britain, the Commission for Racial Equality (see below) recommends that categories should be based on those used for the 2001 census. Categorisation is normally done on the basis of self-identification or of perception. The Stephen Lawrence Inquiry, for example, recommended that the definition of a racist incident should be – “A racist incident is any incident which is perceived to be racist by the victim or any other person”
- some government departments are struggling to collect data accurately. In January 2007, for example, the Home Office admitted that some of its figures, including those for race crime, could not be relied upon. In addition, it does not at present collect data about the use of anti-social behaviour orders (ASBOs).
- much data is secondary and there is a risk that one incident can appear more than once in a data set, having been reported through different channels;
- different geographical frameworks can be used for the same incident. For example, police reports on crime rates are collected on the basis of the location of the incident, victim reports are collected on the basis of the location of the victim when he or she is interviewed.

Equality/specialised body

Commission for Racial Equality
St. Dunstan's House
201-211 Borough High Street
London SE1 1GZ

+44 20 7939 0000
info@cre.gov.uk
www.cre.gov.uk

The Commission for Racial Equality – which will be incorporated into the new Commission for Equality and Human Rights in October 2007 - can provide legal advice and assistance to people who think they have been discriminated against. It also has powers to investigate companies or organisations where there is evidence of possible discrimination, and require them to make changes to their policies and practices. It can also take legal action against companies or organisations in certain specific circumstances (for example, if they have published a discriminatory advertisement). It can give statutory guidance on the implementation of the Race Relations Acts. It encourages monitoring in the private sector. It publishes a range of reports, including an annual report.

RAXEN focal point

The Centre for Rights, Equality and Diversity
Department of Sociology
The University of Warwick
Coventry CV4 7AL
www2.warwick.ac.uk/fac/soc/sociology/research/raxen/

Human Rights institution

Commission for Racial Equality (see above)

Other official monitoring

The two most recent censuses in Great Britain (1991 and 2001) have include questions about the ethnic origin of the population. The 2001 results are summarised at www.cre.gov.uk/downloads/factfile02_ethnic_minorities.pdf.

Many public bodies publish, or make available information collected as they monitor their activities. This is particularly true of all aspects of the criminal justice system. There is therefore a wealth of information. However, as noted above, it is collected in a variety of ways using a variety of categorisations so meaningful comparisons are often not possible.

An annual publication by the Office of National Statistics called “Social Trends” gives summaries of selected government information. The 2006 issue - at www.statistics.gov.uk/socialtrends36/ focuses on the ethnic and religious diversity of the United Kingdom.

In addition more information comes into the public arena as a result of requests under the Freedom of Information Act.

Very little official ethnic information is collected in Northern Ireland.

Civil society monitoring

Many civil society actors in the United Kingdom collect and disseminate information about racism and xenophobia. The following list is a small selection.

Regular reports

Institute of Race Relations (IRR)

2-6 Leeke Street

London WC1X 9HS

+44 20 7837 0041

info@irr.org.uk

www/irr.org.uk

IRR produces:

- IRR News, an e-mail news service which draws on less known and local papers for its news. It covers racial violence and hate crime in a systematic way, concentrating on a) serious violence (murder, serious injury, major arson) and b) trends in attacks. It also covers information about other sources - including relevant information released under the Freedom of Information Act;
- Race and Class, a quarterly journal; and
- the European Race Report.

The Runnymede Trust

7 Plough Yard

Shoreditch

London EC2A 3LP

+44 20 7377 9222

info@runnymedetrust.org

www.runnymedetrust.org

The Runnymede Trust publishes a quarterly bulletin.

The Monitoring Group

14 Featherstone Road

Middlesex, UB2 5AA

+44 208 843 2333

admin@monitoring-group.co.uk

www.monitoring-group.co.uk

The Monitoring Group maintains a website which collects reports of racist incidents.

The 1990 Trust

Room 12

Winchester House

9 Cranmer Road

London SW9 6EJ

haven@blink.org.uk

www.blink.org.uk

The website contains a wide range of information for and about the black community.

The Community Security Trust (CST)

+44 20 8457 9999

enquiries@thecst.org.uk

www.thecst.org.uk

The CST publishes an annual report on antisemitic incidents.

Forum Against Islamophobia and Racism (FAIR)

+44 20 8940 0100

fair@fairuk.org

www.fairuk.org

FAIR issues a Daily News Digest which covers the issues in the media relating to Islamophobia and racism.

Kick It Out

PO Box 29544

London EC2A 4WR

+44 20 7684 4884

info@kickitout.org

www.kickitout.org

Kick it Out's website includes information about latest developments connected with racism in sport.

The Northern Ireland Council for Ethnic Minorities (NICEM)

3rd Floor, Ascot House

24-31 Shaftesbury Square

Belfast BT2 7DB

+44 2890 319666

info@nicem.org.uk

www.nicem.org.uk

NICEM materials include an annual report.

Occasional reports

All the above also publish occasional reports, as do:

The Joseph Rowntree Foundation

The Homestead

40 Water End

York, YO30 6WP

+44 1904 629241

info@jrf.org.uk

www.jrf.org.uk

Islamic Human Rights Commission

PO Box 598

Wembley, HA9 7XH

+44 20 8904 4222

info@ihrc.org
www.ihrc.org