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XENOPHOBIA, RADICALISM AND HATE CRIME IN EUROPE

Annual Report

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The book is an annual report on major manifestations of hatred in the European space in 2016, composed by key experts of different countries of the world. The report analyzes factors that influenced the demand for radicalism in society, xenophobia and racism. It also discusses statistics on hate crimes. Special attention was paid to how European governments respond to modern challenges. Analysis is given on the basis of 8 EU countries (France, Germany, Greece, Hungary, Italy, the Netherlands, Poland and the United Kingdom), as well as Russia and Ukraine, as countries who play a significant role in political and economic processes in Europe.

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FOREWORD

In 2016, the problems of migration and terrorism remained in the focus of the European public. In this regard, the question of trust for the government did not lose its relevance. The year was also characterized by active actions of radical parties and groups, whose influence has significantly increased in recent years due to the influx of refugees.

In 2015, about 1.3 million asylum seekers entered Europe.¹ In 2016, this was 370,000.² Basically these people arrived by sea through Greece and Italy. However, most of them travelled further to more socially attractive countries. In particular, Germany, according to the Federal Office for Refugees and Migrants, adopted 890,000 people in 2015. In 2016, another 320,000 arrived in Germany.³ However, from January to December 2016, 745,545 applications for refugee status were submitted to the departments and branches of the Federal Office, which exceeded the indicators of 2015 and speaks of a deferred effect in statistics.⁴

In 2015-16, migrants were associated increasingly in the European public consciousness with the destruction of the traditional foundations of culture, with the loss of work or a decline in wages, and with the rise in terroristic threats.

Against this background, both in 2015 and in 2016 in the EU countries, the issue of responsibility of the authorities for opening borders for new immigrants was acute. However, if in 2015 Europe witnessed a sharp increase in the ratings of right-wing radical parties, in 2016 this political camp had been structured and certain parties and socio-political groups became the center of attraction of protest moods, and some surrendered their positions.

For example, in Germany, the new party AfD ("Alternative for Germany", Alternative für Deutschland, AfD) has become a

¹ <http://www.pewglobal.org/2016/08/02/number-of-refugees-to-europe-surges-to-record-1-3-million-in-2015/>

² <https://www.weforum.org/agenda/2016/12/europes-refugee-and-migrant-crisis-in-2016-in-numbers>

³ <http://www.bamf.de/DE/Infothek/Statistiken/Asylzahlen/AktuelleZahlen/aktuelle-zahlen-asyl-node.html>

⁴ <https://www.bpb.de/politik/innenpolitik/flucht/218788/zahlen-zu-asyl-in-deutschland#Antraege>

notable political force. This party, founded in 2013 and now has 25,000 members, transformed the Eurosceptic party to a right populist and nationalistic political force with right radical elements in 2016. During the six land elections in 2016, it got at least 11% of the vote, which is a large percentage for organizations of this kind in the FRG. Simultaneously, the influence of the anti-Muslim right populist movement PEGIDA (Patriotische Europäer gegen die Islamisierung des Abendlandes, Patriotic Europeans against the Islamization of the West, PEGIDA), founded in 2014, was significantly reduced. The reasons must be sought in the above mentioned process of the structuring of the right wing. PEGIDA was strong in the absence of a significant political force to the right of Christian democrats. With the advent of AfG into the legislative power at the land level, this niche turned out to be busy. Approximately the same happened in other countries.

However, this did not affect the activity of Islamist radicals. In 2016, 39 terrorist acts were committed in Europe, and Islamists participated in them. To a large extent, the terrorist threat, from whoever it may originate, and the fight against it, has become one of the main factors of European politics.

All these factors formed the agenda of the EU in 2016, encouraging them to take these or other bills, which are aimed to minimize the risks.

A different situation developed in Russia and Ukraine. These countries have passed the migration crisis. Although Russia remains the second largest country in the world in terms of the number of migrants, these are mainly citizens of the CIS countries, i.e. people familiar with the traditions and culture of the host country. Nevertheless, Islamist organizations remain a serious factor there, too. During the years of conflict in Syria more than 4,000 Islamic radicals with Russian citizenship joined ISIS and other terrorist groups. These people have gained experience in combat operations, including one in sabotage operations. Just like the other countries, they are gradually returning to their homeland, and that is an extremely dangerous phenomenon for political stability.

It is correct for Russian right-wing radicals, a significant number of whom also participated in war actions in the Ukraine, on both sides of the conflict. And this worries the Kremlin, which is

well aware that the economic difficulties of recent years are a favorable background for the development of xenophobic attitudes.

Problems remained in Ukraine. Civil war in the South-East of the country and confrontation with Russia. The penetration of representatives of combat organizations with neo-Nazi views to power structures after the change of power in 2014. The adoption of a new ideological doctrine of the Ukrainian authorities, based on the glorification of collaborators during the Second World War. All this created the preconditions for radicalization of society against the background of growing economic problems.

Together, these factors determined the policy and enforcement practices of monitoring countries in relation to minorities and radical groups.

The purpose of this study is to analyze both the main manifestations of xenophobia and the activities of radical groups in Europe in 2016, and the forms of government response to these manifestations. The actions of the authorities were a separate subject of study, as they testify how far the state and European structures were ready for new challenges.

The objects of the study are 8 EU countries - UK, Hungary, Germany, Greece, Italy, the Netherlands, Poland, and France, as well as, as already mentioned, two countries that are not members of the EU, but which have a significant impact on the political and economic processes in Europe, namely, Russia and Ukraine.

The preparation of the material involved researchers from various European universities and research centers: Department of History at Northampton University, UK; the Center for the Study of Fascism, Antifascism, and Post-Fascism at Teesside University, UK; the Institute for Strategic Studies of France; Department of Sociology and the Department of Social Research Methodology at Eötvös Loránd University (ELTE), Budapest; Political Capital Institute, Budapest; Faculty of Social Science at The Pantheon University of Athens; the Berlin Register for documentation of manifestations of right-wing extremism and discrimination in the district of Steglitz-Zehlendorf, Germany; the Institute for the Study of Crime and Law Enforcement, Netherlands; The history of the Jagiellonian University, Krakow; the Russian Institute for the Study

of National Politics and Interethnic Relations, Moscow; the Ukrainian Institute of Analysis and Management.

The study analyzes legislation relating to minority rights, law enforcement practices, statistics and the nature of hate crimes, the level of xenophobia amongst the population, the position of the authorities in relation to modern challenges, and the activity of right-wing and Islamist groups.

1. LEGISLATION.

1.1. Changes in anti-discrimination and anti-extremist legislation.

In the EU, there is a well-established anti-discrimination legislation which is based on Directive 2000/43 "On ensuring the implementation of the principle of equality of persons irrespective of racial or ethnic origin", adopted by the EU Council on June 29, 2000, and the 12th Protocol of the European Convention on the Rights and Fundamental Freedoms, which greatly expanded the possibilities of art. 14 of the mentioned Convention on non-discrimination. These two EU documents were prepared on the basis of the existing law enforcement practice, as well as the International Convention on the Elimination of All Forms of Racial Discrimination. They provided a historic opportunity to improve anti-racial and anti-discrimination legal standards in most monitoring countries.

Ukraine and Russia are not part of the EU, but they also have their own anti-discrimination legislation which has its own peculiarities.

So, the Verkhovna Rada of Ukraine in 2012-2013 adopted two fundamental anti-discrimination laws: "On the Foundations of the State Language Policy" and "On the Principles of Preventing and Combating Discrimination in Ukraine."

The first law gave the regions the right to grant the status of "regional", i.e. used equally with the state Ukrainian language, to various languages. This extended to languages that had more than 10% of native speakers in the region according to the census. After that, in this territory the regional language could be used in many areas instead of the state Ukrainian language.

However, in 2016, the pro-presidential Bloc of Peter Poroshenko submitted to the Verkhovna Rada a bill which discriminated minorities in use of their native language. So, it is proposed to increase three times the regional barrier for the languages of national minorities, and the conditions for registration of media in the languages of national minorities. Teaching the

mother tongue may be in Ukrainian only. Also in 2016, a law "On Television and Radio Broadcasting" was adopted, regulating the proportion of the songs in the official language in music radio programs and radio broadcasts.⁵ It introduced high quotas for the use of the Ukrainian language in the media and the penalties for violating them.⁶

As for the anti-discrimination law, its adoption in 2012 was not accompanied by the necessary mechanism for its implementation. In Ukraine, there is a so-called "Classifier of citizens' appeals", approved by the Cabinet of Ministers of Ukraine, resolution No. 858 of September 24, 2008. In accordance with this resolution, state bodies cannot accept citizens' applications that do not correspond to the Classifier. The index concerning discrimination did not exist in the Classifier, therefore, in all these years the state did not take citizens' complaints for discrimination into consideration on quite lawful grounds.⁷

Only on June 1, 2016, after an appeal of Ukrainian Ombudsman's, Ukrainian Cabinet of Ministers adopted resolution number 359 "On Amendments to Part II of the Classifier of citizens" where position 120 in the column "Issues' Content" was supplemented with the words "Prevention of discrimination". Thus, since 2016, Ukrainian citizens have finally received the right to file complaints on discrimination issues.

In Russia, the law is based on a sectoral basis, and there is no separate anti-discrimination law in the country. Antidiscrimination norms are included in the Constitution and in various legislative acts regulating the vital functions of the Russian society.

According to experts, this legislation today needs further development. First of all, it is necessary to clarify the concept of "discrimination". In the Russian legislation, it is disclosed not through specific forms of discrimination, but through identification with violation of the rights, freedoms, and legitimate interests of citizens, which can be interpreted arbitrarily. There are no definitions of forms of discrimination, in particular, there are no

⁵<http://zakon3.rada.gov.ua/laws/show/1421-19/print1452780589861744>

⁶<http://zakon3.rada.gov.ua/laws/show/1421-19/print1452780589861744>

⁷<http://www.ombudsman.gov.ua/ua/page/secretariat/docs/presentations/&page=3>

definitions of "direct" and "indirect" discrimination and "victimization". There is no prohibition of discrimination by private persons and on the basis of citizenship. When investigating cases of discrimination in Russia, the principle of the presumption of innocence towards the respondent is still applied, which creates difficulties in pre-trial practice and is contrary to world experience.

In a number of countries, the monitoring of anti-discrimination legislation actively developed in 2016. The most significant event in this area occurred in France, where on December 22, 2016, the Equality Act came into force. It defined racial hatred and hatred on the grounds of sexual orientation as aggravating circumstances in the commission of crimes.

In April 2016, the Italian Senate criminalized the denial of the Holocaust, which was an important element in the formation of legislation against anti-Semitism and the heroization of Nazism. Under the new law, those individuals or groups that publish material or publicly declare Holocaust denial, or make statements in this sense on social networks, blogs or websites, can be sentenced up to 6 years of imprisonment and pay a fine of up to 6,000 euros.⁸

In December 2016, in Greece a new anti-discrimination law No. 4443/2016 was accepted. It prohibited discrimination based on race, color, and ethnicity in the labor and employment sector. However, outside the framework of the current legislation such areas as education, the social sphere, and the provision of goods and services remain. The motives for hatred did not become an aggravating circumstance in 2016, when crimes were committed in Greek criminal law.

In 2006, as migration legislation became stricter, an important innovation was taken in a number of countries *to improve the situation of vulnerable categories of refugees*. We are talking about unaccompanied children, schoolchildren, pregnant women, single-parent families, elderly people, etc.

So, on April 17, 2016 in the UK the House of Lords voted for the total ban on placing pregnant women in custody in immigration centers.⁹ In August of the same year, the Ministry of

⁸<https://www.ilgiornale.it/news/politica/negare-lolocausto-ora-reato-si-rischiano-fino-a-6-anni-carcere-1269288.html>

⁹<https://www.theguardian.com/uk-news/2016/apr/17/pregnant-asylum-seekers-detention>

Internal Affairs of the country simplified the granting of refugee status to families with children under 25 years if their closest relatives had the right to family reunification.¹⁰ And in January 2016, the British government announced that it would offer a safe haven for the undisclosed number of refugee children in addition to the stated goal of hosting 20,000 Syrian refugees.¹¹ On April 27, 2016, the British court allowed refugees to receive social disability benefits even if they did not reside in the country for more than two years, as required by law. Thus, the problem of refugees with disabilities was solved, which barely made ends meet¹².

In May 2016, the Greek government took positive steps to provide emergency assistance to vulnerable groups of refugees in such areas as housing, food, and medical services. It is important that the country has been implementing a project for a number of years for refugees' children, who are trained at public expense¹³. In August, the Greek Parliament adopted a legislative provision on the establishment of special classes for refugee children of school age. In October, about 580 refugee schoolchildren, asylum-seekers, and migrants began classes in the capital of Athens and in Thessaloniki.

It is interesting that in June 2016 at the legislative level, at the initiative of the Ministry of Migration Policy, the composition of appellate bodies was changed. It was the last instance where refugees could apply after decision on their deportation. The decision was made after the scandal that erupted when appellate committees massively refused migrants to review their cases. Now the appeal committees consist of 3 persons - two judges from the administrative courts (administrative courts of first instance and the appellate court) and one person proposed by the Office of the United Nations High Commissioner for Refugees (UNHCR).¹⁴

¹⁰ <http://www.redcross.org.uk/About-us/News/2016/August/Major-success-for-refugee-campaign>

¹¹

https://www.refugeecouncil.org.uk/latest/news/4535_uk_to_offer_safety_to_more_lone_refugee_children

¹² https://www.refugeecouncil.org.uk/latest/news/4617_court_rules_disabled_child_refugee_s_entitled_to_support

¹³ <https://www.efsyn.gr/arthro/paideia-gia-prosfyges>

¹⁴

http://www.nchr.gr/images/pdf/apofaseis/prosfuges_metanastes/Dimosia%20dilwsi%20EED_A.pdf

The already mentioned French Law on Equality, adopted on December 22, 2016, provides for the creation of a volunteer corps of civil service. The members would help schoolchildren from immigrant families in mastering the French language, the basics of French law, etc. The French legislator believes that this will help in the integration of foreigners.

In Italy in 2016, the Italian authorities extended the right to receive childcare allowances to single mothers who illegally reside in the country.¹⁵

In Ukraine, they adopted the procedure for exercising control over social payments to internally displaced persons at the place of their actual residence. This is stated in Resolution No. 365 of June 8, 2016, which prescribes the procedure for the appointment (restoration) of social benefits to the settlers. This measure was aimed at overcoming bureaucratic barriers to providing assistance to this most vulnerable group of the population.¹⁶

At the same time, European authorities took *measures to help minorities*. So, in Italy in 2016 according to new legislation the Parliament allocated funding for programs to help the historical linguistic minorities living in the territory of the country. It is, first of all, the small groups in South Tyrol speaking German and Ladino, and the groups in Trieste and Gorizia speaking Slovene, the French-speaking Provençals living in Val d'Aosta, as well as a small part of the Albanian-speaking citizens from the South of the country.

At the same time, none of the draft laws of 2016 dealt with helping new ethnic minorities, for example Turks or Serbs in Germany, Tunisians in France, etc.

In July 2016, the Greek court took an important step in protecting the rights of sexual minorities, allowing citizens to officially change their sex without changing it surgically. However, this decision creates a legal contradiction between the terms "gender change" and "gender identification", replacing it with the notion of "gender identity". In the near future, this can create great difficulties of a bureaucratic nature, both in Greece and in the EU countries.

¹⁵ <https://www.nuovicittadini-prefto.it/novita-legislative>

¹⁶ <https://odnarodyna.org/content/vnutrenne-peremeshchennye-lica-dlya-ukrainy-nerazreshimaya-problema>

Separately, it is necessary to say about the development of anti-extremist legislation and increasing the financing of programs to combat terrorism. In 2012-14 France and Russia¹⁷, and in 2015 Britain¹⁸ and Germany¹⁹ adopted new anti-terrorist acts. Italy²⁰ and the Netherlands²¹ also tightened their antiterrorist legislation.

In 2016, the process of improving anti-terrorism legislation was continued in the Netherlands and the Russian Federation.

On May 17, the House of Representatives of the Netherlands (Tweed Kamer) adopted the draft Provisional Law on Administrative Measures to Combat Terrorism, submitted by the Ministry of Security and Justice (MSJ). The bill restricts the freedom of movement of persons posing a threat to national security, and those who intend to join terrorist groups or provide them with financial support.²² It also applies to persons who return from places of hostilities (in Syria, Iraq, Afghanistan, etc.) but who have not previously been prosecuted, as well as persons who did not leave the territory of the Netherlands, but, in the opinion of the special services, "strongly radicalized and ready to use violence."²³ At the same time, the government has the authority to prohibit individuals from leaving the Netherlands if there are "reasonable suspicions" to leave the Schengen area in order to join a terrorist organization.

On May 24, 2016, the House of Representatives of the Netherlands adopted the second part of the draft law on combating terrorism, also submitted by the Ministry of Security and Justice. The new document requires amendments to the Dutch citizenship law, which will allow the government to withdraw Dutch citizenship without first accusing those citizens who join terrorist organizations abroad.

According to the ministry, "the return to the Netherlands of jihadists can be a direct threat to national security," and a rapid response is needed so that such people cannot return to the

¹⁷ <http://civic-nation.org/pan-european-report/>

¹⁸ <http://www.publications.parliament.uk/pa/bills/cbill/2014-2015/0127/en/15127en.htm>

¹⁹ <http://statewatch.org/news/2015/jul/germany-terror-laws.html>

²⁰ <https://www.mediterraneaffairs.com/italian-counter-terrorism/>

²¹ <http://www.nctv.nl/onderwerpen/tb/actieprogramma-integrale-aanpak-jihadisme/>

²² <http://loc.gov/law/foreign-news/article/netherlands-two-new-sets-of-administrative-sanctions-proposed-to-fight-terrorism/>

²³ *ibid.*

Netherlands. The amendment legislation states that the Minister of Justice and Security may demand the cancellation of the Dutch citizenship of a person who aged 16 and up voluntarily entered the armed forces of a state which participates in hostilities against the Kingdom of the Netherlands or against alliances that include the Kingdom.

The Minister may also revoke the citizenship of an individual who is at least 16 years of age and is outside the Kingdom if it becomes known that he or she has joined an organization that is on the list of terrorist organizations involved in national or international armed conflicts and is considered a threat to national security. In addition, the draft law provides that jihadists must be declared undesirable aliens after their citizenship is revoked.

Two new measures to remove citizenship and declare an alien an undesirable person complement existing forms of fighting terrorism and prevent the lawful return of such persons to the Netherlands and the Schengen area. However, the abolition of Dutch citizenship will not be possible if a person thus becomes stateless: this contradicts to the international conventions to which the Kingdom has acceded. Thus, the possibility of the abolition of citizenship in a practical sense is limited to persons with dual citizenship.²⁴

Obviously, such measures will have a double effect. On the one hand, they will partially solve the global problem of the return of jihadists to their countries of citizenship (and this problem is relevant not only for Holland, but for most other monitoring countries), but on the other, will lead to further polarization of society on a religious and ethnic basis. In addition, mistakes are possible, and some citizens may suffer accidentally. The absence of a judicial procedure for the deprivation of citizenship actually makes them hostages to the possible arbitrariness of the executive authorities. Also, there is a moral issue of human rights defenders, since terrorists displaced from the Dutch society, but left non-prisoned, may continue to commit crimes abroad.

In Russia on June 24, 2016, the law "On Amendments to the Federal Law "On Information, Information Technologies and

²⁴ Ibid.

Information Protection" and the "Code of the Russian Federation on Administrative Offenses" (regarding the streamlining of the dissemination of information on the Internet)" came into force. According to the law, owners of news aggregators are obliged not to allow their use in order to "disseminate materials containing public appeals to carry out terrorist activities or publicly condone terrorism." The law also prohibits the dissemination of information "in order to discredit a citizen or certain categories of citizens on the grounds of sex, age, race or nationality, language, attitude to religion, profession, place of residence and work, and because of their political beliefs."²⁵

A day earlier, Russian President Vladimir Putin signed the law "On the Basics of the Crime Prevention System in the Russian Federation," which was also aimed to counteract terrorism and extremist activity.²⁶

On July 6, 2016, Russian President Vladimir Putin signed two Federal Laws: "On Amending the Federal Law on Countering Terrorism" and certain legislative acts of the Russian Federation regarding the establishment of additional measures to counter terrorism and ensure public safety (Federal Law No. 374-Ф3) and "On Amendments to the Criminal Code of the Russian Federation and the "Code of Criminal Procedure of the Russian Federation regarding the establishment of additional measures to counter terrorism and security Public security"(Federal Law No. 375- Ф3).

These federal laws were aimed to improve the legal regulation in countering terrorism. Changes were introduced in 12 federal laws and codes. For example, the notion of "financing of terrorism" was clarified, additional requirements were established for communication operators and organizers of information dissemination on the Internet, as well as for the implementation of transport and forwarding activities.

Federal Law No. 375-Ф3 extends the list of crimes of a terrorist nature, responsibility for which comes from the age of 14, and provides for increased criminal responsibility for crimes of a terrorist and extremist nature. The Criminal Code of the Russian

²⁵ [http://asozd.duma.gov.ru/main.nsf/\(Spravka\)?OpenAgent&RN=1004188-6&02](http://asozd.duma.gov.ru/main.nsf/(Spravka)?OpenAgent&RN=1004188-6&02)

²⁶ <https://rg.ru/2016/06/28/profilaktika-dok.html>

Federation was supplemented with Article 205.6, "Non-Reporting the Crime," which establishes responsibility for not communicating with authorities that are authorized to consider reports of a crime, who, according to certain information, prepares, commits or has committed at least one terroristic crime. At the same moment, the person is not subject to criminal liability for not reporting the preparation or commission of the crime by his spouse or close relative.

In addition, the Criminal Code of the Russian Federation is complemented by a new article 361 "The Act of International Terrorism", singling out an explosion outside the territory of the Russian Federation, arson or other actions endangering the life, health, freedom or inviolability of Russian citizens, in order to violate the peaceful coexistence of states and peoples or directed against the interests of the Russian Federation.

In addition, there have been changes in a number of articles of the Criminal Code, in particular in art. 208, which criminalizes participation in illegal armed groups, also abroad.

The federal laws "On Freedom of Conscience and Religious Associations", "On the Procedure for Departure from the Russian Federation and Entry into the Russian Federation" and the "Housing Code of the Russian Federation" providing for the legal regulation of missionary activities were amended.²⁷

1.2. Discriminatory trends in 2016.

Speaking about the discriminatory trends of 2016 in the European legislation, it is necessary to mention the following:

1. Violation of the fundamental rights of ethnic minorities.
2. Ignoring the motive of hatred as an aggravating circumstance in the investigation of criminal cases and sentencing in courts. No ban on the propaganda of racism and other forms of hatred.
3. Restriction of religious rights of citizens.
4. Violation of the rights of migrants and refugees.

²⁷ http://www.consultant.ru/document/cons_doc_LAW_201078/

Violation of the fundamental rights of ethnic minorities. The rights of minorities in Europe are protected by a number of international instruments that underlie the national anti-discrimination legislation of different countries. Nevertheless, in 2016, some European countries sought to limit these rights at the legislative level. Sometimes this was done under the pretext of combating the so-called "ethnic crimes", and sometimes under the pretext of "protecting the language and culture of the titular nation". The last implies the old thesis of radical nationalists about the threat to the language of the majority from the minority language and culture. Sometimes it was explained by usual technical reasons connected with administrative reasons.

So, in Hungary in a number of municipalities in 2016, local legislative decrees were adopted, legalizing the "popular patrolling" of areas with a compact residence of the Roma population, the eviction of Roma from illegally constructed houses without providing alternative housing, etc.²⁸ This was mainly in the municipalities, headed by representatives of the radical nationalist party Jobbik. At the state level, these initiatives were not condemned. Moreover, at the very end of 2015, the Hungarian government changed the law on education to allow segregation in specific cases, for example, in the case of private schools managed by recognized churches. According to the Roma press service, in fact, this reform was directed against the Roma people. So the Minister of Human Resources of Hungary Zoltán Balogh, who presented the proposal to the parliament, declared back in 2010 that "more religious schools are needed, where the majority of pupils will be Roma". As L. Nóra Ritók, a prominent educator and activist of the anti-segregation movement, said, "The situation with segregation continues to deteriorate, despite all our efforts, because this is allowed even in rural schools."²⁹

²⁸ Csurgó Dénes, 'Az érpataki Polgármester Járőrözhet Minden Jobbikos Településen [The Mayor of Érpatak Can Patrol Each Locality Governed by Jobbik]', *Index.hu*, 23 March 2016, http://index.hu/belfold/2016/03/23/az_erpataki_polgarmester_jarorozhet_minden_jobbikos_telepulsen/

²⁹ 'L. Nóra Ritók quits desegregation roundtable in protest', *The Budapest Beacon*, 15 January 2016, <http://budapestbeacon.com/news-in-brief/nora-ritok-resigns-from-desegregation-roundtable-in-protest/31106>

In July 2016, the Polish government decided to reformat the administrative division of the country and unite district Opole with the predominant residence of the Polish majority, with four other municipalities, home to more than 20% of the German minority. According to the Polish ombudsman, Mr. Adam Bodnar, the above decision will affect the rights of this minority, since after the accession of Opole, it will be "diluted" and will account for less than 20% of the population.³⁰ The secret lies in article 9 of the Law "On National and Ethnic Minorities and Regional Languages" of January 6, 2005, which gives the right to use the language of national minorities as an auxiliary language in those regions where its population is more than 20% of the whole number.³¹

In Ukraine, the year 2016 was marked by the ousting of minority languages from the media, education, and culture. As already mentioned in the previous section, on November 8, the Law "On Amendments to the Law of Ukraine" regarding "On Television and Radio Broadcasting" (on the share of songs in the state language in music radio programs and broadcasts) came into force.³² As a result, new quotas for the use of the Ukrainian language in the media were introduced and increased, penalties were imposed for violating the quotas that were not previously available.³³

In December 2016, the Verkhovna Rada of Ukraine also introduced Bill No. 5556 "On Languages in Ukraine", co-authored by deputies from the Presidential Bloc of Petro Poroshenko Y. Lesiuk and I. Vasyunyk.³⁴ It is called upon to replace the old democratic law "On the Foundations of the State Language Policy" (the "Kivalov-Kolesnichenko law"), which in fact does not work after the victory of the "Maidan" in 2014. As already indicated, the new bill significantly curtails the rights of national minorities to use their native language at the regional level, learning their own

³⁰ Kolejna wizyta rzecznika w Opolu i Dobrzeniu Wielkim – spotkanie mediacyjne w sprawie zmiany granic miasta, 26 lipca 2016, <https://www.rpo.gov.pl/tagi/opole> [accessed: June 5, 2017]

³¹ Act of 6 January 2005 on National and Ethnic Minorities and on the Regional Languages, source of translation: http://ksng.gugik.gov.pl/english/files/act_on_national_minorities.pdf [accessed: June 5, 2017]

³² <http://zakon3.rada.gov.ua/laws/show/1421-19/print1452780589861744>

³³ <http://zakon3.rada.gov.ua/laws/show/1421-19/print1452780589861744>

³⁴ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=60750

language and registering the media. A separate item in the bill states a special status of the Crimean Tatar language *in the Crimea*, which is of obvious propaganda nature, because Ukraine does not control the Crimea de facto.

Obviously, such legislation will negatively affect the situation of the languages of national minorities, first of all, on the most widespread - Russian, to a lesser extent - Hungarian, Polish, Romanian, and others.

At the same time, it should be borne in mind that in 2016, out of 519 schools in Kiev, only seven educational institutions were taught in Russian - a little more than one and a half percent of the total. Only 12 schools in the Ukrainian capital have Russian-language classes. At the same time, according to the population census of the 2.5 million people living in Kiev, 600 thousand - a quarter of the Kiev population - recognize Russian as their native language.

The lack of places in Russian-speaking schools is indicated not only by parents, but also by teachers. In September 2016, the director of the Kiev Pushkin gymnasium No. 153, Alena Batalova, reported that in the beginning of the academic year four potential pupils pretended for a place in school. "About 230 applications were submitted for 56 places in the first two classes," the director emphasized. At the same time, the Ukrainian Ministry of Education and Science believes that there is no shortage of Russian-language schools in the country. Head of the educational department Liliya Grinevich said that the current state of affairs in the education system is mostly satisfied by the Russian-speaking population. "If parents have a problem, they can apply to the local education department, they will certainly recommend a school with a Russian class or Russian-speaking school," the minister added.³⁵

Ignoring the motive of hatred as an aggravating circumstance in the investigation of criminal cases and sentencing in courts. Lack of ban on the propaganda of racism and other forms of hatred. For a long time, the problem of ignoring the hate motive in the courts concerned most of the monitoring countries - Germany,

³⁵ https://lenta.ru/articles/2016/09/01/ukraina_denznaniv/

France, Greece, Hungary, Ukraine, Italy, and Poland. However, in 2015-16 the two leading EU countries - France and Germany, left the list. In March 2015, Germany supplemented its Criminal Code with article 46.2, according to which the courts were obliged to take into account the motive of hatred when passing sentences.³⁶ On December 22, 2016, France adopted the Equality Act, in which racial hatred and homophobic hatred are described as aggravating circumstances in the commission of crimes.

However, in other countries the situation does not change. Moreover, in April 2016 Polish Prime Minister Beata Szydło abolished the Polish Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance. The decree of the government came into force in June 2016.³⁷

In Ukraine, criminal responsibility for hate crimes continues to be tied to the existence of "direct intent", which is very difficult to prove. That is why most of the crimes in this country are considered as domestic ones.

An important problem is the absence of a ban on propaganda of racism in the legislation of most monitoring countries. This directly contradicts to art. 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, which criminalizes "any dissemination of ideas based on racial superiority or hatred ..., declares illegal and prohibits organizations, as well as ... propaganda activities that encourage and incite racial discrimination and recognize participation in such organizations or in such activities as a crime".

Reservations to this article were made by the UK, France, and Italy. In Italy, the criminal responsibility for the spread of hatred is connected with the proof of the influence on a broad audience with the "goal of changing its behavior," which is also very difficult to prove. Many other countries that formally acceded to the Convention without reservations, in fact ignore the requirements of Art. 4.

³⁶ https://www.bundestag.de/dokumente/textarchiv/2015/kw12_de_nsu/364372

³⁷ Polish PM abolishes anti-discrimination council, Radio Poland, 4 maja 2016, <http://www.thenews.pl/1/9/Artykul/251284,Polish-PM-abolishes-antidiscrimination-council> [accessed: May 27, 2017]

The general justification for refusing to criminalize the propaganda of hatred is adherence to the principle of freedom of speech and expression, which is the cornerstone of most of the EU countries' laws. However, the spread of hatred is the main reason for the growth of xenophobia and hate crimes. The suppression of the propaganda of racism and intolerance towards the minority, as the law enforcement practice shows, allows for a sharp reduction in violent extremist crimes and, in general, reduction in the overall level of hatred.

Restriction of the activities of religious organizations.

This position is quite contradictory, since religion is actively used by extremists to incite hatred and even to carry out terrorist acts. In these cases, restrictions may be justified, but they are exclusive and must be accompanied by very specific wording that does not involve double interpretation.

Very often under the pretext of combating extremism, the authorities of European countries prefer to refuse to register new, non-traditional religious organizations, restrict the activities of already registered ones, and pursue a policy of protectionism against "traditional" religions. They also put them under state control, which often contradicts the basic legislation and seeks to control the mass assemblies of believers, etc.

At the beginning of 2016, problems in this area persisted in Hungary, Germany, Italy, and France, partially in Ukraine, and in Russia. So, in Hungary, the status of a religious community cannot be obtained by an organization which has not acted on its territory for 20 years and who has less than 1,000 followers with permanent residence in the country.

In Germany, communities with status of "public-law corporation" are in a privileged position. The Muslim community of Germany, numbering more than 4 million people, or almost 5% of the country's population, does not fall under the status of a public-law corporation in the FRG and, as a consequence, has no right to receive its part of the "church tax".

Similar problems exist in Italy, where religious organizations that have not signed a concordat with the government have problems. They are also Muslims.

In Ukraine, there is a rather complicated system for registering religious organizations. Prosecutor's office, the Ministry of Culture, other ministries and departments, local state administrations and local self-government bodies control religious communities. Each department has the right to conduct inspections with subsequent submission of materials to the court for taking repressive measures against the communities.

However, this order could not prevent the massive takeoff of property of the Ukrainian Orthodox Church of the Moscow Patriarchate in favor of the Ukrainian Orthodox Church of the Kyiv Patriarchate in 2014-16. Also we should mention the permissive procedure for holding public religious activities of a peaceful nature since 2012, which directly contradicts art. 39 of the Constitution of Ukraine.

As before, laws that forbade certain elements of traditional religious clothing were actively used and developed. As you know, such bans have existed in France. In Holland in November 2016, the deputies voted overwhelmingly for the prohibition of wearing women-fitting Islamic veils (burqas) in certain public places, including schools, hospitals, government buildings, and public transport. According to the law, the burka can still be worn on the streets. Women detained for violating the ban can be fined up to 405 euros.³⁸ All this, of course, did not contribute to establishing trust between ethnic and religious communities.

In Russia in 2013, the law "On the protection of the feelings of believers" with extremely vague wording was adopted. For example, in the notion of "public actions expressing obvious disrespect to society and committed with a view to insulting the religious feelings of believers" (part 1 of article 148 of the Criminal Code of the Russian Federation), the law does not give definitions of "obvious disrespect", etc., and that allows abuse.³⁹

This, in particular, allowed the member of the State Duma, Ms. N. Poklonskaya, to apply to the prosecutor's office and to launch a massive campaign to ban the still unreleased feature film by A. Uchitel, "Matilda", in 2016-17. The movie, from her point of view,

³⁸ <http://www.independent.co.uk/news/world/europe/dutch-burqa-veil-ban-holland-votes-for-partial-restrictions-some-public-places-a7445656.html>

³⁹ <http://www.rg.ru/2013/06/30/zashita-site-dok.html>

discredits the last Russian Emperor Nicholas II, added by the Russian Orthodox Church (ROC) a few years ago to the rank of saints. However, the opinion of representatives of the ROC on this issue was divided.

In 2016, Russia adopted the Federal Law "On Amendments to the Federal Law "On Counteracting Terrorism" and certain legislative acts of the Russian Federation regarding the establishment of additional measures to counter terrorism and ensure public safety." Its author was the chairman of the Security Committee of the Russian State Duma, Ms. Irina Yarovaya.

Under this law, 12 federal laws and codes have been amended. All the changes were aimed at improving the legal regulation in the field of countering terrorism. They also touched upon the law "On Freedom of Conscience and Religious Associations", which, according to the authors, were also directed against the use of religion for extremist purposes.

Changes included, inter alia, a ban on the implementation of missionary activities aimed to "violation of public security and public order; Implementation of extremist activities; Compulsion to destroy the family; Encroachment on the individual, rights and freedoms of citizens; The infliction of damage to morals established in accordance with the law, the health of citizens, including the use of narcotic and psychotropic drugs in connection with their religious activities, hypnosis", etc.⁴⁰

However, many definitions, such as "violation of public security", "damage to morality", were neither disclosed, nor did it indicate how to determine whether the preacher is engaged in hypnosis, but not an ordinary preaching, etc. So, by some Russian religious leaders, as well as human rights activists, this law can be interpreted arbitrarily and may serve as the basis for abuse at the law enforcement level.

Thus, the Advisory Council of the Heads of the Protestant Churches of Russia appealed to the President of the Russian Federation Vladimir Putin on June 23, 2016. They said that the bill

⁴⁰http://www.consultant.ru/document/cons_doc_LAW_201078/bdb2754392763f4c0afb3bc7ea77ef6a5287c4/#dst100070

imposed a wide range of restrictions on the dissemination of any religious beliefs, naming them generally “a missionary activity”.

The Chief Bishop of the Russian Union of Christians of the Evangelical Faith (Pentecostal) Sergei Ryakhovsky, spoke in the Public Chamber on June 29, 2016. He stressed that the measures related to the regulation of missionary activity "are in conflict not only with the Constitution of the Russian Federation and the Federal Law on freedom of conscience, but also with the Holy Scriptures, which obliges every Christian to be a missionary."⁴¹

Violation of the rights of migrants and refugees. The most difficult situation among the monitored countries has developed in the UK, Hungary, and Germany.

First, it is about expanding the "list of safe countries", from where refugees come. In 99 cases out of a hundred this means deportation to their homeland for asylum-seekers. While it was a question of the Balkan countries, Morocco, Tunisia, and Algeria, this did not provoke a strong protest from human rights defenders, although in many cases, the deportation caused danger, too. However, in 2016, Afghanistan entered the list of safe countries in Britain and Germany.

In their defense, officials in Berlin and London claimed that they would deport Afghanistan people only to areas not controlled by the Taliban. Due to general instability in that country and the inability of the Afghan authorities to resist terrorism, this justification can hardly be considered acceptable.⁴² According to the UN High Commissioner for Refugees, between January and June 2016, more than 1,600 people were victims of terrorist attacks in Afghanistan, and more than 3,500 people were injured. These are maximum numbers since 2009. In 2016, a further 530,000 people became internally displaced persons. They are the inhabitants of the 31 provinces of the 34. Thus, the total number of Afghans forced to

⁴¹ <http://www.blagovest-info.ru/index.php?ss=2&s=3&id=68615>

⁴² <https://www.vorwaerts.de/artikel/kritik-spd-abschiebungen-afghanistan-waechst;>
<https://www.thebureauinvestigates.com/stories/2016-03-03/theresa-may-wins-right-to-deport-failed-asylum-seekers-to-afghanistan-after-judges-remove-court-injunction>

leave their place of permanent residence and seek refuge within the country has reached 1.2 million.⁴³

The second point is the tightening of migration laws. This was especially acute in Hungary, where in March 2016 the government declared a state of emergency regarding migration throughout the country. According to the Cabinet, this was caused by the closure of the migration route through the Balkans. This decision was extended in September 2016.⁴⁴

In April 2016, Hungary adopted an amendment to the Migration Act and ceased to pay a monthly cash benefit to asylum-seekers, as well as a school allowance previously granted to asylum-seekers.

Similar changes were made in the Law on the Residence of Foreigners in Germany (Article 60), but they fundamentally differed from the Hungarian reforms. Payments to asylum seekers were ultimately *reduced* and replaced by the provision of basic necessities.

At the beginning of June 2016 in Hungary, new amendments to the Asylum Act introduced the so-called "Deep border control". It allows the arrest of refugees if they deepen into the territory beyond 8 km from the border and returns them to the transit zone between Serbia and Hungary. At the same time, refugees were deprived of the right to apply for asylum outside the transit zone. That is a violation of both international law and EU legislation, since the authorities must begin the procedure as soon as a person asks for asylum anywhere in the country.⁴⁵

As a result of amendments to the Asylum Act adopted in June 2016, refugees also pledged to "leave the reception center where they were located, just one month after being granted status." However, they did not receive any targeted support for their integration (financial payments, housing allowance, free language

⁴³ https://www.nds-fluerat.org/wp-content/uploads/2017/01/UNHCR_Bericht.pdf

⁴⁴ Breaking News: Hungary Declares State of Emergency as Migrant Crisis Turns Unpredictable', *Hungary Today*, 9 March 2016, <http://hungarytoday.hu/news/breaking-news-hungary-declares-state-emergency-migrant-crisis-turns-unpredictable-96001>

⁴⁵ Nóra Köves, 'Serious human right violations in the Hungarian asylum system', *Heinrich Böll Stiftung. The Green Political Foundation*, 17 May 2017, <https://www.boell.de/en/2017/05/10/serious-human-rights-violations-hungarian-asylum-system>

course, etc.).⁴⁶ As a result, to stay in the country for many of them became physically impossible - they were squeezed out of the country economically.

In August 2016 in the UK, the staff of refugee reception centers were given the right to use force to refugees and isolate them in a punishment cell (in the absence of medical contraindications) for several hours without any explanation.⁴⁷ In official recommendations, staff of refugee centers say that they should wait for up to two hours before telling the person why he was isolated in the punishment cell. According to the instructions, "staff at the location can allow solitary confinement for up to two weeks. Managers will need to consult only on issues of longer detention."⁴⁸

On March 17, 2016, FRG adopted the "Law on the introduction of a system for accelerated consideration of asylum applications" (the so-called "Second package of laws on asylum seekers").⁴⁹ It is about examining cases of a certain category of asylum-seekers under a simplified procedure. The law concerns persons who have falsified or misrepresented their data, destroyed their documents, etc. In this case, according to the already mentioned art. 60 of the Law on the Residence of Aliens, the date of deportation of an alien may now be postponed only if the deportee suffers a serious, life-threatening disease.

The human rights organization "For Asylum" (Pro Asyl) criticized this law in detail. In particular, human rights activists noted that many asylum seekers could not keep their passports. Moreover, some refugees were not able to obtain travel documents precisely because of the persecution in the country of origin. Also, the organization's lawyers stated that psychological traumas and post-traumatic syndromes caused by the war are not recognized by German doctors as a serious illness and do not serve as an excuse for deferring deportation. In general, the organization considered the

⁴⁶ <http://www.helsinki.hu/wp-content/uploads/HHC-Hungary-asylum-legal-amendments-Apr-June-2016.pdf>

⁴⁷ <http://www.independent.co.uk/news/uk/politics/government-s-new-charter-for-cruelty-at-immigration-detention-centres-a7168991.html>

⁴⁸ *Ibid.*

⁴⁹ https://www.bgbl.de/xaver/bgbl/start.xav?startbk=Bundesanzeiger_BGBL&start=%252F%252F*%255B%2540attr_id=%27bgbl116s0390.pdf%27%255D#_bgbl_%2F%2F*%5B%40attr_id%3D%27bgbl116s0390.pdf%27%5D_1490043326537

innovation as a violation of the European Convention on Human Rights and the Geneva Convention on Refugees.⁵⁰

A few words about the innovations concerning *illegal immigrants*. The program for squeezing them out of the country was adopted at the legislative level in the UK and it can be assumed that other countries will follow its example in the future.

In particular, on December 1, 2016 the provisions of the Immigration Act in the United Kingdom came into force. It criminalizes homeowners who permit undocumented migrants to reside in their homes or apartments.⁵¹ At the same time, tenants accused of such a crime must first evict their guests, and then appeal the accusation. For the first time, landlords will be fined 3,000 pounds. Criminal punishment and imprisonment are presumed in case of a relapse.

In this regard, the Joint Council for the Welfare of Immigrants stated that de facto, "there will be no judicial oversight of the process of evicting illegal immigrants, and eviction without consideration of the courts is completely unacceptable. The Ministry of the Interior constantly makes mistakes in the immigration status of people, which are often corrected only as a result of prolonged legal battles. To give them the opportunity to drive people out onto the streets without any checks and balances is a disaster."⁵²

In addition, the powers of the immigration authorities were significantly expanded. They got the right to search homes for illegal immigrants, carry out checks directly on board air and sea vessels, etc. At the same time, they can enjoy criminal and civil immunity in the implementation of these actions.⁵³

Moreover, both employers using the labor of illegal immigrants and workers themselves were criminalized. They can be brought to criminal responsibility, and prosecutors can file an application for the confiscation of everything that could be

⁵⁰ <https://www.proasyl.de/hintergrund/asylpaket-ii-in-kraft-ueberblick-ueber-die-geltenden-asylrechtlichen-aenderungen/>

⁵¹ <https://www.freemovement.org.uk/remove-first-appeal-later-provisions-force-today-new-guidance-published/>

⁵² <https://www.icwi.org.uk/blog/2016/05/23/what%E2%80%99s-next-hostile-environment-immigration-act-2016-and-queen%E2%80%99s-speech>

⁵³ [ibid](#)

considered a gain from this crime.⁵⁴ The Joint Council on the Welfare of Immigrants is confident that this measure will significantly increase the vulnerability of migrant workers and increase their exploitation, since many employers will now intentionally hire short-term illegal migrants and then surrender them to the police in order not to pay them salaries.⁵⁵ Also, the office of the Secretary of State got the right to freeze accounts of people who illegally stay in the country.⁵⁶

2. LAW-ENFORCEMENT PRACTICES

Law enforcement practices are always built on the results of lawmaking and the priorities of state power. Based on this, the main priorities for law enforcement practices in most of the monitoring countries in 2016 were:

- prevention of extremism;
- counteracting illegal immigration and the introduction of expedited procedures for expelling persons who were denied the right to asylum;
- artificially reducing the number of asylum seekers;
- strengthening the fight against discrimination and racism;
- regulation of interethnic and interreligious relations.

Depending on the general objectives of the authorities and the professionalism of the perpetrators, enforcement of anti-discrimination and anti-extremist legislation can be divided into three parts:

- Information and educational preventive practices.
- Strength preventive practices.
- Discriminatory practices.

Information and educational practices in this case include the creation and implementation of monitoring programs for interethnic and interreligious conflicts; preparation of educational

⁵⁴ [ibid](#)

⁵⁵ [ibid](#)

⁵⁶ [ibid](#)

programs for law enforcement officers and ordinary citizens; improvement of migration accounting; support of cultural and educational programs of national and religious associations.

In this part, the leadership in 2016 belonged to Russia. In January, the head of the Russian Federal Agency for Nationalities Affairs, Igor Barinov, said that his department had developed a program for prompt response to ethnic conflicts, which would help to identify them at an early stage.⁵⁷ It allows automatic monitoring of the media and the blogosphere. According to the head of the Agency, at the end of 2015 this program helped to localize several possible conflicts at the initial stage. By the end of October 2016, 82 regions of the Russian Federation were connected to the monitoring system. The Agency also started to develop methodological recommendations and model schemes for responding to interethnic and interfaith conflicts.⁵⁸

The same Federal Agency in October 2016 took the initiative and held the first All-Russian action "Big Ethnographic Dictation" at 800 venues across the country. Ninety thousand people took part in it.⁵⁹ The action was carried out in accordance with the Strategy of the State National Policy of the Russian Federation until 2025 and was aimed at mass acquaintance of the inhabitants of the country with the customs of its peoples. This initiative, according to experts, is extremely important in terms of overcoming xenophobic prejudices and, as a consequence, preventing hate crimes, since the main reason for these phenomena is the lack of knowledge about their neighbors.

In 2016, multifunctional migration centers were established in Russia. They allowed to pass all stages of obtaining a patent for labor activity in one location. The situation was not affected even by the abolition in April 2016 of the Federal Migration Service and the transfer of its functions to the Ministry of Internal Affairs of the Russian Federation.

In 2016, more than 16.3 million foreign citizens were registered in the migration register. In this regard, the head of the department of regional security and anti-corruption of the Moscow

⁵⁷ <http://lenta.ru/articles/2016/01/25/onf/>

⁵⁸ <http://kremlin.ru/events/president/news/53173>

⁵⁹ *ibid.*

mayor's office, Alexei Mayorov, said that due to the system, in two years the number of counterfeit medical documents or papers about alleged knowledge of the Russian language was reduced almost to zero.⁶⁰

In 2016, the Russian Federation launched a new system to allocate presidential grants to civil society institutions. The significant part of them is provided for the implementation of cultural and educational programs for ethnic and religious communities.

Also, the implementation of educational programs for British police officers involved in the fight against racism and hate crimes should be noted. In February 2016, representatives of the London police said that the program would be experimental and its goal was to help officers overcome racial prejudices. It is expected that 32,000 police officers will be trained how to identify signs of their own prejudices, in particular when conducting random checks of documents and detaining suspicious persons.⁶¹ This was preceded by the publication of the results of the investigation of the British "Movement of the Nomads", which revealed that every fifth policemen check of documents is carried out against representatives of this small community.⁶²

The problem was recognized by the French authorities, who introduced courses on racism in the curriculum of the police officers of this country.⁶³

As already mentioned, the Italian parliament in 2016 provided additional funding for cultural programs for traditional indigenous linguistic minorities.⁶⁴

In 2016, the French government registered the charitable "Freedom of Islam Foundation" with former Minister Jean-Pierre Chevènement.⁶⁵ The task of the new foundation will be teaching

⁶⁰ <http://www.gazeta.ru/interview/nm/s10185605.shtml>

⁶¹ <http://www.standard.co.uk/news/uk/all-32000-met-officers-sent-on-course-to-detect-unconscious-race-prejudice-a3183511.html>

⁶² <http://travellerstimes.org.uk/News/Police-discrimination-hidden-from-view.aspx>

⁶³ See the CNCDH report:

http://www.cncdh.fr/sites/default/files/161108_avis_pratiques_des_controles_didentite.pdf

⁶⁴ <https://www.nuovicittadini-prefto.it/novita-legislative>

⁶⁵ <https://www.interieur.gouv.fr/Archives/Archives-des-communiqués-de-presse/2016-Communiqués/Lancement-de-la-Fondation-de-l-Islam-de-France>

imams in French and with the basics of French culture. The aim of the project is to reduce the influence of Morocco, Algeria, Tunisia, and Turkey on the Islamic population of France. At the moment the influence is gained by appointment of imams and the financing of mosques. This situation, as a rule, forces the French population to think that Muslims are not their fellow citizens, but agents of foreign countries whose loyalty to France is under question. The second reason for the launch of the fund was the frustration of the French authorities in CFCM, the central organ of Muslim organizations, which does not have enough influence on Muslim communities to prevent radicalism.

*Speaking about the **forceful preventive practices** of 2016, it is necessary to single out the introduction of the state of emergency in France; strengthening of immigration control at the border, as well as on air and sea vessels (practiced in all monitoring countries); introduction of an accelerated procedure for taking decisions on the deportation of asylum seekers, but trying to deceive immigration authorities, as well as those arriving from the so-called "safe" countries; increasing refusals to grant refugee status and strengthening the fight against xenophobia and racism.*

As for the state of emergency in France, it was introduced in November 2015 and then extended by Parliament until 2017.⁶⁶ The regime of emergency was introduced on the basis of the law of 1955, which implies such actions in case of immediate danger caused by serious violations of public order or "threatening events". These measures give a number of exclusive powers to the authorities, including the right to impose curfews, restrict people's movement and prohibit mass actions, create safe zones where people can be monitored, and close public places such as theaters, bars, museums, etc.

The state of emergency also grants more powers to security services and the police, in particular the right to search homes at any time without judicial supervision, provide home arrests, and confiscate certain categories of weapons, even if people keep them

⁶⁶<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000031473404&dateTexte=&categorieLien=id>

on legal grounds. During the period under review, the state of emergency allowed the Intelligence Service to conduct raids in the homes of 4,500 suspected activists. More than 700 suspects were forbidden to leave their settlement and were ordered to register with the police every day or once a week. About 30 "radical" mosques were closed on suspicion of inciting people to jihad.

In accordance with the plan Opération Sentinelle (operation "Guards"), since 2015, the anti-terror units have replenished with ten thousand professional soldiers. They regularly participate in patrolling the streets, and also have the task of protecting synagogues, Jewish community buildings, major Christian and Muslim institutions, as well as individuals who are considered threatened by the radicals.⁶⁷

Accelerated procedure of deportation of asylum seekers, who tried to deceive the immigration authorities, as well as persons arrived from the so-called "safe" countries was introduced in 2016 in Germany⁶⁸, UK⁶⁹ and Hungary.⁷⁰

In the beginning of May 2016, Theresa May, then the Minister of the Interior, tried to commit an unprecedented act of deportation, to expel all foreign students who had received a visa through the passing of the English Language Test (TEIOC) from the country. TEIOC is an English language test designed to determine the skills for people working in an international environment and it was enough reason for people to obtain a visa to the UK. However, after the Panorama television programme exposed a college in London, which conducted the tests on a corrupt basis, the Ministry of the Interior decided to deport all foreigners who had received a visa by the results of the test.

According to the Politika website, many families were immediately separated - they were awakened at dawn, the husband was separated from his wife and sent to pre-trial detention centers

⁶⁷ <http://www.defense.gouv.fr/operations/operations/france/operation-sentinelle/sentinelle-10-000>

⁶⁸ <https://www.tagesschau.de/ausland/afghanistan-fluechtlinge-111.html>

⁶⁹ <https://www.thebureauinvestigates.com/stories/2016-03-03/theresa-may-wins-right-to-deport-failed-asylum-seekers-to-afghanistan-after-judges-remove-court-injunction>

⁷⁰ <https://www.amnesty.org/download/Documents/EUR2748642016ENGLISH.PDF>

before deportation.⁷¹ The only crime of these people was that they passed the test, recommended earlier by the Ministry of Internal Affairs. 48,000 of them were deported. 70% of them were Indian citizens. On 23 May, the Chamber of Immigration and Asylum of the Upper Tribunal suspended this practice. Steps were also taken to return the deportees back.⁷²

Especially depressing was the deportation of Afghan citizens seeking asylum. They were sent to the provinces of Afghanistan, which are considered "safe", i.e. are not controlled by the Taliban, but by government troops. However, it is known that the government of Afghanistan controls only 60% of the country's territory. In other regions, Islamist groups dominate, or there are active military operations. Twenty of the ninety groups recognized by the UN as terrorist and included in the sanctions lists, are based in Afghanistan.⁷³ The total number of Afghans forced to leave their place of permanent residence and seek refuge, as already indicated, has reached 1.2 million.⁷⁴ Their return became possible after the decision of the governments of Germany and the UK that Afghanistan, namely provinces controlled by the government (mainly the capital city of Kabul), is a "safe" place for the return of refugees.⁷⁵

Intensification of the fight against xenophobia and racism has remained one of the central issues in most monitoring countries, primarily in Italy and in Russia.

Particular attention is paid to the spread of hate on the Internet, as radicals are recruited there, and hatred is incited. So, according to the report of the Italian secret services, in 2016, they actively monitored the activities on the Internet not only of Islamists, but also of such right and left radical groups as Casa Pound and its student association Blocco Studentesco; Blocco Lavoratori Unitario e Ambientalista; LFCA (La Foresta che Avanza); Forza Nuova;

⁷¹ <http://www.politics.co.uk/blogs/2016/03/23/disaster-for-theresa-may-as-legal-ruling-brings-student-depo>

⁷² <http://www.independent.co.uk/student/news/theresa-may-wrongly-deported-48000-students-after-bbc-panorama-exposes-toeic-scam-a6958286.html>

⁷³ <https://www.tagesschau.de/ausland/afghanistan-fluechtlinge-111.html>

⁷⁴ https://www.nds-fluerat.org/wp-content/uploads/2017/01/UNHCR_Bericht.pdf

⁷⁵ <https://www.thebureauinvestigates.com/stories/2016-03-03/theresa-may-wins-right-to-deport-failed-asylum-seekers-to-afghanistan-after-judges-remove-court-injunction>

"National-revolutionary group" Militia ", Lotta Europea and Movimento Sociale per l'Europa.⁷⁶

In their estimation, right radicalism is gradually becoming one of Italy's most serious problems, since the number of young people in these organizations demonstrates the highest rates for the last 20 years. The Italian authorities explain this by increasing the number of immigrants arriving to the Italian shores, as well as uncertainty in the future and the financial and economic crisis that the country is experiencing.

It should also be added that Italy remains a transit zone for Islamist groups, and it is bypassed by a wave of terror unleashed by Islamic radicals in Europe.

At the same time, Italy has the most liberal anti-racist legislation. The country has not acceded to Article 4 of the Convention on the Elimination of All Forms of Racial Discrimination. It is extremely difficult to accuse people for the "language of enmity" by proving the intention to "change the behavior of a wide audience". Thus, the attention of the Italian authorities to the spread of hate on the Internet has not been transformed into legal persecution of extremists.

The active work of law enforcement agencies in suppressing extremist crimes was registered in Russia, which led to a decrease in violent hate crimes (by 33%), while the number of registered non-violent crimes grew by 9% (see section 5).

It should also highlight the problem of increasing the number of refusals to asylum seekers. Here, Hungary is the leader, where only 8.5% of positive decisions on refugees were taken for the year.⁷⁷ And in connection with the closure of the southern borders of Hungary with Serbia and Croatia in 2015 and the tightening of migration rules, the number of registered asylum-seekers declined by 83% (177,135 in 2015 and 29,432 in 2016).⁷⁸

⁷⁶ <https://www.osservatorioantisemitismo.it/articoli/destra-radicale-a-roma/>

⁷⁷ Immigration and Asylum Office, 'Annual Statistics 2015-2016', 26 January 2017, <http://www.bmbah.hu/images/statisztikak/170126%20OIN%20Annual%20Statistics%202016.xls>.

⁷⁸ Ibid.

Finally, the latest and most painful form of law enforcement practices for society are *discriminatory practices*, namely, infringement of the rights and freedoms of citizens. Discriminatory practices are divided into legitimate ones, when certain categories of people are defeated legally (for example, persecution of Muslim women for wearing burqa and other Islamic apparels in France), and illegally when employees of executive authorities violate the law and discriminate against their own citizens or citizens of foreign states, due to their low level of professionalism, their own beliefs or objective circumstances.

The most common discriminatory practices in 2016 included *discrimination against minorities, institutional racism, the transformation of hate crimes into domestic crimes, and tolerance for activists of radical nationalist and neo-Nazi organizations.*

During the period under review, *minorities were discriminated* in Hungary, Germany, Ukraine, France, the Netherlands, and Russia.

So, in Hungary, the eviction of Roma from illegal buildings was still actively practiced without providing alternative housing.⁷⁹ In general, the problem of illegal Roma buildings, as well as illegal connections to water and gas supply systems and energy supply is a serious problem in Europe, but it may be solved in different ways.

An alternative example is Russia. In March 2016 the administration of the Tula region had to resolve the issue of illegal Roma constructions in the village of Kosaya Gora. By the decision of the regional court, all illegal structures were to be demolished. Regional administration decided to provide the Roma families whose houses are to be demolished, new plots of land 10 km from Tula in the village Sudakovo, where the local authorities resolved the issue of providing gas and water. Gypsy families were provided with transport services to new places. In the village of Plekhanovo, Tula region, the largest gypsy settlement in central Russia is located. The authorities had to conduct a whole police operation to eliminate illegal connections to life support systems. At the same time, policemen had to protect repair workers, who became targets of

⁷⁹ Antidiskriminációs per Indul Miskolc Vezetése Ellen [Antidiscrimination Process to Be Started against the Local Government of Miskolc], *Tasz.hu*, 27 April 2016, <https://tasz.hu/romaprogram/antidiskriminacios-indul-miskolc-vezetese-ellen>.

attacks by local residents. Also in the village more than 100 illegal Roma residential buildings were demolished. Their dismantling was carried out by court decision in several stages. At the same time, new land plots were transferred to Roma families and the issue of connecting to communications was resolved.

At the present moment, the authorities of Tula have adopted a comprehensive program for the development of Plekhanovo in the next two years. Priority issues for the improvement of the territory are water disposal and water supply, lighting, repair of roads and sidewalks, construction, and improvement of social facilities and public places.⁸⁰

Equally problematic is the forced segregation of Roma children in the school system. This problem has not been solved in Hungary for many years.⁸¹ Moreover, as already indicated in section 1.2., the government of the country attempted to legalize the segregation program in private church schools by passing an appropriate resolution.

In Germany, the failure of social services to low-income immigrants from Eastern Europe, belonging to the Roma, was recorded.⁸²

In Ukraine, the year 2016 was marked by the extrusion of minority languages from the media, education, and culture (for details, see section 1.2.) This policy has not changed fundamentally since 2015. According to the Constitution, Ukrainian is the official language in Ukraine. Russian, like other languages of the peoples inhabiting the country, is considered as a mean of communication of the national minority. At the same time, according to a survey conducted in 2004 by the Kiev International Institute of Sociology (KIIS), up to 45% of the population of Ukraine communicate at home in Russian, while 42% in Ukrainian, and 13% equally easy communicate in both languages.⁸³

The Russian language is actively being ousted from secondary schools, including in regions with a predominantly

⁸⁰ <http://www.interfax-russia.ru/Center/news.asp?id=851025&sec=1671>

⁸¹ <http://nepszava.hu/cikk/1100007-nem-vihette-el-gyereket-a-szegregalt-iskolabol>.

⁸² <http://www.berliner-register.de/vorfall/steglitz-zehlendorf/antiziganismus-im-sozialamt-steglitz-zehlendorf-lankwitz/6595>

⁸³ <http://www.newsru.com/arch/world/14sep2004/lang.html>

Russian-speaking population. So, according to the head of the military-civil administration of the Donetsk region Pavel Zhebrivsky, 60% of schools in the area teach in the Ukrainian language and the task of the authorities is "to promote their growth."⁸⁴ At the same time, Russian is a mother tongue for 93% of the population there. Guided by this directive, the authorities of the town Bakhmut (former Artemovsk) transferred teaching language of the first grade of three schools into the Ukrainian two weeks prior to the beginning of the academic year, and parents were not consulted. 59 parents of future schoolchildren signed the requirement to leave the Russian language of instruction at school, but the local authorities refused them without explaining the reasons.⁸⁵

Also, in Ukraine, minority languages are being ousted from public life. On April 20, 2016, at the plenary session of the Kyiv City Council, the deputies supported in the first reading the draft decision "On overcoming the consequences of the Soviet occupation in the language sphere."⁸⁶ The relevant document proposes to establish in Kiev the language of work, record keeping and documentation of local government bodies, enterprises, institutions, and organizations of communal ownership is to be the state language, namely, Ukrainian. The document also states that all advertisements, signs, posters, and other forms of audio and visual advertising products must be written in Ukrainian or another language with a mandatory indication of their translation or transliteration into Ukrainian. By order of the Minister of Infrastructure V. Omelyan, by the end of 2016 all tickets, station names, announcements, and information on the board of Kiev will be conducted exclusively in Ukrainian and English.⁸⁷

In Ukraine, with the total connivance of the authorities, the illegal confiscation of the property of the Ukrainian Orthodox Church of the Moscow Patriarchate (UOC-MP) took place and its transfer to the Ukrainian Orthodox Church of the Kyiv Patriarchate (UOC-KP) starting from 2014 till now. The struggle for temples

⁸⁴ <http://korrespondent.net/ukraine/3747397-v-donbasse-ydet-massovaia-ukraynyzatsyia-shkol>

⁸⁵ *Ibid.*

⁸⁶ <http://kmr.gov.ua/uk/content/kyyivski-restorany-perekladut-menyu-ukrayinskoyu-movoyu>

⁸⁷ <http://rian.com.ua/society/20161009/1017542274.html>

occurs, first of all, in Western Ukraine, mainly in the Transcarpathian and Ternopil regions.⁸⁸

In Russia in 2016, there were cases of pressure on representatives of individual religious organizations. First of all, it was about "Jehovah's Witnesses" (the organization "Management Center of Jehovah's Witnesses in Russia" banned as an extremist in 2017)⁸⁹, the Church of Scientology⁹⁰, various Protestant churches⁹¹, the Reformed Orthodox Church of Christ the Savior (Kyiv Patriarchate)⁹², and Hare Krishna followers⁹³. All of them were charged with "illegal missionary activity" and other offenses on the basis of the new law "On Amendments to the Federal Law" On Counteracting Terrorism" and certain legislative acts of the Russian Federation regarding the establishment of additional measures to counter terrorism and ensure public safety" (see. section 1).

At the same time, according to experts, in some cases, claims of law enforcement agencies were justified. For example, the "Administrative Center for Jehovah's Witnesses from Russia" practiced bans on members of its organization for work in the civil service, including military service, prohibition of certain medical procedures, in particular blood transfusion, including young children. Sermons and literature contained insulting statements about other religions, especially regarding the Catholic Church and the Vatican, all of which contradicts the anti-discrimination and anti-extremist legislation of the Russian Federation. The "Administrative Center" actively lured the parishioners of other churches, which served as a source of conflict with the representatives of a number of other religious organizations.

⁸⁸ <http://uoj.org.ua/publikatsii/chastnoe-rassledovanie/v-borbe-za-khram-upts-greko-katoliki-khoteli-privatizirovat-kladbishche>;
<http://uoj.org.ua/spetsproekty/zashchita-verj-mirne-reyderstvo-ki-vskogo-patr-arkhatu-na-priklad-konfl-ktu-v-kutakh9665>

⁸⁹ <https://www.iw-russia.org/>

⁹⁰ <http://www.mskagency.ru/materials/2549804>;

http://www.rapsinews.ru/judicial_news/20160629/276413077.html#ixzz4mcuclxYw

⁹¹ <http://samara.ru/read/95329>;

http://www.sclj.ru/news/detail.php?SECTION_ID=459&ELEMENT_ID=7270;

<https://ura.news/news/1052258446>

⁹² <http://www.fontanka.ru/2016/09/05/142/>

⁹³ <http://www.sova-center.ru/religion/news/harassment/intervention/2016/10/d35533/>

There is also pressure on Muslims. So, on December 23, 2016, after Friday prayer, OMON officers surrounded a mosque in the suburbs of Elista, and started to get parishioners one by one in a minibus to check documents and to photograph.⁹⁴ A similar procedure was held on the same day in Saransk.⁹⁵ On November 10, Moscow's law enforcement authorities raided the Dubrovka Trade Center, which houses trade halls selling hijabs and other Muslim clothing. The police detained the saleswomen in the hijabs, interrogated, fingerprinted, and photographed them.⁹⁶ At the same time, it is necessary to note that the Russian Federation has no law prohibiting wearing of Islamic religious clothing, as it is in France, the Netherlands, and a number of other countries.

Bodies of the Ministry of Internal Affairs of Russia tend to preventively register some citizens in connection with their possible adherence to radical Islam. It causes a lot of criticism among believers. It is especially widespread in the republics of the North Caucasus. In Dagestan, according to some sources, about 20,000 people were registered for such a record.⁹⁷ Registration includes calls to the police, interrogations, forced fingerprinting, and the collection of biological materials for processing genomic information. At the same time, being a part of this database creates difficulties in moving around the republic and finding employment, and leads to other restrictions on the rights of citizens. Often the reasons for registering them are visiting mosques that are considered "Wahhabi" for rituals, kinship, familiarity or neighborhood with persons suspected of religious extremism, etc. Moreover, often anonymous messages or denunciations of neighbors become the reason for preventive recording.

As the Commissioner for Human Rights, Tatyana Moskalkova, noted in the annual report, "in itself, such facts cannot be the basis for setting for preventive registration. For this, more serious legal reasons are needed, in particular, the prohibition of a religious association, its inclusion into the list of extremist or

⁹⁴ <https://www.islamnews.ru/news-515175.html>

⁹⁵ <https://www.islamnews.ru/news-514854.html>

⁹⁶ <https://www.islamnews.ru/news-510992.html>

⁹⁷ <http://www.kremlin.ru/events/president/news/53440>

terrorist organizations, etc. In practice, such requirements are not always respected.”⁹⁸

In most countries of monitoring, cases of discrimination against members of the LGBT community continue to occur. It is more difficult for them to get a good job, but in case of employment they are often expected to be insulted, get low wages, and dismissed under far-fetched pretexts. They often face discrimination in the provision of services, and in state and municipal entities, for example, if they work in the field of education. This is especially true for the countries of Eastern Europe.

Cases of *institutional racism* are widespread, primarily in law enforcement agencies in Hungary, Greece, the United Kingdom, as well as in the Netherlands, Italy, Ukraine, and Germany. Often they are combined with police violence. Thus, in Greece and Hungary in 2016, cruel and rude treatment of asylum-seekers in detention centers was recorded.⁹⁹

In Hungary, Greece, Italy, the United Kingdom, and the Netherlands, cases of racial profiling were recorded, including those related to violence in document verification and detention, against Roma and refugees. For example, the Greek non-governmental organization National Council against Racism and Intolerance (RVRN) registered incidents of racist violence by the police. In 2016, RVRN recorded 6 incidents committed by law enforcement officers. In 4 cases, unaccompanied juniors were victims, and in 2 cases, asylum seekers were victims. The organization records a system of degrading treatment during the verification of documents of refugees and migrants. One of the victims, for example, describes that a law enforcement officer at Victoria Square in Athens checked the documents, returned them to him and then kicked him. The victim said that he did not understand why this incident occurred, and that he is afraid to report this to the police.

According to the experience and reports of Hungarian human rights organizations such as the Hungarian Helsinki Committee (ННС), the Hungarian Civil Liberties Union (HCLU),

⁹⁸ "ДОКЛАД О ДЕЯТЕЛЬНОСТИ УПОЛНОМОЧЕННОГО ПО ПРАВАМ ЧЕЛОВЕКА В РОССИЙСКОЙ ФЕДЕРАЦИИ ЗА 2016 ГОД".

⁹⁹ Hungarian Helsinki Committee, 'A Menekültvédelem Jövője Magyarországon [The Future of Refugee Protection in Hungary]'.

and the Roma Press Center (RSK), the police tend to issue disproportionately high fines to members of vulnerable groups, especially the Roma for minor offenses with a low level of risk. Thus, the authorities use the regime of fines for minor offenses as a tool to keep Roma in certain areas under control. Reports include cases where police wait for their victims on the outskirts of a gypsy settlement to issue a fine for any minor deviations from the rules. There is evidence that people are fined for not walking on the sidewalk, not crossing the street through a zebra-stripe crossing, etc.¹⁰⁰

A study conducted by the Government of the Netherlands in the Amsterdam-Amstelland region revealed that police officers make decisions on selective verification of documents or on detention based on profiles of "suspicious citizens". These profiles are largely based on characteristics such as age, color, and ethnic origin. The study concluded that these stereotypes dominate in the relevant police units. As a result, young men (more often than women) from ethnic minorities are subjected to more frequent checks than others.¹⁰¹ The most striking confirmation of these results was the sensational detainment of the famous rapper Typhoon. He was stopped by the police, since, as the officer later explained, "a person with such a dark skin cannot drive such an expensive car."¹⁰²

Approximately the same situation has developed in the UK. This follows from a special investigation made in 2016 by the "Movement of the Nomads", as well as from the parliamentary investigation of Labor MP David Lammi, who concluded that "the Metropolitan police may be overly targeting black and ethnic minority youths as gang members, resulting in them being treated more harshly by the courts, prisons, and justice system."¹⁰³ Figures for 2016 show that 78% of the 3,626 people registered in one of the police databases were black, and another 9% were representatives of

¹⁰⁰ <http://magyarnarancs.hu/kismagyarorszag/ha-a-jardan-setalsz-az-a-baj-100003>.

¹⁰¹ http://www.amnesty.nl/sites/default/files/public/amnesty_stopandsearchpowersposearisktohumanrights.pdf

¹⁰² <https://thedailyherald.sx/opinion/letter-to-the-editor/57904-racism-in-the-dutch-kingdom-is-unacceptable>

¹⁰³ <https://www.theguardian.com/uk-news/2016/jul/19/metropolitan-police-may-be-overly-targeting-bame-youths-as-gang-member>

other ethnic minorities. At the same time, ethnic minorities constitute 40% of the population of London.¹⁰⁴ Theresa May also acknowledged the racial bias of the criminal justice system. After she became Prime Minister, she stated in one of her speeches: "If you are black, you are treated more cruelly through the criminal justice system than if you are white."¹⁰⁵

In France this problem also persists. It was in July 2016, when a 24-year-old black citizen, Adama Traoré, died in the Beaumont sur Oise police station, northwest of Paris. The police called the cause of death acute heart failure (the young man had heart disease), but it soon became clear that death was caused by asphyxiation. Traore was subjected to unusual and unnecessary use of force by the police during his interrogation. The dispute on this matter continues and various demonstrations of up to 2000 people are held regularly in his hometown and in Paris. Human rights NGOs have pointed out that immigrant youth are often subjected to excessive pressure from the police only because of their skin color, including identity checks that border on persecution.¹⁰⁶

Also in France in 2016, one of the state construction companies was convicted by courts for discrimination based on ethnic origin for the second time. The company introduced quotas for the provision of social housing for people of African or Caribbean origin.¹⁰⁷

Representatives of the Jewish community of France repeatedly complained about the system of public schools. According to its leaders, in several areas of the country, whether it was Paris or its suburbs, Lyon or Marseille, families had to take their children from public schools to private Jewish schools, because in the first anti-Semitism was rampant. The reason was not teachers and administration, but anti-Jewish insults from non-Jewish students, as well as from children on their way to schools and back.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ http://www.lexpress.fr/actualite/societe/fait-divers/violences-dans-le-val-d-oise-apres-la-mort-d-un-homme-arrete_1814471.html

¹⁰⁷ <https://www.alternatives-economiques.fr/logement-social-discrimination-etages/00003255>

Quite a lot of complaints were raised about security issues in such schools.¹⁰⁸

On the other hand, some Muslim organizations and NGOs continue to oppose the ban on hijab, burqa or niqab in public schools. They also oppose the idea of Manuel Valls to ban these garments in universities. The main argument for the difference between schools and universities is that students over the age of 18 (with some exceptions) are adults whose civil rights are violated by the ban, while minors under 18 must be protected from adults who may force them to wear the hijab against their will.¹⁰⁹

The transformation of hate crimes into domestic crimes has been met to varying degrees in almost all monitoring states, but especially glaring cases have occurred in Ukraine and Hungary. Moreover, in both countries this process was fairly objective. Legislation in Ukraine considers the motives of hatred only if it is possible to prove "direct intent", and the Hungarian legislation does not consider hate motives as aggravating circumstances in the commission of crimes. Both countries are not much worried about the stirring of hatred, including racist moods.

In Ukraine, commonly an attack to a black man with racist cries or to a gay with homophobic cries is investigated by the police as hooliganism, and not a hate crime. Characteristically, according to official data of the Prosecutor General's Office, in Ukraine in 2016, 58 crimes were committed based on racial, national or religious intolerance.¹¹⁰ But only according to the data of the Verkhovna Rada Commissioner for Human Rights, 303 notifications of incidents of discrimination and violation of equality were submitted to her office in 2016 (see more in Section 5).¹¹¹

In Hungary, crimes against members of the Roma community (as well as against other minority communities such as Jews and representatives of the LGBT community) are not classified as hate crimes, and racist or ideological motives in these crimes are

¹⁰⁸ <http://www.la-croix.com/Religion/Judaisme/Pourquoi-familles-juives-desertent-ecoles-publiques-2016-03-11-1200745971>

¹⁰⁹ http://www.lemonde.fr/campus/article/2016/04/13/interdiction-du-voile-a-l-universite-valls-relance-le-debat_4901346_4401467.html

¹¹⁰ http://www.gp.gov.ua/ua/stst2011.html?dir_id=112661&libid=100820

¹¹¹ <http://www.ombudsman.gov.ua/ua/page/secretariat/docs/presentations/&page=3>

not considered. Thus, when a group of men dressed in ski masks and armed with baseball bats, knives, and tear gas canisters, attacked a small group of Roma public workers in 2014, the police did not investigate racist motives. In addition, in May 2016, the regional court, in its first instance, rejected the racist motive and stated that the reason was in a personal conflict between one of the victims and the perpetrators, despite the fact that the criminals attacked the victims, shouting the words "Dirty Gypsies, die!"¹¹² Similarly, in the case of serial killings of the members of the Roma community in 2008 and 2009, the Supreme Court of Hungary did not emphasize racist motives. The terms "gypsies", "anti-Romani manifestations" or "racist" were not even mentioned.¹¹³

Another terrible incident occurred in the city of Gyöngyöspata, where in 2011 the Roma were attacked by right-wing radicals and the police fined not the attackers, but the defenders.¹¹⁴ In April 2016, the Debrecen court rejected the first instance judgment on the racial nature of the attack and cases of direct discrimination by the police. At the same time, in April 2016 the European Court of Human Rights stated that the Hungarian authorities could not properly investigate the racist motives of threats and insults committed during the anti-Romani processions in Gyöngyöspata.¹¹⁵

A separate trend is also *a tolerant attitude towards activists of radical nationalist and neo-Nazi organizations*. In general, this is typical for Ukraine, where tolerance for radicals is combined with official glorification of collaborators of the Second World War.

¹¹² Péter Erdélyi, 'Símaszkban Verték össze a Közmunkásokat, Rendőr Adott Tippeket Hozzá [Public Workers Beaten up by Some Wearing Ski Masks with a Police Officer Giving Recommendations How to Do It]', *444.hu*, 26 January 2017, <http://tldr.444.hu/2017/01/26/simaszkban-verték-össze-a-kozmunkasokat-rendor-adott-tippeket-hozza>.

¹¹³ 'The Sentencing of the Defendants in the Attacks against Roma Victims Is Binding', *Tasz.hu*, 24 February 2016, <https://tasz.hu/en/romaprogram/sentencing-defendants-attacks-against-roma-victims-binding>.

¹¹⁴ 'Ethnic Profiling in Gyöngyöspata.'

<https://www.opensocietyfoundations.org/litigation/ethnic-profiling-gy-nyg-spata>

¹¹⁵ 'Strasbourg Elmarasztalta Magyarországot Egy Rasszista Bűncselekmény Kapcsán (Hungary Convicted by Strasbourg for Racist Crime)', *Tasz.hu*, április 2016, <https://tasz.hu/romaprogram/strasbourg-elmarasztalta-magyarorszagot-egy-rasszista-buncselekmény-kapcsán>.

Almost all right-wing radical organizations in this country have their own paramilitary units, which, after the change of power in March 2014, were officially incorporated into the National Guard of Ukraine or the Armed Forces. Members of these formations are often involved in anti-Semitic and anti-Hungarian demonstrations, interfaith and interreligious conflicts (most of the right-wing radicals are neo-pagans), but in almost all cases they manage to escape punishment (see sections 4-5). Their symbolism ("wolf hook", stylized swastikas) is not forbidden in Ukraine.

Part of the ideology of Ukrainian right-wing radicals is the heroization of collaborators of the Second World War and the figures of the Directory of Ukraine during the Civil War, who are guilty of Jewish pogroms. However, this ideology is completely shared by the current leadership of the country. As early as May 15, 2015, President Poroshenko signed the law "On the legal status and commemoration of the fighters for the independence of Ukraine in the 20th century" among the so-called laws on de-communization. The law criminalized criticism against the fighters. For example, OUN-UPA, which operated during the first years of the Nazi occupation in alliance with the Nazis and was "famous" for the Lviv Jewish pogrom and the Volyn massacre of the Poles, as well as one of the leaders of the Ukrainian People's Republic (1918 -1919) S. Petlyura, whose soldiers "became famous" for the most severe Jewish pogroms during the Civil War.¹¹⁶

Thus, the executioners are heroic, but not persecuted by authorities. Streets in Ukrainian cities are named after the "heroes", monuments are put up, etc. This policy logically fuels hate crimes, primarily on the basis of anti-Semitism.¹¹⁷

Despite the condemnation of such a policy by the neighbors of Ukraine, the Polish government, whose citizens were the victims of the bloody pogroms of the OUN-UPA, Poland itself also tolerates the radicals. In particular, the auxiliary material for the police, "Hate Crimes", containing a list of symbols used by radical nationalists,

¹¹⁶ <http://www.pravda.com.ua/rus/news/2015/04/9/7064239/>

¹¹⁷ <http://jewish.org.ua/svinya-izrailyu-doklad-o-proyavleniyax-v-ukraine-antisemitizma/>

was withdrawn by the decision of the Ministry of Internal Affairs of this country in March 2016.¹¹⁸

3. XENOPHOBIA

Xenophobia is the cause of all hate crimes. Its roots lie, first of all, in entrenched traditions, which, in turn, are influenced by lawmaking and law enforcement activities of government bodies.

There are three *most common* forms of xenophobia:

- Xenophobia on ethno-religious grounds, i.e. hostile attitude towards representatives of other ethnic and religious groups.
- Migrantophobia is a fear of migrants and refugees.
- Homophobia is a prejudice against sexual minorities.

- **Xenophobia on ethno-religious grounds**

Anti-Roma feelings are one of the most serious problems associated with xenophobia in monitoring countries.

As can be seen in Diagram 1, the trends are multidirectional, but, as compared to 2014, there is a clear positive trend, with the exception of Greece, where the hatred to the Roma rose from 53% to 67%.

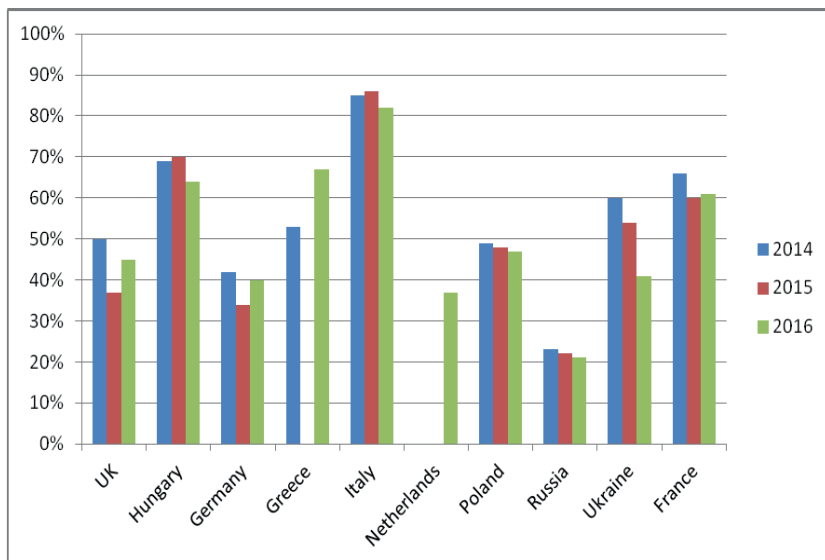
According to the polls, 82% of Italians, 64% of Hungarians, 61% of French (57% in other polls¹¹⁹), 47% of Poles (67% according to polls of the Polish CBOS agency¹²⁰), 47% of British population, 41% of Ukrainians, 40% of the inhabitants of Germany, 37% of

¹¹⁸ Interpelacja nr 1305 do ministra spraw wewnętrznych i administracji w sprawie prezentowania młodzieży szkolnej symboli związanych z przemocą przez funkcjonariuszy Policji, 24 lutego 2016, <http://search.sejm.gov.pl/SejmSearch/ADDL.aspx?DoSearchNewByIndex> [accessed: May 25, 2017]

¹¹⁹ <http://www.cncdh.fr/fr/publications/rapport-2016-sur-la-lutte-contre-le-racisme-lantisemitisme-et-la-xenopobie>

¹²⁰ Komunikat z badań nr 53/2016, „Stosunek Polaków do innych narodów”, CBOS Centrum Badań Opinii Społecznej, Warsaw, April 2016, http://www.cbos.pl/SPISKOM.POL/2016/K_053_16.PDF [Accessed: May 15, 2017]

Diagram 1. Anti-Roma attitudes, 2014-2016¹²¹.



Dutch citizens, and 21% of Russians experienced unkind attitude towards Roma in 2016.

Another important component of xenophobic attitudes is *anti-Semitism*.

Greece also demonstrates here the highest rates of anti-Semitic prejudice. Dislike rate for Jews in 2016 in this country was 55%, which, however, is significantly lower than the year before - 69%. In 2014, the level of anti-Semitism was 47% there. The

¹²¹ <http://www.pewglobal.org/2014/05/12/a-fragile-rebound-for-eu-image-on-eve-of-european-parliament-elections/>; <http://www.pewglobal.org/2015/06/02/faith-in-european-project-reviving/eu-report-04-2/>; <http://www.pewglobal.org/files/2016/07/Lede-chart-2.png>; <http://www.levada.ru/2015/08/25/ksenofobiya-i-natsionalizm/>; <http://www.levada.ru/2016/10/11/intolerantnost-i-ksenofobiya/>; https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/Molod_Ukraine_2015_UA.pdf; <https://zn.ua/UKRAINE/ukraincy-bolshe-vsego-ne-hotyat-puskat-v-stranu-romov-i-chehencev-issledovanie-223854.html>

average indices of anti-Semitism are fixed in Hungary - 32%, in Italy - 24% and Poland - 24% (according to a survey of the Polish agency CBOS - 37%).¹²² In the UK (7%), Germany (5%), the Netherlands (4%), Russia (6%), Ukraine (7%), and France (10%), anti-Semitic sentiment is fixed at a low level. However, in Ukraine the latest data on anti-Semitism are fixed at the level of 2015. In 2016, no measurements were taken.

Also, according to a survey conducted by the French Institute for the Protection and Promotion of Human Rights (CNCDDH) in 2016, the average level of anti-Semitism in France was 20%.¹²³ However, in large, this was not a survey of attitudes toward Jews. 20% are those people who believe that Jews have too much power in politics, and they are associated with money. The Institute's sociologists did not ask any other questions about the Jews. Thus, the figure of 10%, given by the American institute Pew Global Research, is more correct.

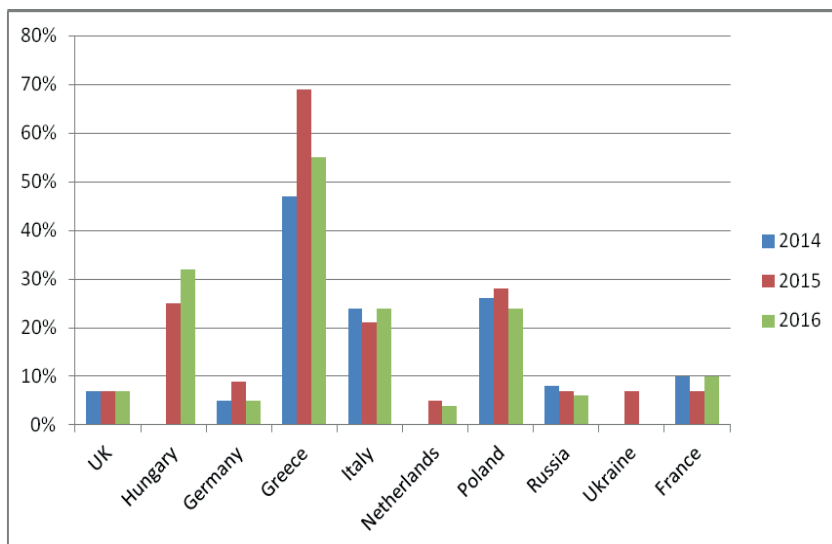
Interesting results of the survey in relation to the Jews were presented in the Federal Republic of Germany by the Ebert Foundation. They supplement the data of Pew Global Research. Thus, open forms of anti-Semitism are found in responses of 6% of the respondents in Germany. Along with this, forms of latent anti-Semitism and the associated negative attitude towards Israel remain at a high level. 25% of respondents supported the statement "Jews today use the war time and the Third Reich for their own purposes." 40% agree with the thesis "Seeing the policy of Israel, I can understand bad attitudes towards Jews."¹²⁴

¹²² Komunikat z badań nr 53/2016, „Stosunek Polaków do innych narodów”, CBOS Centrum Badań Opinii Społecznej, Warsaw, April 2016, http://www.cbos.pl/SPISKOM.POL/2016/K_053_16.PDF [Accessed: May 15, 2017]

¹²³ <http://www.cncdh.fr/fr/publications/rapport-2016-sur-la-lutte-contre-le-racisme-lantisemitisme-et-la-xenophobie>

¹²⁴ <https://www.fes.de/de/gespaltene-mitte-rechtsextreme-einstellungen-2016/>

Diagram 2. Dynamics of anti-Semitic attitudes in 2014-2016¹²⁵.



In 2016, the *attitude towards Muslims* developed differently. Four countries hold the leadership for the hatred of Muslims. Two of them have a minimal Islamic population. Hungary is in the first place, where 72% of population have negative feelings for Muslims. Moreover, there are no more than 10,000 Muslim citizens of Hungary, and along with refugees the Muslims combine 80,000 people (i.e., 0.8% of 10 million population). Most refugees are kept in an 8 kilometer special transit zone on the Serbian border.

Italy is the second one. In 2010 there were 2.2 million Muslims or 3.7% of population (without illegal immigrants).¹²⁶ 69%

¹²⁵ <http://www.pewglobal.org/2014/05/12/a-fragile-rebound-for-eu-image-on-eve-of-european-parliament-elections/>; <http://www.pewglobal.org/2015/06/02/faith-in-european-project-reviving/eu-report-05-2/>; <http://www.pewglobal.org/files/2016/07/Lede-chart-2.png>; <http://www.levada.ru/2015/08/25/ksenofobiya-i-natsionalizm/>; <http://www.levada.ru/2016/10/11/intolerantnost-i-ksenofobiya/>; https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/Molod_Ukraine_2015_UA.pdf; <https://zn.ua/UKRAINE/ukraincy-bolshe-vsego-ne-hotyat-puskat-v-stranu-romov-i-chehencev-issledovanie-223854.html>

of the population are negative to the adherents of Islam, and the number of Islamophobes increased by 8% in the last year alone. Poland is the third one. The level of Islamophobia in this country reaches 66%, and the number has increased by 10%. The number of Muslims here does not exceed 5 thousand people or 0.01% of the population.¹²⁷

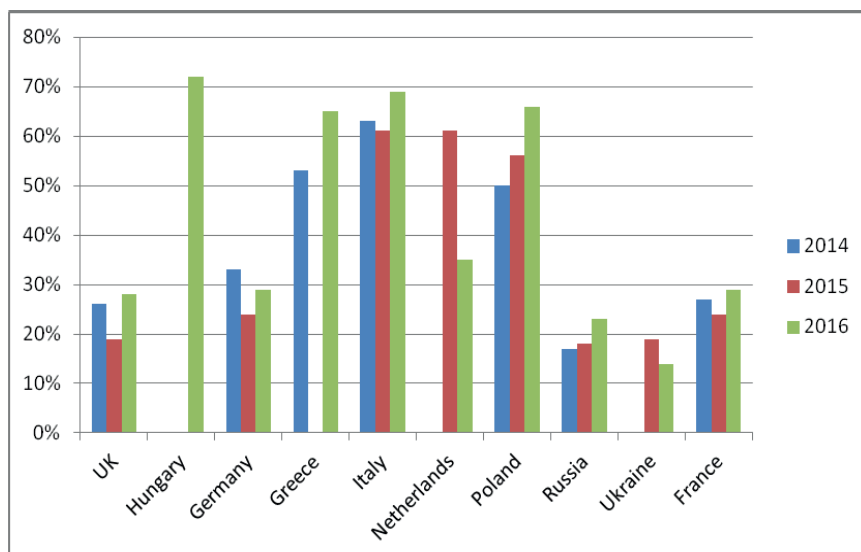
Right-wing radical groups try to speculate on the theme of refugees from the countries of the Middle East and North Africa for their political purposes play significant role in the growth of Islamophobia in these countries. However, in Hungary and Poland there were other reasons, namely - unprecedented state propaganda against refugees and, indirectly, Muslims in 2015 - 2016. In October 2016, Hungary held a referendum on the issue of attitudes towards mandatory EU quotas for the reception of refugees. About 98% of the voters spoke out against the EU's intentions to place 160,000 migrants in the member countries of the Union, of which 1,229 should go to Hungary. All these people are refugees from Syria, Iraq and other countries of the Middle East and North Africa, i.e. in the overwhelming majority - Muslims. At the same time, turnout at the referendum was below the necessary minimum: 43% of voters with the right to vote voted, with minimum of 50%.

Agitation before the referendum was a frank pressure from the ruling party, which was striving for precisely this result. Public media being under the influence of the government reported a crisis situation with refugees in a biased and one-dimensional manner that fomented hatred and xenophobic sentiments. The Hungarian Helsinki Committee (WCC) objected to this practice in a letter addressed to the leaders of the state mass media in June 2015. According to the HCC, the state-owned media represented refugees as hideous and terrible people who harm Hungary. All this led to the fact that the level of anti-Islamic xenophobia in the country reached up to 70% in 2016.

¹²⁶ <http://www.pewresearch.org/fact-tank/2016/07/19/5-facts-about-the-muslim-population-in-europe/>

¹²⁷ Wyznania religijne w Polsce 2012-2014, Główny Urząd Statystyczny, Warszawa 2016
http://stat.gov.pl/files/gfx/portalinformacyjny/pl/defaultaktualnosci/5500/5/1/1/oz_wyznania_religijne_stow_nar_i_etn_w_poi_2012-2014.pdf, p. 14 [accessed: August 5, 2016]

Diagram 3. Dynamics of anti-Islamic attitudes in 2014 – 2016.¹²⁸



Approximately the same happened in Poland, where the right-nationalist party "Law and Justice" (Prawo i Sprawiedliwość) came to power in 2015, raising an unprecedented wave of Islamophobia.

As for other countries, in 2016, the level of hatred for Muslims was 35% in the Netherlands, 29% in France (34% according to the French Institute for the Protection and Support of Human Rights (CNCDH)¹²⁹, 29% in Germany (19% according to the

¹²⁸ <http://www.pewglobal.org/2014/05/12/a-fragile-rebound-for-eu-image-on-eve-of-european-parliament-elections/>; <http://www.pewglobal.org/2015/06/02/faith-in-european-project-reviving/eu-report-06/>; <http://www.pewglobal.org/files/2016/07/Lede-chart-2.png>; <http://fom.ru/TSennosti/12121>; <https://www.levada.ru/2017/07/18/religioznost/>; https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/Molod_Ukraine_2015_UA.pdf; https://nashkiev.ua/vlast/infografika/mousoul-mane-v-oukraine-sosed-i-brat-ya.html?in_parent=vlast

¹²⁹ <http://www.cncdh.fr/fr/publications/rapport-2016-sur-la-lutte-contre-le-racisme-lantisemitisme-et-la-xenopobie>

Ebbert Foundation¹³⁰), 28% in the UK, 14% in Ukraine, and 13% in Russia.

The topic of Islamophobia in modern Europe, as a rule, goes alongside with another sore subject, the topic of *Migrantophobia*.

Here the trends are also multidirectional. The highest level is still shown by Hungary - 82% (78% in 2015), followed by Poland - 75% (58% in 2015), Greece - 72% (the level has not changed since 2015) Russia - 66% (68% in 2015), Italy - 65% (80% in 2015), Germany - 61% (71% in 2015), the Netherlands - 61% (54% in 2015) France - 53% (65% in 2015), UK - 52% (64% in 2015), and Ukraine - 39% (10% in 2015).

The growth of Migrantophobia in Hungary and Poland was caused by the same reasons as the growth of Islamophobia. Its decrease in most countries of Western Europe is the point of interest. In many respects this is due to the residents of these states, who witnessed the large-scale tragedy of people forced to flee the war in Syria and Iraq, began to feel very sympathetic towards them. To this, the rhetoric of authorities set them up. In all likelihood, the respondents' minds were divided into "migrants" and "Muslims", although among the refugees the majority are adherents of Islam.

Moreover, there is a pattern that many of those who fear immigrants are at the same time ready to help them (and they do it). For example, according to a poll conducted by the "Greek polling company" in January 2016, more than 60% of residents of Greek cities and suburbs expressed solidarity with refugees against 40% of people living in rural areas.¹³¹

In many ways, the mass media are also actively working to explain that refugees are not economic migrants, but people who have experienced all the horrors of the war and are worthy of sympathy.¹³²

So in Germany, which received refugees more than all EU countries, 94% of respondents believe that Germany should continue to accept foreigners from places of civil war. Those turned out to be 76% even among the supporters of the right-populist party

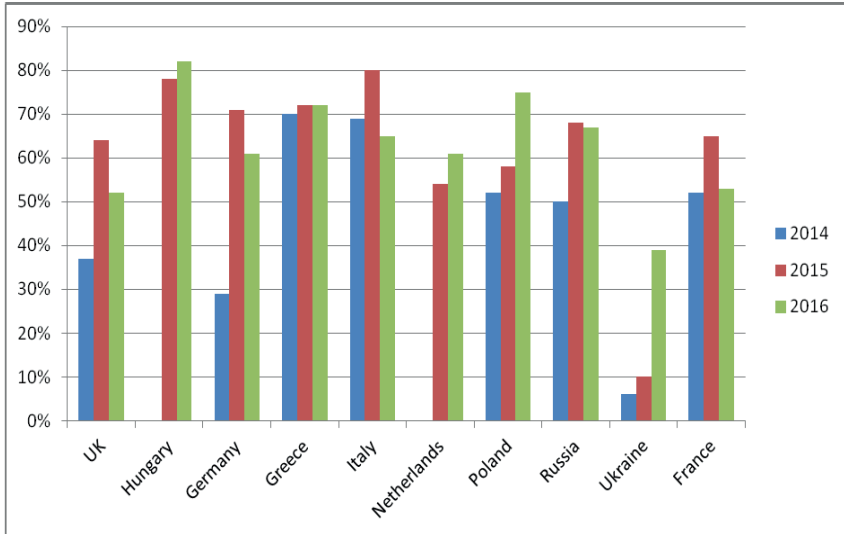
¹³⁰ <https://www.fes.de/de/gespaltene-mitte-rechtsextreme-einstellungen-2016/>

¹³¹ http://www.dianeosis.org/wp-content/uploads/2016/02/immigration_04.pdf

¹³² <http://www.dianeosis.org/2016/02/to-profil-twn-prosfygikwn-rown-pros-tin-ellada-to-2015/>

"Alternative for Germany" (AfG). 73% of survey participants welcome people who are forced to flee persecution for religious or political reasons (50% among AfG supporters).

Diagram 4. Migrantophobia in Europe in 2014-2016.¹³³



But only 25% of respondents agree with the reception of migrants who migrate to Germany in the hope of obtaining work and life prospects (5% among AfG supporters).¹³⁴

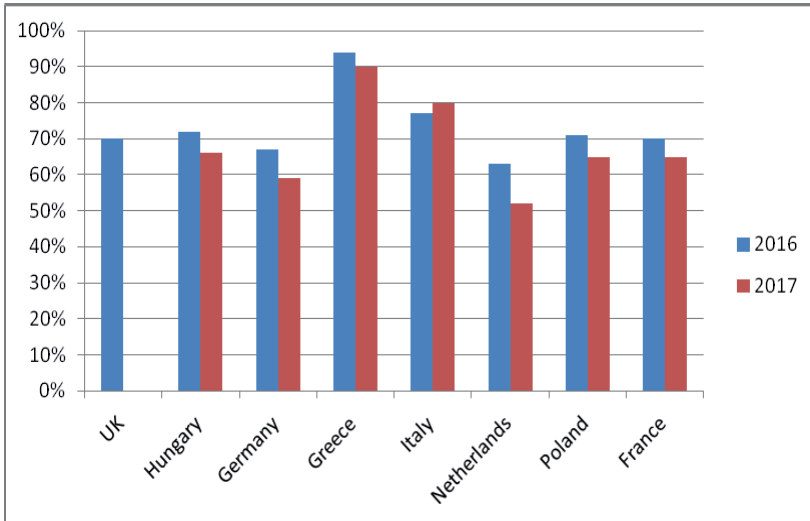
This is also the result of surveys on the attitude of EU residents towards the EU's migration policy (see Diagram 5). As we

¹³³ <http://www.pewglobal.org/files/2016/07/Lede-chart-1.png>;
<http://www.voxeurop.eu/en/content/news-brief/4932007-map-showing-eu-countries-attitude-towards-foreign-immigration>; <http://www.levada.ru/2015/08/25/ksenofobiya-i-natsionalizm/>; <http://www.levada.ru/2016/10/11/intolerantnost-i-ksenofobiya/>;
http://ratingpro.org/research/poshirennya_konservativnih_poglyadiv_v_ukraini.html?toinde
<https://www.rbc.ua/rus/news/90-ukraintsev-otnosyatsya-vnutrenne-peremeshchennyh-1465468223.html>; <http://pravorf.org/doc/Mukomel.pdf>

¹³⁴ <http://www.spiegel.de/politik/deutschland/ard-deutschlandtrend-mehrheit-kritisiert-fluechtlingspolitik-a-1075546.html>

can see, in most countries in 2016 an uncompromising negative position on this issue was softened.

Diagram 5. Dynamics of the negative attitudes of EU citizens to the migration policy of European authorities.¹³⁵



In Ukraine, a survey of respondents was conducted with an emphasis on the fact that migrants take jobs from local residents. This topic is very painfully perceived in this country experiencing economic difficulties. Most likely, therefore, statistics recorded an increase in anti-immigration sentiment in this country. At the same time, 43% of Ukrainians are positively treated in migrants from Donbass, 47% of Ukrainians are neutral towards them.¹³⁶

In Russia, there has been a slight decrease in the level of hostility towards migrants. First of all, this was due to the

¹³⁵ <http://www.pewglobal.org/2016/06/07/euroskepticism-beyond-brexit/>;
<http://www.pewglobal.org/2017/06/15/eu-back-in-favor-but-brussels-handling-of-economy-and-refugees-still-questioned/>

¹³⁶ <https://www.rbc.ua/rus/news/90-ukraintsev-otnosyatsya-vnutrenne-peremeshchennyh-1465468223.html>

arrangement of the stay of labor migrants in Russia, in particular with the introduction of the practice of labor patents for citizens of visa-free countries in the Russian Federation. This largely allowed to legalize the labor market for foreigners and to civilize it. Nevertheless, migrantophobia stays as a serious Russian problem. In particular, according to polls in 2016, 62% of Russians agreed that migrants take their jobs, 64% were sure that they increase the level of crime, and 39% believe that they are destroying Russian culture.¹³⁷

In general, the situation with migrantophobia remains alarming in all countries of monitoring. The main reasons for this social phenomenon were listed above. But there is one more factor that is not accepted. In the spring of 2016, the American Institute of Public Opinion Pew Research Center conducted an interesting survey among residents of EU countries. Respondents were asked: how important is it to be a Christian to be a real Greek, Dutch, French, German, etc.? It is typical that 54% of Greeks, 32% of Poles, 30% of Italians, and 29% of Hungarians responded positively to this question. More than 80% of residents of other monitoring countries answered this question negatively.¹³⁸ In the same survey, respondents answered the question whether they believe that a significant number of Muslims in their countries support ISIS. The most positive answers were given by the inhabitants of above mentioned countries - Greece (71%), Italy (85%), Hungary (85%), and Poland (88%).¹³⁹ These are the countries of the highest levels of both Islamophobia and migrantophobia.

It is obvious that their population is strongly influenced by the church, which plays an important role in warming these fears up. For example, although the Pope of Rome, Francis, is known as a supporter of the EU policy on refugees (recently he once again urged European countries to accept people fleeing violence - in the name of humanity and hospitality), he has a fairly powerful xenophobic opposition in the Vatican.¹⁴⁰

¹³⁷ <http://www.levada.ru/2016/10/11/intolerantnost-i-ksenofobiya/>

¹³⁸ http://www.pewglobal.org/files/2016/07/GA_2016.07.11_national_identity-01-07.png

¹³⁹ http://www.pewglobal.org/files/2016/07/GA_2016.07.11_national_identity-02-04.png

¹⁴⁰ <http://www.catholicnewsagency.com/news/pope-francis-invites-21-syrian-refugees-to-lunch-54200/>

80 representatives of the higher Catholic clergy openly opposed the Papal encyclical *Amoris laetitia* (Joy of Love), in which he welcomes diversity and condemns migrantophobia.¹⁴¹ Among the most active and radical figures, one can mention Cardinal Raymond Leo Burke, patron of the Order of the Maltese Knights, who is the leader of the conservative wing of the Vatican. In addition to purely theological disputes, he takes a sharp negative stance towards immigration and openness to other religions, especially Judaism and Islam. Cardinal Burke repeatedly publicly criticized Pope Francis for his openness to the issue of religious ecumenism, especially with regard to the above mentioned encyclical.

One can also mention more radical ultra-Catholic circles, with the most active being the Lepanto Foundation ("Fondazione Lepanto"). The Foundation does not recognize the results of the election of Pope Francis and therefore refuses obedience to him. On the issue of immigration, religious minorities and in relation to other religions, they occupy an ultra-radical position.¹⁴²

Ultra-Catholic associations are closely related to the right-wing radical movements of Europe, which is reflected on the Internet. Some examples of websites of these traditional Catholic associations are: www.sodalitium.it; www.magisterium.biz; www.osservatorio.it; www.anti-pagano.it; www.traditio.it; www.holywar.org/.

The latter, the Holy War association is of particular concern. The association is transnational and associated with several radical groups in different countries, such as the UK, Germany, Italy, Spain, Poland, France, and Sweden. An analysis of its website shows a high level of anti-Semitism and racism, including several articles denying the Holocaust. In addition, one can read a lot of comments and messages from readers who are clearly Islamophobic and homophobic, typical for neo-Nazi sites.

So, not only does the further radicalization of ultra-Catholic movements happen, but also they try to bring frankly neo-Nazi ideas to the religious environment or the environment of sympathizers.

¹⁴¹ <https://www.chatolicworldreport.com/.../cardinal-burke-no-i-am-not-saying-that-pope-francis-is-in-heresy/>

¹⁴² <https://www.lastampa.it/2016/10/16/italia/cronache/quei-cattolici-controfrancesco-che-adorano-putin-lzpbqcl1ilelZDnUxx1Epo/pagin.html>

This can significantly expand the number of supporters of right-wing radical views among Catholics in the near future, as well as "enrich" the already existing radical environment with new religious ideas. One of the topics actively promoted by these sites is the theme of "holy warriors of Christ", its adherents against immigrants, homosexuals, Jews, and Muslims.¹⁴³

Similar problems exist in the Greek Orthodox Church. Members of its higher hierarchies, for example the metropolitan Amvrosios of Kalavryta, produced anti-Semitic and anti-Islamic sermons.¹⁴⁴

Thus, we can state that the key to European tolerance is largely in the hands of Christian churches. This does not mean that the church is guilty of xenophobia, but this means that it has a chance which is not used. Moreover, its individual representatives participate in inciting hatred, and the church itself does not show the necessary striving to counter it.

- **Homophobia.**

In most countries of monitoring, the attitude towards LGBT representatives either remains at the same level or improves.

In 2015-2016 the highest level of homophobia was registered in Ukraine - 69% of Ukrainians favor a complete ban on homosexual relations (data from 2016).¹⁴⁵ Then follows Russia, where this level is 65% (2015).¹⁴⁶

Comparing to previous years, the level of homophobia in this country has decreased, which is explained by the less attention

¹⁴³ <https://www.holywar.org/indextradiz.html>.

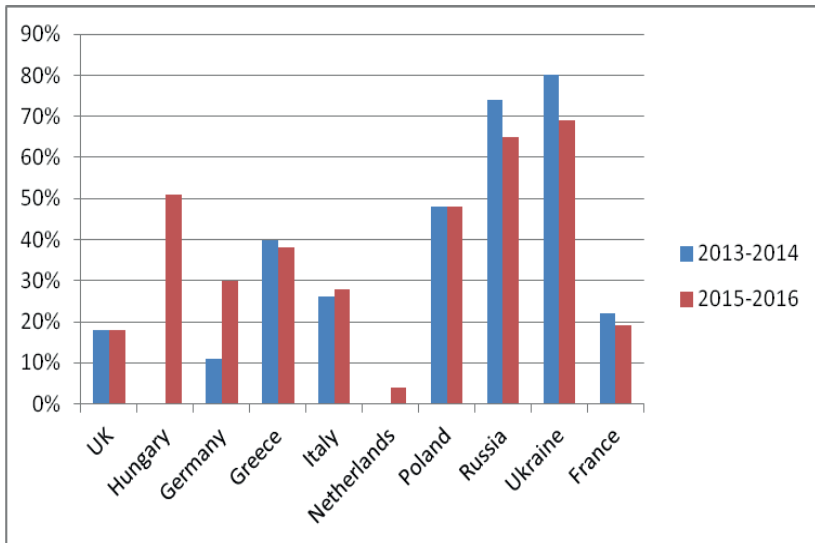
¹⁴⁴ <http://antisemitism.org.il/article/80643/%D0%BC%D0%B8%D1%82%D1%80%D0%BE%D0%BF%D0%BE%D0%BB%D0%B8%D1%82-%D0%B5%D0%BF%D0%B8%D1%81%D0%BA%D0%BE%D0%BF-%D0%B3%D1%80%D0%B5%D1%87%D0%B5%D1%81%D0%BA%D0%B8%D0%B9-%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D1%83%D0%B5%D1%82-%D0%B0%D0%BD%D1%82%D0%B8%D1%81%D0%B5%D0%BC%D0%B8%D1%82%D1%81%D0%BA%D0%B8%D0%B5-%D0%BC%D0%BD%D0%B5%D0%BD%D0%B8%D1%8F-%D0%BD%D0%B0-%D1%81%D0%B2%D0%BE%D0%B5%D0%BC-%D0%B2%D0%B5%D0%B1-%D1%81%D0%B0%D0%B9%D1%82%D0%B5>

¹⁴⁵ http://ratingpro.org/research/poshirennya_konservativnih_poglyadiv_v_ukraini.html?toinde

¹⁴⁶ <http://www.levada.ru/15-05-2015/nevidimoe-menshinstvo-k-probleme-gomofobii-v-rossii>

of Russian media to this topic due to the Ukrainian situation and other events.

Diagram 6. Phobias towards sexual minorities.¹⁴⁷



In Hungary, 51% of the population has hostile attitudes toward gays, 48% in Poland, 38% in Greece, 30% in Germany, 28% in Italy, 19% in France, 18% in the UK, and 4% in the Netherlands. As we see, the highest level of homophobia is found in the most traditional Christian states, which is quite natural, especially in Orthodox societies.

It is important to emphasize that, to a large extent, the level of Xenophobia depends on the nature of government rhetoric about the minorities. Practice shows that in the countries with negative

¹⁴⁷ <http://www.pewglobal.org/2013/06/04/the-global-divide-on-homosexuality/>; http://www.ilga-europe.org/sites/default/files/2016/full_annual_review.pdf; https://www.gfk.com/fileadmin/user_upload/dyna_content/UA/Molod_Ukraine_2015_UA.pdf; <http://www.levada.ru/15-05-2015/nevidimoe-menshinstvo-k-probleme-gomofobii-v-rossii>; https://www.ilga-europe.org/sites/default/files/Attachments/annual_review_2017_online.pdf; http://ratingpro.org/research/poshirennya_konservativnih_poglyadiv_v_ukraini.html?toindex=1

rhetoric of authorities, the level of xenophobia is much higher. Sometimes it is the rhetoric of the authorities, reinforced by the media that leads to the growth of certain xenophobic attitudes. When the left radicals of SYRIZA came to power for the first time in 2015, they produced anti-Semitic statements and anti-Semitism raised significantly (see section 4). So it was with Islamophobia and migrantophobia in Hungary and Poland. The same with homophobia in Russia, when generally traditional society reacted extremely nervously to the campaign launched in the media for conducting a ban on anti-Gay propaganda among children.

In general, it can be stated that the level of xenophobia in the monitoring countries as a whole has decreased or remained at the same level. Exceptions were countries that faced the most severe manifestations of the migration crisis, as well as those where the state itself, for political purposes, provoked the growth of xenophobia.

Separately, we should speak about religious organizations, especially Christian churches and Islamic communities, which have not yet shown a will to reduce the intensity of hatred.

4. RADICALS

Xenophobia is a breeding ground for radicals, who use it for their political purposes. In the context of this report, we can talk about right-wing radical-nationalists, left-wing radicals, and Islamists.

The task of *right-wing radicals* is mainly to incite hatred against minorities and use this resource to achieve success in elections. Only extremely marginal and small groups of neo-Nazi type have terrorist illegal purposes. Recently, a number of public ultra-right associations have emerged that do not claim party status and operate in the legal field (for example, PEGIDA in Germany). All of them are united by a common ideological base - migrantophobia, Islamophobia, phobia towards certain ethnic minorities, and euroscepticism.

In recent years, there have been favorable conditions for the activities of these organizations in Europe, namely, the migration crisis, a sharp demographic growth in the number of ethnic and

religious minorities, mainly from Arab countries, European integration, and related refusals of elements of national identity, etc.

The second radical force is the *Islamists*. Mostly these are Salafi jihadists. Their main goal is the recruiting of Muslims living in Europe to take part in the fighting in the Middle East. Jihadist propaganda among the members of the Islamic community of Europe and even terrorist acts are tools for inciting hatred for the recruiting.

Islamists need to infect potential victims with the ideas of radical Islam. Victims often become, by terminology of the Italian political scientist L. Vidino, "sociologized citizens". These are successful and outwardly integrated people from the Arab East, who absorbed tradition and culture of the host country, often representatives of the second or even third generation of immigrants. Also, these may be socially non-settled members of European Muslim communities who visit the mosque or legal and semi-legal madrassas, as well as students or workers who come from Islamic countries and temporarily reside in Europe. An exotic and extremely dangerous group composes indigenous Europeans who have converted to Islam and are eager to learn new aspects of Islamic culture. As a rule, these are women who have personal relationships with Muslim men.

Favorable conditions for Islamist organizations are now in Europe. These are provided by an increase of hostility from the non-Muslim population of Europe; the wars in Syria, Iraq, and Afghanistan, which the overwhelming majority of the Islamic population perceive as aggression by European authorities; small but sensitive things such as the ban on wearing religious clothes in some countries, cases of institutional racism, the lack of effective assistance from the authorities in the development of their communal infrastructure and, finally, attempts at the state level to plant Western values, some of which are unacceptable for the Islamic Culture.

The third radical group is *the left radicals* who fight against capitalism, globalization, etc. In certain cases, they are natural allies of Islamists, as soon as they also oppose globalism and the ultra-right wing, war in the Middle East and, most importantly, call for a

struggle with Israel, which, as a rule, is associated with outbreaks of anti-Semitism.

The right-wing radical camp is heterogeneous. If 2015 was the heyday of various ultra-conservative and radical nationalist movements, associated with the peak of the migration crisis, then in 2016 there was a certain structuring and differentiation of this part of the political spectrum.

As already indicated, in Germany the obvious leader was the "Alternative for Germany" (AfG). Its popularity fluctuated at the level of 12-16% and it became the third most popular party in the country.¹⁴⁸ The PEGIDA movement continued to lose its positions in the society. That was connected both with the strengthening of AfG and with internal conflicts in the ranks of this anti-Muslim group. The oldest right-wing radical party NDP was not able to demonstrate a result above 3% in municipal elections, and lost the right to receive state funding.

In the UK, UKIP became the uncontested leader of the nationalists. It was one of the few European parties that prevented the government from overacting it in its field in 2016. The Conservative Party initiated a referendum on the country's exit from the EU in order to consolidate its positions and consolidate membership of the United Kingdom in the EU and lost the UKIP in June 2016, as soon as the British voted for exit from the European Union.

Their success was a strong factor, contributing to the failures of other right-wing parties, as they managed to reach out to a number of ordinary activists and supporters of the ultra-right parties. The former leader of the British right-wing radicals, the British National Party (BNP), spent 2016 watching its former supporters go to a more respectable and successful UKIP. As a result the BNP ended the year with 300 members - a disappointing development for the party that received 800,000 votes at the parliamentary elections in 2004.¹⁴⁹ Although the popularity of the party began to fade after the referendum, many voters, along with former leader N. Farage,

¹⁴⁸ <http://www.faz.net/aktuell/nach-berlin-wahl-afd-in-umfrage-drittstaerkste-partei-im-bund-14449278.html>

¹⁴⁹ Hope not Hate, Issue 30, January / February 2017, p.8

felt success. UKIP with 32,757 members at the end of 2016 is without doubt the most successful and significant player on the ultra-right field in the UK.

In Italy, the League of the North is ahead of all other nationalist parties, including the 5-Star Movement. In the last municipal elections (2016), the party won in 99 cities (39 more municipalities than in 2011) and received 21 new mayors. The success of the 5-Star Movement looks more modest, although this party managed to get mayors in two major cities like Rome (67.2% of votes) and Turin (54.6%).

As for other right-wing radical associations, such as CasaPound (CP) and Forza Nuova (FN), in 2016 in Rome CP received 6.67% with 3 local councilors. It was the best result. On average, these parties do not gain more than 3.5%.¹⁵⁰

The undisputed leader of the right-wing sector in the Netherlands is still the Freedom Party (PVV) headed by G. Wilders. It has stable support at the level of 20-24%.

Greek neo-Nazi party Golden Dawn is supported by 10-12%. The party is not in its best years, its leaders are under trial, and many of them were sentenced to imprisonment. In 2013, it was deprived of state funding and almost stopped violent actions (in 2016, there were only two attacks involving its activists). The fact that the level of support for the party has not changed for several years, despite the economic difficulties and, most importantly, the migration crisis, indicates that it is losing popularity *de facto*. Its leader Nikos Michaloliakos is responsible for this. It looks like Golden Dawn has turned into a party of a tired leader who cannot inspire the electorate and convince him to support his ideas.

French National Front is supported by 24%, 12-13% has the Hungarian Jobbik, and 11.2% is the combined rating of the right-wing radical parties of Ukraine.

Ukrainian right-wing radicals, as a result of the war in the Donbas, formed several tens of thousands of fighters with combat experience. They may cause a serious threat to the authorities. At the same time this sector is fragmented. Neo-Nazis cannot consolidate

¹⁵⁰ <https://www.linkiesta.it/article/2016/06/07/destra-radicale-e-i-movimenti-nazionalisti-in-italia-non-ce-ancora-una/30662>. Author: Marco Sarti.

due to the ambitions of leaders, sources of funding, and various "curators" in power. Party "Freedom" was the most influential of them in 2016 with a rating of 5.0-6.2% that allows it to get to parliament. The remaining groups do not gain more than 1-2% of the vote. Popularity of "the Right Sector" decreased rapidly. Its fighters ensured the victory of the "Maidan" in 2014. This happened, first of all, because its leader and creator, D. Yarosh, withdrew the organization.

The right-wing radical movement of Russia suffers a very deplorable situation. Over the past two years, it has seriously weakened as a result of a number of reasons. First, after a series of harsh actions by law enforcement agencies, virtually all of the notable organizations of Russian nationalists were banned, and their leaders were squeezed into emigration or arrested. In 2016, A. Belov (Potkin) was convicted. He was the leader of the two largest nationalist projects of the 2000s, "Movement Against Illegal Immigration" and the "Russians" movement. Co-chairman of the "Russian", Dmitry Demushkin, was arrested that year. Secondly, after the Ukrainian events of 2014, the radical nationalists split when some of the ultra-right supported the so-called "Maidan", and some expressed support for the actions of former President Yanukovich and supported "anti-Maidan." Thirdly, a significant number of activists of these movements left after these events to Ukraine to participate in military operations on both sides of the civil conflict.

The attempts of the national radicals to unite their efforts with the liberal part of the opposition spectrum were also unsuccessful. Such units were actively practiced until 2014. In the parliamentary elections of 2016, Saratov blogger and the open anti-Semitic person, Vyacheslav Maltsev, was second on the list of the opposition liberal party PARNAS. He spoke openly about the "Jewish mafia".¹⁵¹ On August 30, the leader of the Russian right-wing party, the nationalist neopagan Vladimir Istarhov, called his supporters to vote for this party in support of PARNAS. However, neither the PARNAS nor the nationalists succeeded - the party won 0.73% of the vote in the elections. The prospect of re-creating a

¹⁵¹ <https://www.facebook.com/photo.php?fbid=1068887889831522&set=a.12059579466074.1.34971.100001309628736&type=3&theater>

single opposition front where the nationalists had a broad rostrum was not implemented. Maltsev scared traditional liberal-minded voters.¹⁵² At the congress of the PARNAS party held on December 17, the deputy chairman of the party Vladimir Kara-Murza-j., as well as five heads of regional branches, left the ranks due to disagreement with his involvement in the party.¹⁵³

After all this, the only Russian-scale players on the nationalist field are the Liberal Democratic Party of Russia (LDPR) and the Rodina (Homeland) Party.

Vladimir Zhirinovskiy was the leader of the LDPR, officially declared to be a party of "healthy nationalism", since the party's foundation in 1989¹⁵⁴. He regularly produces shockingly xenophobic statements. The party has 85 regional and 2,293 local branches. In the electoral program of the Liberal Democratic Party of Russia of June 28, 2016, the main slogans were "Stop humiliating the Russians" and "For the Russian people." In the election manifesto of the party in 2016, the LDPR proposed to exclude article 282 (inciting hatred or enmity) from the Criminal Code.¹⁵⁵

The second officially recognized party is Rodina Party. It advocates the recognition of russophobia as a "state crime equal to treason", demands recognition of Russians as a "divided nation with the right of reunification in its natural historical borders of the Russian world", and the introduction of a visa regime "with all states provoking mass migration to Russia" and "merciless struggle with any manifestations of ethnic crime."¹⁵⁶

The parties "Russian National Union" by S. Baburin and "Democratic Choice" by V. Milov are also officially registered. They try to combine liberal values with nationalism. They do not play a significant role in Russian politics. There are also unregistered parties such as the National Democratic Party (the group of K. Krylov and V. Kralin), the Black Hundred group (A.

¹⁵² http://www.vyborny.izbirkom.ru/region/region/izbirkom?action=show&root=1&tvd=100100067795854&vrn=100100067795849®ion=0&global=1&sub_region=0&prver=0&pronetyd=0&vibid=100100067795854&type=242

¹⁵³ <http://www.kommersant.ru/doc/3174795>

¹⁵⁴ Сборник Политические партии в Российской Федерации. Выпуск 5. 2016 год. — С. 17

¹⁵⁵ <https://ldpr.ru/party/election/>

¹⁵⁶ Сборник Политические партии в Российской Федерации. Выпуск 5. 2016 год. — С. 152-153.

Shtilmark), and the Union of the Russian People (A. Turik). In addition, a number of smaller groups exist mostly in Moscow and St. Petersburg. They are represented more on the Internet than in reality, some of them with famous brands like RNE.

In the last parliamentary elections in 2016, the LDPR received 13% of the votes. The remaining parties of the same kind did not gain more than 2%.

In general, the European parliamentary right-wing parties tried to change their image. This trend has emerged in recent years. They understand that they have a certain chance to break through to power on the wave of the migration crisis, but they are hampered by their former image, usually anti-Semitic, homophobic, and even sexist. In this regard, many of these parties undertook a rebranding. They publicly abandoned these views, and also dissociated themselves from the most odious old leaders, for example, from the former chairman of the National Front, Jean-Marie Le Pen. What is definitely preserved in their vocabulary is Islamophobia and harsh criticism of the EU migration policy. Today we must admit that the National Front, the Alternative for Germany, the League of the North, and many other "big" right-wing parties are not as radical as they used to be. Most of them oppose European integration in its current form, and speak for the prohibition of further legal immigration from outside Europe and for the priority of the rights of its own citizens over the rights of foreigners in such areas as employment, social and pension benefits, health care, the distribution of social housing, etc. Anti-Semitic, homophobic, and even anti-Roman passages disappeared from the speech turnover of their leaders, although they are still alive at the middle level of the party apparatus. The fact that this is just a rebranding is very well understood by representatives of minorities and representatives of the political establishment. The last are not in a hurry to get close to the ultra-right parties who are trying to embellish their image. For example, in 2016 the leader of the Hungarian party, Jobbik G. Vona, sent a congratulation to the Jewish organizations of the country on

the occasion of the Hanukkah holiday, which was rejected by Jews and condemned by ordinary members of the party¹⁵⁷¹⁵⁸

This policy has brought success to some parties. For example, the National Front (NF) has clearly expanded its electoral base by representatives of the Jewish community and homosexuals (one-third of all gay couples of France vote for this party). In their opinion, they chose the lesser of two evils. It is clear that the growth of the NF rating to 28% is precisely the result of a change in tactics. On the other hand, many right-wing parties were put on the brink of a split as a result of rebranding. For example, the faction of Alternative for Germany in the Land Parliament of Baden-Württemberg split because of the anti-Semitic views of one of the deputies, and that clearly demonstrated the strength of right-wing extremists in the ranks of AfG.¹⁵⁹ Attempts by the head of the party to apply any disciplinary measures against politicians related to neo-Nazis were mainly aimed at improving the image of AfG and its attractiveness to a wider range of voters. These efforts were torpedoed by representatives of inner-party factions at the local and all-German level.

Observing the growing popularity of right-wing radical views, many ruling parties did not want to give this platform to the extreme right wing.

In the UK, the conservative party made an unsuccessful attempt to play on the ultra-right field, losing the referendum on Brexit. At the same time, in France, Hungary, the Netherlands, Poland, and Ukraine, the leading parties managed to outplay the right-wing radicals on their own field, effectively playing anti-migration and nationalist maps, as well as taking tough measures in the sphere of security, for which the ultra-right always stands.

So, in France, a state of emergency was introduced, which allowed a number of steps to be taken to neutralize individual

¹⁵⁷ 'Vona Gábor Túl Akar Jutni a „keresztény-Zsidó Ellentétén” [Gábor Vona Wants to Overcome the Antagonisms between Christians and Jews]', *24.hu*, 28 December 2016, <http://24.hu/belfold/2016/12/28/vona-gabor-tul-akar-jutni-a-magyar-zsido-ellenteten/>

¹⁵⁸ 'Több Mint ötven Jobbikos Alapszervezet Is Tiltakozik Vona Irányváltása Ellen [More than Fifty Jobbik Local Branches Protested against Vona's Turn]', *PestiSrácok*, 29 January 2017, <http://pestisracok.hu/huszonot-jobbikos-alapszervezet-tiltakozik-vona-iranyvaltasa-ellen/>

¹⁵⁹ <http://www.zeit.de/politik/deutschland/2016-07/afd-joerg-meuthen-gruendet-neue-fraktion-in-baden-wuerttemberg>

Islamists and strengthen the protection of the most vulnerable objects of terror. This took away many arguments from the National Front, whose popularity ended up at the level of 24%.

In the Netherlands, strict anti-terrorism legislation was adopted. It permits the denial of Dutch citizenship and the declaring of those individuals who participated in hostilities or financed terrorism as undesirable aliens and members of extremist groups.

In Hungary and Poland, the government actively used the migration crisis to stir up fear among ordinary voters towards migrants and Muslims, having seized the initiative from the radicals. As a result, in 2016 the Poles and Hungarians demonstrated the highest indicators of migrantophobia and hatred of Muslims in Europe. At the same time, the ruling parties - Fidesz in Hungary and Prawo i Sprawiedliwość (PiS) in Poland - increased their ratings. The neo-Nazis from the Jobbik party had to distance themselves from the topic of migrants and switch back to the struggle of ethnic (namely, gypsy) crime.

In Ukraine, the ruling parties practically intercepted the nationalist Russophobic agenda, actively engaging in the promotion of the Ukrainian language and culture at the expense of minority languages and culture.

However, it should be recognized that the ruling parties, playing on the right-wing field, are forced to drift to the right. If the ultra-right has become less radical, then many ruling parties move to the opposite. There is a danger of further ideological convergence of these parties. For example, during the election campaign in the Netherlands, Prime Minister Mark Rutte (the Dutch Liberal Party VVD) has often branded the plan of Geert Wilders to close all mosques in the Netherlands as "a threat to the rule of law." However, to ensure the votes, he did not hesitate to link the problems of national security with the presence of Muslims in the country. Thus, in his open letter to the citizens of the country, Rutte said that the Dutch feel "increasingly uncomfortable" with those who abuse freedom, "troubles gays, whistles at women in short skirts or

provokes racists". "If you so fundamentally reject this country, then I would prefer that you leave," he concluded.¹⁶⁰

If the ruling and parliamentary parties are faced with the task of frightening the voter and instilling a xenophobic mood in front of them, then there is a direct link between them and small radical nationalist groups that perform the dirtiest work of inciting hatred at the behest of their senior comrades. At the same time, these parties themselves prefer to remain in the shadow. Then the parliamentary right may reap the rewards. For example, the left Polish party "Razem" ("Together") investigated some actions of local right-wing radicals. Here are some results:

- February 2016 - a massive rally against migrants, organized by the ultra-right organization of the National Radical Camp (Obraz Narodowo-Radykalny (ONR), was sponsored personally by the President of Poland, Andrzej Duda.¹⁶¹
- March 2016 - an event dedicated to Antonio Salazar, head of the Portuguese fascist regime in the 30s and 60s, was organized by ONR and the local branch of the ruling PiS party in Piaseczno.¹⁶²
- November 2016 - the conference "Crisis in Europe: Challenges and Opportunities" was held in the Polish Parliament. The event was organized by the right-wing organization "Vsepolskaya Molodyozh" (Młodzież Wszechpolska (MW)), attended by delegations of nationalists from 11 countries (including Forza Nuova from Italy, Nordisk Ungdom from Sweden, etc.). The conference was supported by deputies from the ruling party Adam

¹⁶⁰ <https://www.theguardian.com/world/2017/jan/23/netherlands-pm-mark-rutte-dutch-citizens-open-letter-pvv>

¹⁶¹ Andrzej Duda patronem wydarzenia organizowanego przez ONR, 28 lutego 2016, <http://zero-tolerancji.pl/2016/02/andrzej-duda-patronem-wydarzenia-organizowanego-przez-onr/> [accessed: June 12, 2017]

¹⁶² ONR i PiS zapraszają na film o Salazarze, 18 marca 2016, <http://zero-tolerancji.pl/2016/03/onr-pis-zapraszaja-film-o-salazarze/> [accessed: June 15, 2017]

Andrushkevich, Sylvester Khrushch, and Robert Vinnytsky.¹⁶³

It is indicative that in October-November of the same year, Polish Facebook closed the accounts of some of the radical groups mentioned above for stirring of hatred. Among those are MW, ONR, as well as Marsz Niepodległości (March of Independence), and Ruch Narodowy (National Movement).¹⁶⁴

It is known that in Hungary all the most active right-wing organizations were created by the parliamentary party Jobbik or its leaders.¹⁶⁵ For example, the largest and most significant right-wing organization, the Hatvannégy Vármegye Ifjúsági Mozgalom (HVIM, the Sixty-Four Counties Youth Movement), was founded in 2001 by László Toroczkai, the mayor of Asotthalom and vice-chairman of Jobbik. The second most important and, perhaps, the most brutal organization is Betyársereg - Army Outlaw or Highway Army, which was founded by the same László Toroczkai in 2008. The current head of the organization is Zsolt Tyirityán. Previously, he served a prison sentence for causing serious bodily harm for racist reasons. According to Mr. Tyirityán, there are about four hundred members in the Army, including former members of the security forces (for example, former officers of police, army, and intelligence services). Many members of the organization are closely associated with the underworld.¹⁶⁶

In Ukraine, many well-known right-wing organizations are controlled by politicians who are close to the government. For example, the National Corps party created on the basis of the Azov Volunteer Battalion, according to Ukrainian experts, is controlled directly by the Minister of Internal Affairs A. Avakov, and the Right

¹⁶³ Nacjonalіści z Europy mile widziani w Sejmie, 12 listopada 2016, <http://zero-tolerancji.pl/2016/11/nacjonalisci-europy-mile-widziani-w-sejmie/>; Konferencja Młodzieży

¹⁶⁴ Ministrowie w obronie profili narodowców, 3 listopada 2016, <http://zero-tolerancji.pl/2016/11/ministrowie-obronie-profilu-narodowcow/> [accessed: June 12, 2017]

¹⁶⁵ „Ajánlja Fel Adója 1%-át, és Mi Akár Robbantunk Is Ön Helyett” [Give Us 1% of Your Tax and We May Even Plant a Bomb for You], *Vigyázó!*, 3 September 2015, http://vigyazo.blog.hu/2015/03/09/ajanlja_fel_adoja_1_-_at_es_mi_akar_robbantunk_is_on_helyett.

¹⁶⁶ Tyirityán Zsolt a Magyar Időkben – “A Betyársereg Nem Haragszik a Jobbikra!” [Zsolt Tyirityán to Magyar Idők: “The Army of Outlaws Is Not Angry with Jobbik”], *Betyársereg*, 22 December 2016, <http://betyarsereg.hu/tyirityan-zsolt-a-magyar-idokben-a-betyarsereg-nem-haragszik-a-jobbikra/>

Sector is controlled by the former governor of the Dnipropetrovsk region, I. Kolomoisky. These organizations have armed units in their structures and can easily organize mass actions, which their patrons use, if necessary.

In Germany, a connection between the leadership of the AfG party's land representation in Saarland with neo-Nazi groups was revealed.¹⁶⁷

The portrait of leaders of right-wing radical organizations is quite different. In the West, they used to be former activists of parties of the political establishment, then broke with them and decided to link their fate with the ultra-right. For example, one of the leaders of the AfG party, A. Gauland, was a long-term member of the CDU. In the 70s he worked in the parliamentary faction of the CDU/CSU. In 1987, after the victory of the CDU in the land elections in Hesse, Gauland became the head of the apparatus of the Prime Minister of the Land of Walter Wallmann. He was known as the key person of several scandals, in particular, related to attempts to illegally remove "inconvenient" high-ranking officials with the replacement of "his people." He was also one of the founders of the so-called "Berlin community" inside the CDU, an extremely conservative group of Christian democrats. In 2013 he left the CDU. Another well-known AfG politician, Hans Joachim Berg, deputy chairman of the faction in the Berlin Land Parliament and one of the "gray cardinals" of the party, was a member of the CDU for 30 years, and was an adviser to a number of ministers at the land and federal levels. Some members of AfG have changed their membership card several times. For example, Andreas Galau, deputy of the Parliament of Brandenburg, was a member of the CDU, "Republicans", and FDP. With the party membership of the Liberal Democrats, he worked in the City Hall of Berlin. Geert Wilders, leader of the right-wing Freedom Party in the Netherlands, was elected to the municipal council of Utrecht, the fourth largest city in the Netherlands, in 1997 by the ruling People's Party for Freedom and Democracy (VVD), but then broke with the party.¹⁶⁸

¹⁶⁷ <http://www.stern.de/investigativ/afd--landeschef-mit-naehe-zu-neonazis-und-rechts-extremisten-6737484.html>

¹⁶⁸ Kalkhoven, L., & Broen, L. (2011). De beeldspraak van Geert Wilders, een Tsunami over Nederland?. *Tijdschrift voor communicatiewetenschap*, 39(4), 5.

At the same time, there is a certain percentage of people of working professions among the ultra-right deputies. For example, deputy chairman of the Alternative for Germany faction in the Berlin Land Parliament, Karsten Woldeit, worked as an auto mechanic, then served in the Bundeswehr under a contract as an ordinary soldier. Another deputy chairman of the faction, from Mecklenburg-Western Pomerania, Holger Arppe, worked as a compositor in the printing house of the local newspaper.

There are exceptions. The charismatic leader of the 5-star Movement in Italy is Beppe Grillo. 68-year-old Grillo was a comedian who entered politics in 2009 along with Giampiero Casaleggio, the founder of Movimento 5 Stelle. The British newspaper "Spectator" called him "the new Italian Mussolini" in 2013.¹⁶⁹

In Greece and in the East of Europe, the leaders of the right-wing radicals, as a rule, are newcomers to politics, people "from the bottom" who came to it for opportunistic or ideological reasons.

For example, Nikos Michaloliakos founded the Golden Dawn party in the early 1980s, being already in the extreme right-wing politics after the fall of the junta (Hasapopoulos 2013: 11-12). His past is too vague. He was accused of terrorist acts in the late 1970s, but a trial found him not guilty.

Another leader and founder of the party, Christos Pappas, remains one of the most zealous supporters of the Nazi ideology. Before being elected, he was a shopkeeper, and then a representative of the world-famous furniture company in the Ioannina City. Before that, he tried to run the bookstore "Golden Dawn" in the Kypseli area in Athens, where the organization had its first offices (Hasapopoulos 2013: 155).¹⁷⁰

Leader of the Ukrainian party "Svoboda" ("Freedom"), Oleg Tyagnibok, was born in 1968 in Lviv. By education he is a medic. O. Tyagnibok is famous for having become one of the founders of

¹⁶⁹ https://www.corriere.it/politica/17_gennaio_12/sono-partito-feudale-volevano-fare-i-modesti- adesso-lotta-anti-euro-salvini-2a34cc1c-d839-11e6-9dfa-46bea8378d9f.shtml.

¹⁷⁰ <http://www.nonpapernews.gr/download-now/2012-08-14-15-41-31/item/7133-to-alithino-plires-viografiko-tou-xristou-pappa-synidrytis-tis-x-a-apolytos-empistos-koumparos-kai-nonos-ton-mixaloliakon-ametanoitis-thavmastis-tou-xitler-pe zodromiakos-koinovouleftikos-ekprosopos-xydaios-ourovolos-stin-eksothyra-mega>

the Social-Nationalist Party of Ukraine in 1991 (the name has a very unambiguous reference to the NSDAP), from which "Freedom" was formed. Dmitry Yarosh was born in 1971 in the Dnepropetrovsk region. In 2001, he graduated from the Drogobych Pedagogical University. Since 1994, he was the leader of the paramilitary organization "Trident" named after. S. Bandera. The organization was initially formed as a combat group. In 2013, it became the basis for the "Right Sector". He was elected in October 2014.

Vladimir Zhirinovskiy, leader of the most famous nationalist party in the Russian parliament, the LDPR, was promoted from the leaders of the marginal party, obviously supported by the Soviet KGB, to vice-speakers of the State Duma.

Sources of funding for right-wing radical parties are very different. Parliamentary parties, except for Golden Dawn, enjoy state support. Although the Greek parliament does not finance this party, certain members of Golden Dawn receive funding.

It is also interesting that in 2014-2016, 2.3 million euros was allocated to the European right-wing radical parties from the budget of the European Union.¹⁷¹ That completely contrasted with the EU's statements on the suspension of funding for anti-democratic parties. However, in 2016, only 600,000 euros was allocated to the APF-Alliance for Peace and Freedom, where Golden Dawn is a prominent member.¹⁷² Nevertheless, funding was still suspended in 2017.

Other sources of finance are donations from local or foreign businessmen. For example, Golden Dawn is financed by businessmen connected with the shipyard. The businessman I. Kolomoisky, as already mentioned, finances the "Right Sector", and the Ukrainian "Freedom" is financially supported by a conglomerate of Western Ukrainian businessmen.

LDPR by Zhirinovskiy in Russia managed to collect, according to the financial report of the party for 2016, 365 million

¹⁷¹ <https://jailgoldendawn.com/2016/04/22/%CE%B7-%CE%B5%CF%85%CF%81%CF%89%CF%80%CE%B1%CF%8A%CE%BA%CE%AE-%CE%AD%CE%BD%CF%89%CF%83%CE%B7-%CF%87%CF%81%CE%B7%CE%BC%CE%B1%CF%84%CE%BF%CE%B4%CE%BF%CF%84%CE%B5%CE%AF-%CF%84%CE%B7-%CF%87%CF%81%CF%85/>

¹⁷² http://expo.se/2016/over-two-million-euros-in-eu-subsidies-granted-to-fascists_7074.html

rubles in donations, which is at a rate of more than 6 million US dollars. In all, the party attracted, including state funding, 1.35 billion rubles (More than 225 million dollars).¹⁷³

Experts believe that the private right-wingers are mainly represented by businessmen of medium and sometimes small businesses who are trying to provide themselves with cover in case of a conflict with the authorities or are preparing a springboard for entering politics. However, it is impossible to exclude the existence of "ideological" sponsors.

There are rumors that certain right-wing radical groups in Europe, for example the Dutch "Erkenbrand", are funded by the ultra-right from the United States.¹⁷⁴

A number of right-wing radical parties are conducting quite a successful business selling their own symbols, books, etc. For example, the Russian clothing manufacturer White Rex (the head is Denis Nikitin) is assisting the ultra-right parties. Along with this, White Rex also sponsors the organization of tournaments in mixed martial arts, where nationalistic ideology is also propagated.¹⁷⁵ In Greece, Golden Dawn holds a whole network of bookstores and party attributes stores, and also earns on security services, both to businesses and individuals.

Power services to business are provided by right-wing radicals in Ukraine. In addition, they provide "services" for conducting mass actions in the interests of certain political forces. So, a small action without fights and provocations, numbering up to 50 people, costs customers up to 100,000 UAH (\$4,000). If we talk about large-scale actions with fights, then the price increases several times. Videography, which is then uploaded to the Internet, costs about \$500, a speaker shouting appeals - \$100, guarding a rally - 500

¹⁷³ <http://st.golosinfo.org/2016/08/Doklad-finansovaya-devyatnost-politicheskikh-partii-nakanune-vyborov-deputatov-GD-FS-RF.pdf>, Сводный финансовый отчет ЛДПР за 2016 г

¹⁷⁴ https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z04565&did=2017D09381

¹⁷⁵ http://4mma.ru/news/kratkiy_kurs_istorii_mma_v_rossii/, <https://www.kommersant.ru/doc/2229286>; <http://sportssmi.ru/2017/03/15/kak-fashizirovalsya-mir-smeshannyh-edin.html>

UAH per person. If the stock is fully paid, it will cost about \$10,000.¹⁷⁶

If we talk about smaller groups (especially those who are not registered), then there is an important role played by crowdfunding, or "public" financing. Money can be collected to help arrested activists, to hold various mass actions, etc. We are not talking about very large amounts, quite feasible for nationalist-minded representatives of the middle class.

In addition to participating in public actions, the radicals earn money by "cradling" legal and illegal businesses. For example, we are talking about casinos, brothels, drug dealing, etc. In addition, right-wing radicals receive income from smuggling, kidnapping, enterprise protection, business process support, etc.¹⁷⁷¹⁷⁸

As for the other earnings of Ukrainian radical groups, many of them receive money from the leaders of the political establishment. So, according to the Donetsk journalist and activist of "EuroMaidan", Artem Furmanyuk, the "National Corps" works under the full control of Arsen Avakov, and the Azov regiment is a "private army" of the leaders of the Popular Front. This provides these organizations with a comfortable life. For this, for example, the "National Corps" ensures the security of enterprises, both in the Donbas and in other regions of the country, provide for the forceful maintenance of the financial and economic activities of the group of the Minister of Internal Affairs, etc.¹⁷⁹ As for the "Right Sector", there are a lot of rumors about its financing. Among especially bright episodes of the "earnings" of the "Right Sector" one can name the episode of the blockade of the Crimea, when the radicals took money for passing the trucks to the Crimea.¹⁸⁰

In general, the hierarchy of the modern right-wing radical camp is quite obvious. In the upper echelon are the leaders, namely, the parliamentary parties, striving for the victory in the elections to

¹⁷⁶ <http://vesti-ukr.com/strana/248059-100-tysjach-i-ty-separatist-radikaly-poshli-vojnnoi-na-mahaziny>

¹⁷⁷ <https://strana.ua/articles/analysis/45546-ot-pozhertvovani-ii-do-reketa-ili-chem-zanimayutsya-lyudi-v-balaklavah-pod-kryshej-silovikov.html>

¹⁷⁸ <http://nv.ua/publications/pravyi-sektor-poterjal-dmitrija-jarosha-i-pogriaz-v-skandalah-i-rekete-94608.html>

¹⁷⁹ <http://sled.net.ua/node/35522>

¹⁸⁰ <http://politobzor.net/show-65466-pravyi-sektor-reket-pod-blagorodnym-predlogom.html>

distance themselves from the most odious politicians and old xenophobic slogans. At the bottom, the outsiders who perform the dirtiest job of inciting hatred, which is beneficial both to their senior comrades and to the political establishment. The rating of the first does not exceed 25-28%, while the ratings of the latter tend to fluctuate at an average level of 1-3.5%.

As already mentioned, *Islamist organizations* set their primary goal to recruit volunteers to participate in military operations in Iraq and Syria. Recruitment, as a rule, consists of two stages. At first, propagandists from legal organizations, such as the Pan-Islamist party Hizb ut-Tahrir (HT), work. HT operates legally in all monitoring states, except Russia and Germany.¹⁸¹ In Muslim communities around the world, the party is actively pursuing an advocacy campaign intimidating Muslims and forming an image of Western civilization hostile to Islam. The Union of Organizations of Islamic France (UOIF) has been working similarly. The organization once used to receive government grants, while its activities started to conflict with the French concept of secularism, and the organization itself started to invite preachers who support jihad from abroad.¹⁸² In Germany this is the "Islamic Society of Germany" (more than 1,000 members). It is recognized by the German special services as legalistic. That means that it uses legal, non-terrorist methods in the process of defending their interests, but at the same time professing principles that are contrary to freedom, democracy, and constitutional order.¹⁸³ In addition, a number of semi-legal organizations, such as Hezbollah, Hamas, the Muslim Brotherhood, etc., are working in the same vein.

The conclusion that follows the propaganda of such organizations is always the same: the West declared war on Islam. And if so, then "Islam is equally at war with the West and Muslims

¹⁸¹ [Urteil des Bundesverwaltungsgerichts vom 25. Januar 2006](#)

¹⁸² See this article for a 2012 controversy : http://www.lepoint.fr/societe/quatre-predicateurs-musulmans-invites-par-l-uoif-interdits-d-entree-en-france-29-03-2012-1446293_23.php and this article in the Conservative daily Le Figaro, with regard to the 2016 meeting: www.figaro.fr/vox/societe/2016/05/13/31003-20160513ARTFIG00149-congres-de-l-uoif-sous-couvert-de-deradicalisation-l-appel-au-djihad-arme.php

¹⁸³ <https://www.verfassungsschutz.de/de/arbeitsfelder/af-islamismus-und-islamistischer-terrorismus/was-ist-islamismus>

in this war should choose a side."¹⁸⁴ Such "explanatory work", conducted not only in mosques, but also on social networks, generates feelings of fear and indignation among Muslims. In France alone, preachers of Salafi jihadism control about 180 mosques and prayer houses that cannot be closed, since they do not formally violate the law.¹⁸⁵

After legal and semi-legal propagandists, illegal organizations, such as al-Muhajiroun in the UK or ISIS which are directly connected with terrorist groups in the Middle East, are entering the case. They organize the departure of recruits or help them carry out terrorist acts. The acts of terror are not a final goal for the Islamists. Basically, they are carried out to intimidate the non-Muslim population and, as a consequence, to provoke intercommunal hatred. Islamists are actively using the Internet, which resulted in the recent appearance of the so-called "lonely wolves". These are Muslims who received information on the Internet about jihad, and also about how to organize a terrorist attack. They are a headache for the special services, since they do not contact any of the established terrorists.

The Islamists divided Europe into different zones. The zone of jihad is France, Germany, Belgium, Russia, and a number of other countries. The logistics zone or transit zone is Italy, Greece, and Ukraine. In these countries, Islamists tend to behave unnoticed, without terrorist acts, not to provoke the authorities. There are branches of ISIS and Al-Qaeda engaged in the production of forged documents. Financing of terrorist activities is carried out through these countries, including the transfer of cash, weapons, the transit of militants, etc. Italian prosecutor Stefano D'Ambrosio stated that for a reason "Italy for Al Qaeda and other organizations is like a large factory for the production of documents and the militants have fully devoted themselves to this task".¹⁸⁶

¹⁸⁴ "HOPE Not Hate", January-February 2016, Issue no.23, p.41

¹⁸⁵ A Muslim website with a full list of active French mosques put the figure at 179 in 2017.

See: <https://muzulmania.wordpress.com/2015/01/04/mosques-salafistes-en-france/>

¹⁸⁶ Stefano Dambrosio and Guido Olimpio, *Milano-Baghdad* (Milano: Mondadori, 2004), p. 53 (transl.); cfr. Lorenzo Viadino, *Il Jihadismo autoctono in Italia: Nascita, Sviluppo, e Dinamiche di Radicalizzazione*, (Roma: ISPI, 2014).

The Islamists have conspired with the mafia clans of Italy for the transit of weapons and militants. Clans provide them with weapons in the former Yugoslavia or Africa, transferring them to ports and then to the Middle East. In 2016, Italian anti-mafia services carried out three major seizures, during which they confiscated weapons arsenals, including Kalashnikov assault rifles, bulletproof vests, and hundreds of ammunition that were ready for sale to Islamists. They even found a price-list for a variety of weapons available at prices ranging from 250 to 3,000 euros, which were printed in Arabic, French and Italian.¹⁸⁷

Exchange of weapons for drugs is also widespread. In 2004, the former Italian National Attorney for Combating Mafia, Pierluigi Vigna, warned that the Italian secret services "have evidence that Camorra groups are involved in the exchange of weapons for drugs with Islamist terrorist groups."¹⁸⁸

The connection between Islamists and Italian criminal clans is known to American intelligence agencies. In particular, according to WikiLeaks in 2008, FBI officials in Naples reported that "the criminal interaction between Italian organized crime and Islamic extremist groups provides potential terrorists with access to financing and logistical support from criminal organizations by established routes."¹⁸⁹

The enemies of Islamists are not only the "infidels", namely, all non-Muslims, but also Islamic organizations that refuse to accept the ideas of jihad. In 2016, several clashes were recorded between Islamists from groups close to ISIS and representatives of neutral non-Islamist organizations. Leader of the Islamic organization Ahmadi Asad Shah and an activist of the extremist group Barelvi, Tanveer Ahmed, were murdered in one of them, in Glasgow, UK because of disrespect for Islam."¹⁹⁰

¹⁸⁷ http://www.ilmattino.it/napoli/cronaca/kalashnikov_fucili_arsenali_di_camorra_scoperti_napoli_armi_destinate_agli_uomini_clan-1499627.html&usg=ALkJrhiMPXBAg9RBq4BntkmMKoGM0A_Nfw

¹⁸⁸ <http://www.thedailybeast.com/the-mafia-runs-guns-for-isis-in-europe>

¹⁸⁹ https://wikileaks.org/plusd/cables/08NAPLES38_a.html&usg=ALkJrhiQ9Y7DMOws9qubpGigG3m7CKQ-8g

¹⁹⁰ <http://www.newstatesman.com/politics/staggers/2016/08/asad-shah-murder-its-time-government-cracked-down-hate-preachers>

In 2016, law enforcement agencies of a number of countries pointed to a reduction in the number of Islamists, due to the fact that the most active and fanatical ones left for Syria and Iraq. Terrorist organizations acutely needed new recruits due to losses in anti-terrorist operations of Russia and the Assad forces, as well as the US and its allies. This is indicated, for example, by the Royal Crown Prosecution Service of the UK. Individual experts also point to a reduction in Islamist activity in countries such as the United Kingdom and the Netherlands. They relate this to arrests of Islamist leaders (for example, the leader of British Islamists Anjem Choudary and the ban on the entry into the country of militants who fought in ISIS).¹⁹¹

One way or another, thousands of Islamists left Europe in 2016 to fight in the Middle East. For example, in early 2017, the Office for the Protection of the Constitution of Germany reported 920 residents of Germany who went to Iraq and Syria to fight as part of jihadist groups. 145 of them died. About a third of them already returned to the FRG, despite the fact that since 2015 there are amendments that equate participation in military operations abroad to crimes.¹⁹² In 2016, 98 residents of Italy identified by the police went to war on the side of terrorists. A year earlier, the Italian authorities expelled 88 people involved in terrorist activities from the country.¹⁹³ In France, the number of deportees did not exceed 17 foreigners. As you know, the French parliament has never adopted a law that allows to deprive citizenship and expel them from the country for participating in the activities of terrorist organizations.¹⁹⁴ In 2016, 200 Dutch Muslims also fought the infidels in Syria and Iraq, which provoked a stormy reaction from the authorities and the law, not allowing them back (see section 1).¹⁹⁵

¹⁹¹ Hope not Hate, Issue 30, January / February 2017, p.44

¹⁹² <https://www.verfassungsschutz.de/de/arbeitsfelder/af-islamismus-und-islamistischer-terrorismus/zahlen-und-fakten-islamismus/zuf-is-reisebewegungen-in-richtung-syrien-irak>

¹⁹³ <https://www.itstime.it/w/wpt-content/uploads/2016/07/Italian-Foreign-Terrorist-Fighters-a-quantitative-analysis-of-radicalisation-risk-factors.pdf>

¹⁹⁴ http://www.lemonde.fr/attaques-a-paris/article/2016/03/30/francois-hollande-renonce-a-la-decheance-de-nationalite-et-au-congres_4892426_4809495.html

¹⁹⁵ <https://www.aivd.nl/publicaties/publicaties/2016/01/12/aivd-publicatie-leven-bij-isis-de-mythe-ontrafeld>

In January 2016, the Security Service of Ukraine (SSU) announced that 50 people from the inhabitants of the Crimea (Ukrainian citizens and foreigners permanently residing in its territory) take part in military activities in Syria and Iraq as part of ISIS, "Al-Nusra front", and associated structures. In addition, the special service states that 63 ISIS supporters, who are foreign citizens, crossed the territory of Ukraine going to Turkey. Also, according to the SSU, in Ukraine there are separate groups of advocates of the ideology of ISIS, who carry out propaganda among their surroundings, namely: the recruitment of new members; the transit of already recruited persons through the territory of Ukraine and Turkey to Syria and Iraq to participate in combat operations; material and financial aid by providing cash, places of temporary residence, passports and travel documents.¹⁹⁶

In Russia, Islamists are split between adherents of the party "Hizb-ut-Tahrir", "Islamic state", Al-Qaeda, and "Caucasus Emirate" (all banned in the Russian Federation). The last one was the most prominent Islamist project in the late 2000s, and now after the destruction of the majority of militant leaders by special services, and the large-scale emigration of ordinary Islamists to Syria and Iraq is in a state of half-decay. In 2016, the leader of the supporters of the IS in Dagestan Rustam Asildarov (Abu Muhammad Kadarsky) swore in December 2014 to ISIS. He is also the head of the Dagestan militants of the "Caucasus Emirate". However, in December 2016, he was killed as a result of the counter-terrorist operation of Russian special services.¹⁹⁷ The cells of adherents of Al-Qaeda and Hizb-ut-Tahrir are not united in a single hierarchical network and are often coordinated over the Internet from abroad. More than 4,000 radicals from the Russian Federation are now in military actions in Syria and Iraq.

As for the financing of radical Islamists, there are three main sources: first, the funds based in the Gulf countries, as well as private donations from Arab countries, second, the money earned by

¹⁹⁶ <https://www.obozrevatel.com/crime/65089-v-sbu-poschitali-skolko-ukraintsev-voyuet-zajil.htm>

¹⁹⁷ https://lenta.ru/news/2016/12/04/terrorist/?utm_campaign=breaking-news&utm_medium=browser-notification&utm_source=push-notification

ISIS from oil trade and from the "taxation" of business in the controlled territory, and third, extorting money for "jihad".¹⁹⁸

As for the extortion of money, this phenomenon has become widespread in Western Europe in the 20th century. One-tenth of income or military trophies was common in the Middle Ages. However, in recent times, the Islamists have recalled this practice and extended it to the personal incomes of any Muslim. It was used to finance Hezbollah, Islamic revolution in Iran, to finance subversive activities in Bahrain, etc. Now this experience is actively used by ISIS and other terrorist organizations.¹⁹⁹ In 2013, the leader of the banned Islamist organization Al-Mujahirun, the now-arrested British radical Islamist Anjem Chudary, announced that the infidels are obligated to give money to the faithful, and thus to finance the war against themselves. But propaganda of this kind was not developed. But the fact that many Muslim businessmen from Western European countries pay "tax on jihad" is proven.

In Russia this phenomenon became widespread in the 2000s – 2010s. As a rule, a flash drive was sent to the victims, on which a video message was recorded demanding money to "fight the infidels". Moreover even officials of the republics of the North Caucasus were forced to give money to jihad, fearing reprisals.²⁰⁰ However, it quickly degenerated into ordinary banditry, when under the pretext of militants the money was demanded by criminals. Russian special services succeeded in largely preventing this phenomenon. To date, it happens on a much smaller scale than before, mainly among the Dagestani adherents of ISIS.²⁰¹

In some places, Islamists are trying to finance their activities by creating their own business. Crowdfunding is very popular, and in the case of radical Islamists, the charges are taken mostly not in social networks (although there are also similar phenomena), but among the parishioners of mosques, market traders, relatives of jihad-fighters, etc.²⁰²

¹⁹⁸ <https://moneyijihad.wordpress.com/tag/islamic-taxation/>

¹⁹⁹ *Ibid.*

²⁰⁰ <https://versia.ru/ubityj-lider-boevikov-v-dagestane-byi-uspeshnym-ryeketirom;https://www.kommersant.ru/doc/2161306?fp=12>

²⁰¹ <http://www.kavkaz-uzel.eu/articles/267398>

²⁰² <http://www.apn.ru/index.php?newsid=36175>

The third category of radicals are the *left extremist organizations*. This is the weakest category of radicals. Firstly, they are not represented in all countries, but only in Italy, Greece, France and Germany. In Eastern Europe, the Netherlands and the UK, they are practically absent.

Secondly, the level of their funding is very far from that of Islamists and right-wing radicals.

Thirdly, for most categories of minorities, they are not enemies, but allies, since they support them in the fight against discrimination. However, the ultra-lefts, as a rule, are anti-Zionists. In their anti-Zionist propaganda, especially during the period of aggravation of the situation in the Middle East, they often turn to direct anti-Semitic attacks, supporting various Islamic and Islamist organizations in inciting hatred to Jews. Objectively they are allies of Islamist parties and movements.

The leftists deny the link between anti-Zionism and anti-Semitism, but in practice, "new" propaganda often implies automatic transfer of old anti-Jewish stamps to Israelis. In the eyes of ordinary people, European Jews and Israelis equated. The painful point is that many European Jews have a second Israeli citizenship or support Israel in the Middle East conflict.

In this issue, or as it is often called in the EU, on the issue of "new anti-Semitism", they actively cooperate with various NGOs, as well as with Christian charitable organizations. All of them support the movement "Boycott, Divestment and Sanctions", created in 2001 - 2005 by Qatar and Palestinian NGOs.²⁰³ The movement aims to boycott Israel in the field of trade and economic activities, international relations, education, culture, etc. The movement is funded by many Arab countries, primarily through the Palestinian movement Hamas, recognized in most countries of monitoring by a terrorist organization.

In March 2016, the anti-Zionist conference in Naples was organized and hosted by ultra-left and separate Christian organizations such as Terra Santa, Associazione Papa Giovanni Paolo XXIII, and others. Mayor of the city Luigi De Magistris and the left political figure Massimo D'Alema participated in it.

²⁰³ See: G. Quer, *La Discriminazione Contro Israele* (2016)

In general, there are about 70 anti-Zionist websites in Europe, mostly controlled by far-left groups and movements, which are comparable in their rhetoric to the already known extreme right or ultra-Catholic, anti-Semitic, and xenophobic Internet resources.²⁰⁴

Trade union FIOM-CGIL, Servizio Civile Internazionale, Assopace Palestin, as well as NGOs Rete Radié-Resch, accredited to the Ministry of Foreign Affairs of Italy are among the most famous ultra-left organizations in Italy.²⁰⁵ In 2016, during the conference in Naples they conducted an openly anti-Semitic campaign against the newly appointed director of the daily newspaper La Stampa, Maurizio Molinari. He was formally accused of having been paid by Israel and being a "Zionist" for his anti-Islamic comments on the riots in Cologne on New Year's night on December 31, 2015.²⁰⁶ The Leftists' speeches were abounded with traditional anti-Semitic clichés.

In France it is the Communist Party, the New Trotskyist anti-Capitalist party, and the Left Party of Jean-Luc Mélenchon.²⁰⁷

In Germany, the ultra-lefts are represented by "The Autonomists", Trotskyists and Maoists, a part of the radical "Antifa", anarchist groups of so-called "anti-German" and "anti-imperialists". The last believe that Germany's membership in NATO and the partnership with the United States proves "anti-Democratic character" of the German state and its "Prussian militarism." Left-wing radical ideology is shared by the three political forces: the Marxist-Communist German Communist Party, Deutsche Kommunistische Partei, DKP, Orthodox Communists and Stalinist Marxist-Leninist Party of Germany, Marxistisch-Leninistische Partei Deutschlands, MLPD, and the Trotskyist "Party of Social Equality", Partei der sozialen Gleichheit, PSG. These parties and organizations specialize in opposing the ultra-rights. In the last 20 years they have shown extremely unsuccessful results in the elections, not even collecting 1% of the vote together.

²⁰⁴ <https://www.osservatorioantisemitismo.it>, p. 35.

²⁰⁵ *ibid*, p. 28.

²⁰⁶ <https://www.osservatorioantisemitismo.it>, p. 31

²⁰⁷ www.legifrance.gouv.fr/affichJuriJudi.do?oldAction=rechJuriJudi&idTexte=JURITEXT000031374097&fastReqId=434382946&fastPos=1

The situation in Greece is different. Radical left SYRIZA came to power in January 2015, having received 149 seats out of 300 and formed a government headed by its leader Alexis Tsipras. However, very soon the party lost its radical character and adopted a package of reforms on "austerity", which contradicted its original intentions. As a result, a political niche became empty. Different political forces as the breakaway part of SYRIZA, a new party "National Unity", and the radical left group Rouvikwnas are trying to occupy it.²⁰⁸ However, all of them accuse SYRIZA of treason, but cannot get the necessary number of votes for the passage to the parliament.

In general, all left-wing radical parties and some of their leaders in Greece completely share anti-Zionist and, quite frankly anti-Semitic views. So Defense Minister Panos Kammenos in January 2016, in openly anti-Semitic passage, accused all the Jews of Greece of tax evasion.²⁰⁹ In many ways, anti-Semitic and anti-Israel rhetoric of the Greek authorities has become a catalyst for the growth of anti-Semitic attitudes in Greece (see section 1).

In general, the activity and the popularity of right-wing radicals in 2016 gradually decreased, due to the decline in immigration, managing of migration problems, adapting to the subject of the ruling parties and security services, as well as differentiation and redistribution of power in the right-wing camp. It is proved by relatively low performance in the elections to the parliaments of France and the Netherlands in 2017 and the election of the President of the French Republic, where the leader of the National Front, Marine Le Pen showed unsatisfactory results.

Nevertheless, Islamist groups are still very active. The defeats that they endure in Syria and Iraq force them to make more and more efforts to encourage recruiting among European Muslims. To do this, they need to keep a critical level of the mutual alienation between Muslims and the rest of the world, and to foment hatred and enmity between them and the indigenous inhabitants of European countries. So, they need the high number of terrorist acts, the intensification of propaganda in social networks, etc. The returning

²⁰⁸ <http://www.cnn.gr/news/ellada/story/22769/ert-eisvoli-sto-stoyntio-apo-ton-royvikona>

²⁰⁹ http://mignews.com/news/politic/world/310115_180019_93142.html

militants who have undergone serious combat training, infected with ideas of jihadism are also a problem. In fact, these are ready terrorists, waiting for their time. All this forces the authorities to undertake titanic efforts both at the level of lawmaking and at the level of law enforcement in order to reduce the terrorist danger.

5 . HATE CRIMES

Hate crimes are a direct result of xenophobic attitudes in society, as well as the activities of radical organizations and government policies.

Comparative statistics on hate crimes in different countries are extremely difficult and often incorrect, because:

- Countries have different criteria for identifying and classifying such crimes. In the United Kingdom, for example, a crime can be classified by several identifiers at once. In some other countries any crime victimizing a minority representative is often considered a hate crime against a given minority.
- Many countries, for example, Italy, the Netherlands, Hungary, and Greece, do not keep statistics on hate crimes or classify it. As a rule, in these cases, researchers use NGO statistics, but it is not always objective.
- In some countries, there is practically no record of non-violent hate crimes (for example, in Ukraine).

In the countries with "closed", "semi-closed", absent or falsified statistics, the degree of "everydayization" of hate crimes is usually high. In police records they are classified as domestic crimes.

Thus, assessing the level of hate crime in different countries, one needs to consider all these factors, otherwise false conclusions are possible.

Nevertheless, it is quite correct to compare statistical data of the same country in temporal development.

Such an analysis most vividly testifies the effectiveness or ineffectiveness of the authorities' policy on combating hate crimes. And here, such indicators as the total number of hate crimes

(registered by the authorities or NGOs) and the number of violent crimes are important.

Thus, the increase in the number of all, *registered hate crimes* along with decrease of the number of *violent crimes*, usually means that the state policy is effective, the police actively initiate criminal cases and suppress the crimes even at the non-violent phase, for example, when the offenders try to distribute their views on the Internet.

A decrease of the total number of reported hate crimes along with an increase of the number of violent extremist crimes indicates that the government does not cope with crime and, most likely, does not respond properly to its real growth.

The growth of both components suggests that the level of crime is overshooting and the government, although reacting to it, is unable to stop the dangerous trend.

The fall of both trends indicates that the situation as a whole is normalized and society is freed from hatred. However, often this also reflects an unsightly picture, when the authorities simply ignore the true number of crimes and manipulate statistical data.

This section provides statistics on hate crimes using public data from government sources, as well as non-governmental organizations. Data on violent crimes in some countries of monitoring contain information about acts of vandalism, and in some - not. Unfortunately, often the statistics of vandalism are not given at all or given in part. Where this is possible, the authors separate these data.

In *the UK* in October 2016, statistics on an annual observation period were published on England and Wales.

It shows that compared to 2015, the total growth of registered hate crimes by 19.02% as well as an increase in violent hate crimes *against the personality* by 30.92%²¹⁰²¹¹. This is an unprecedented growth, considering that in 2015 the dynamics was fixed at + 18.12% and + 18.09% respectively.²¹²

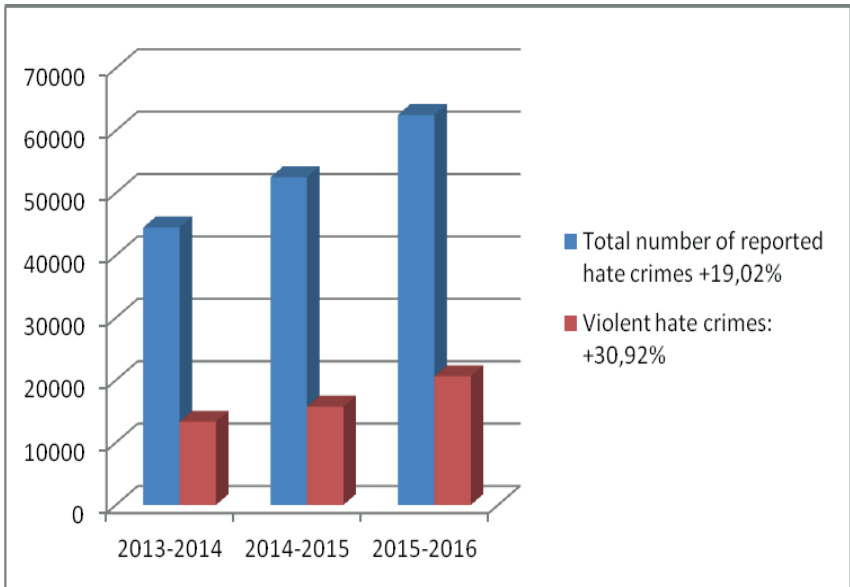
²¹⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/559319/hate-crime-1516-hosb1116.pdf, p.4

²¹¹ *ibid.*, p.8

²¹² http://www.report-it.org.uk/files/home_office_hate_crime_data_201314.pdf

In total, from October 2015 to October 2016, 62,518 crimes motivated by hatred, of them violent - 33% or 20,631 crimes were recorded. As already indicated, a characteristic feature of British statistics is that one crime may contain signs of several motives of hatred (for example, against sexual minorities and against transgender people or against Jews and disabled at the same time).

Diagram 7. Hate crimes in England and Wales (2014-2016)



Basing on these nuances, the British police offer the following statistics of the motives of these crimes:

- 49,419 (79% of the total) of crimes motivated by racial hatred (an increase of 15% over crimes committed in the period 2014/2015).
- 7,194 (12%) crimes motivated by homophobia (29% increase compared to the period 2014/2015).
- 4,400 (7%) of crimes motivated by religious hatred (34% compared to the period 2014/2015).

- 3,629 (6%) hate crimes against persons with disabilities (44% of the period 2014/2015).

- 858 (1%) crimes motivated by transgender hatred (41% more than committed in the period 2014/2015).²¹³

These indicators show that the authorities can hardly cope with the problem of the growth of hate crimes, although they take the necessary measures. So, the number of convictions for crimes related to racism and religious hatred has increased insignificantly - from 83.5% in 2014-15 to 83.8% in 2015/16, but the number of such sentences for homophobic and transgender crime has increased by 15%, and for crimes against the disabled by 41.3%.²¹⁴

A different situation is in Scotland and Northern Ireland. Thus, the Scottish prosecutor's office, also published a report on the crimes of hatred. This report states that 3,712 crimes were registered in 2015-16, but this is the lowest number since 2003-04. Also this is 3% less than in 2014-15.²¹⁵ At the same time, the number of Islamophobic crimes in the period under review increased by 89%.²¹⁶ The report also contains information about crimes committed in Scotland by football fans. In all, 30 such incidents were recorded during the period under review, 23 of them were prosecuted.²¹⁷

On May 17, 2017, the Police Service of Northern Ireland (PSNI) published its statistics on reports of hate crimes, including the period from April 1, 2016 to March 31, 2017, which gives a complete picture of the entire 2016 and changes in the trends of the previous year.²¹⁸ The report also shows a decrease in 167 cases (from 1,221 to 1,054) of hate crimes, and crimes motivated by racial hatred were reduced by 193 positions.²¹⁹

²¹³ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/559319/hate-crime-1516-hosb1116.pdf, p.4

²¹⁴ http://www.cps.gov.uk/publications/docs/cps_hate_crime_report_2016.pdf

²¹⁵ http://www.crownoffice.gov.uk/images/Documents/Equality_Diversity/Hate%20Crime%20in%20Scotland%202015-16.pdf

²¹⁶ <http://www.dailyrecord.co.uk/news/scottish-news/number-hate-crimes-against-muslims-8901809>

²¹⁷ http://www.crownoffice.gov.uk/images/Documents/Equality_Diversity/Hate%20Crime%20in%20Scotland%202015-16.pdf, p.4.

²¹⁸ <https://www.psnipolice.uk/inside-psni/Statistics/hate-motivation-statistics/>

²¹⁹ *ibid.*

According to the British Jewish human rights organization CST, in 2016, there were 1,309 anti-Semitic incidents in the country, which is 36% more than in 2015 and 11% more than in 2014.²²⁰

According to the British branch of the Islamist organization Hizb-ut-Tahrir, which, in turn, refers to police information, from March 2016 to March 2017, there were 1,260 crimes against Muslims in the country.²²¹ However, the data of the Islamic pro-government human rights organization *Tell Mama* on the Islamophobic attacks in 2016 was not published at the time of the report. In 2015, the organization identified 548 anti-Islamic incidents (584 in 2014), most of which (402 cases) were online incidents, i.e. occurred in the Internet network.²²²

In addition, experts note the growth of hate crimes after the referendum on Brexit. Migrants from the countries of Eastern Europe and the Middle East were the main victims.

In *France*, in 2016, there were 12 terrorist attacks, including the most resonant in Nice on July 14, when a truck, driven by jihadists, deliberately crashed into a crowd of people on the Promenade des Anglais. In total, in France 89 people were killed and 451 injured in terrorist attacks of the year.

In general, the number of hate crimes in this country grew by 14.78% in 2016 comparing to 2015. There were 3,649 cases, including a new position, *attacks on Christian churches*. According to the police, 1,125 cases were motivated by racial hatred, anti-Semitism, and Islamophobia, which is 44.7% less than in 2015. Moreover, there were 335 (808 in 2015) anti-Semitic incidents, 182 (429) anti-Islamic incidents, and 608 racist crimes, including anti-Roma crimes.²²³ The Islamic organizations of France gives the other figures. According to the organization CCIF (Comité contre l'islamophobie en France), which has a broader definition of Islamophobia than the police, 560 incidents were recorded in 2016,

²²⁰ <http://antisemitism.org.il/article/111736/2016-antisemitism-report>

²²¹ www.hizb.org.uk/news-comment/rise-hate-crime-uk/

²²² <http://tellmamauk.org/category/reports/>

²²³ <https://www.interieur.gouv.fr/Archives/Archives-ministre-de-l-interieur/Archives-Bruno-Le-Roux-decembre-2016-mars-2017/Interventions-du-ministre/Bilan-statistique-2016-des-actes-racistes-antisemites-antimusulmans-et-antichretiens>

including cases of discrimination (319), attacks (39), threats (98), and attacks on mosques (25).²²⁴

According to the NGO SOS Homophobie in 2016, there were 1575 incidents in the country against LGBT people (+19.5% compared to 2015), of which 152 were violent.²²⁵

Increase in attacks on religious temples (1057 against 993 in 2015) was recorded. Of these, there were 949 attacks on Christian churches, and only 14 of them were committed by Satanists.²²⁶ In Corsica, seven mosques were attacked, and one of them, in Bastia, was burned out. Another 55 mosques were attacked in other parts of the country.

In France, the law proposes punishment for hate-motivated threats. This concept includes insults, also those made through the Internet. Recently, statistics on the spread of hate in the network (hate speech) was published. Individuals and NGOs can apply for this on the PHAROS web site of the Ministry of the Interior. According to experts, in 9 months of 2016, 26,477 facts of inciting hatred were reported. According to the estimates, it was the "tip of the iceberg". However, the judicial perspective of these statements is not clear.

At the time of writing, the authors did not have data on the number of violent hate crimes in France in 2016. However, it is known that in 2015 there were 2,030 attacks (without acts of vandalism) with a total of 3,179 crimes.

Data on convictions for hate crimes issued in 2015 is as follows: 2,571 people were convicted, most of them sentenced to suspended sentences and/or fines.²²⁷

At the same time, the French authorities acknowledge that they are only informed of 6% of the facts of racist violence and only 3% are registered as complaints. People are afraid to go to the police or do not believe in her protection. According to Chief Police

²²⁴ <http://www.islamophobie.net/articles/2016/02/10/sortie-rapport-annuel-2016-ccif/>

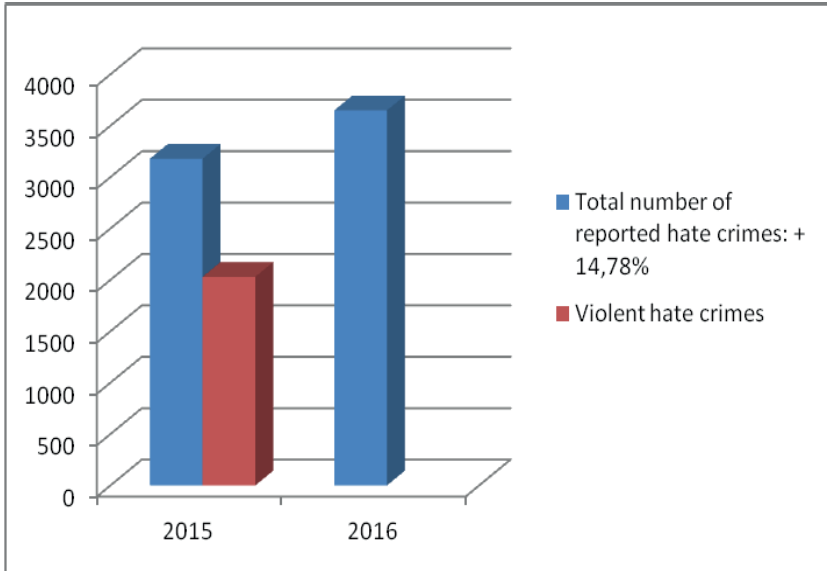
²²⁵ SOS-Homophobie report : <https://www.sos-homophobie.org/rapport-annuel-2016>

²²⁶ <https://www.interieur.gouv.fr/Archives/Archives-ministre-de-l-interieur/Archives-Bruno-Le-Roux-decembre-2016-mars-2017/Interventions-du-ministre/Bilan-statistique-2016-des-actes-racistes-antisemitites-antimusulmans-et-antichretiens>

²²⁷ <https://adfh.net/portfolio-items/sondage-ifopadfh-la-presidentielle-2017-et-les-droits-des-homosexuel-le-s-et-des-familles-homoparentales/>

Commissioner Christine Lazerges, 97% of incidents of racial hatred remain outside the police response.²²⁸

Diagram 8. Hate Crimes in France (2015-2016)



In *Greece*, in 2016, there was a decrease in the number of hate crimes. Such a conclusion is made according to the data of non-governmental organizations, since no official information was published at the time of writing the report. According to a non-governmental organization, the Racist and Violence Recording Network (RVRN), there were 188 hate crimes in Greece in 2016, including 95 crimes on racial grounds, 5 cases motivated by anti-Semitism, 57 homophobic cases, and 31 cases based on hatred of migrants. This is 117 crimes less than in 2015.²²⁹

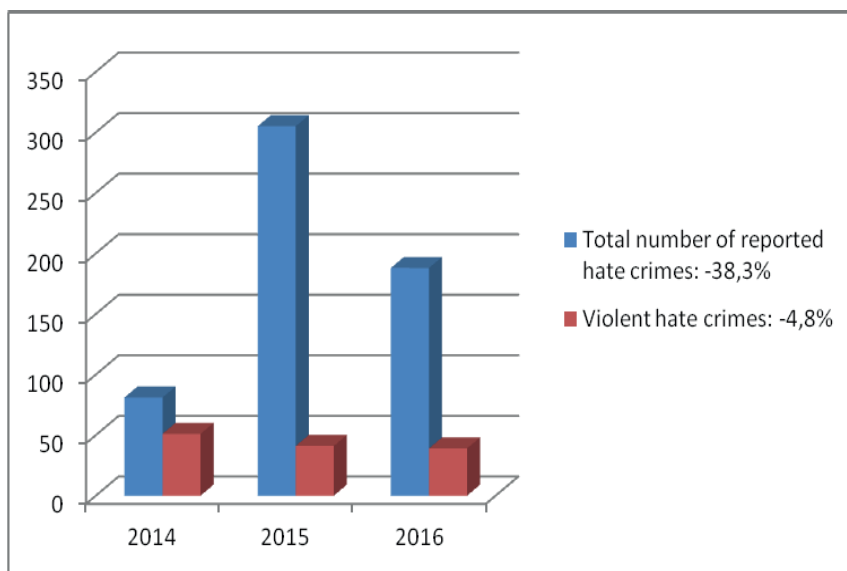
²²⁸ <http://www.humanite.fr/une-france-moins-raciste-en-surface-634155>

²²⁹ http://rvrn.org/wp-content/uploads/2017/04/Report_2016eng.pdf

According to the Helsinki group of this country (GHM), the Greek police speaks on 84 recorded crimes associated with racial hatred.²³⁰

According to RVRN information, 39 of them can be considered as violent ones, including 5 acts of vandalism against the religious buildings of Judaism. This figure roughly corresponds to the indicators of 2015.

Diagram 9. Hate Crimes in Greece (2014-2016)



Thus, we see a decrease in the overall level of hate crime, with a slight fall in the level of violent crimes of this nature.

This effect has a few reasons. First, the effectiveness of the programs of the Greek government and NGOs, especially of the program of housing for refugees, which removed social tension among migrants and local residents. Secondly, the decrease in the activity of Golden Dawn, which is going through bad times due to

²³⁰ <https://greekhelsinki.wordpress.com/category/%ce%bc%ce%b5%cf%84%ce%b1%ce%bd%ce%ac%cf%83%cf%84%ce%b5%cf%82migrants-%cf%80%cf%81%cf%8c%cf%83%cf%86%cf%85%ce%b3%ce%b5%cf%82refugees/>

the actions of law enforcement agencies. In 2016, this neo-Nazi party was accused only in 2 violent crimes. As it is known, in the past years its activists were most active among the criminals.

Thirdly, this may indicate the specifics of the work of the Greek police, which, as a rule, refuses to register hate crimes of a non-violent nature. So, according to RVRN, during 2016, 603 calls were received by the hotline "11414" with messages about incidents of hatred, of which only 21 were registered and only 10 cases were initiated.²³¹

In *Poland* in 2016 there was a significant decrease of violent hate crimes along with a slight increase of recorded crimes. This is evidenced by the report of the Polish National Prosecutor's Office.²³² So, in 2016, the police investigated 1,631 complains (1,548 in 2015) and 1,314 new criminal cases were opened (1,169 in 2015). At the same time, the percentage of disclosure of such crimes remains at a low level, namely 23.9%.²³³

Most hate crimes were committed via the Internet (701 cases, 43%), of which only 24.5% of cases were sent to court. Violent crimes combine 10.3% of all crimes (168) motivated by hatred, and 9.5% of cases (155) associated with vandalism should be added to them.²³⁴

Hate crimes in Poland in 2016 were committed against Muslims (363 cases), Jews (160 cases), Roma (109), people of African descent (98), Ukrainians (92), Catholics (59), and Syrians (23).²³⁵ Thus, Muslims became the main victims of crimes motivated by hatred. Above all, anti-immigrant and Islamophobic propaganda in last two years with the connivance of the government caused that. Moreover, this figure has almost doubled comparing to 2015. Then the victims of such crimes were, first of all, the Roma.

It is also symptomatic that the number of crimes against Ukrainians almost tripled in 2016 compared to 2015. Simultaneously, the number of crimes against Roma and Jews

²³¹ http://rvrn.org/wp-content/uploads/2017/04/Report_2016eng.pdf

²³² <http://pk.gov.pl/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-04-2017.html#.WYMsaxXyi1t>

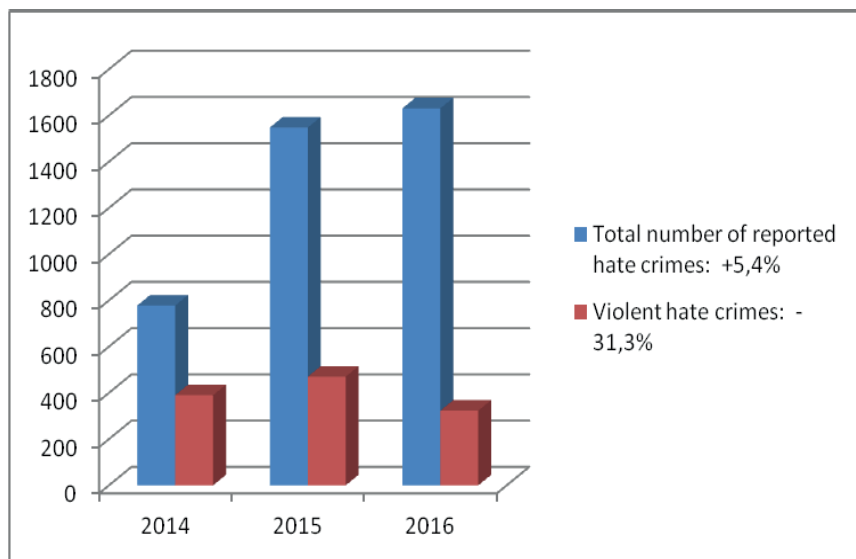
²³³ <http://pk.gov.pl/sprawozdania-i-statystyki/wyciag-ze-sprawozdania-04-2017.html#.WTK0EVPyiu4>

²³⁴ *Ibid.*

²³⁵ *Ibid.*

decreased, which is most likely explained by the "substitution effect", when hatred for one group of people is temporarily replaced by hatred of another group under the influence of propaganda campaigns or other events.

Diagram 10. Hate Crimes in Poland (2014-2016)



According to Polish experts, there have been changes in the severity of hate crimes. In 2016, new type of crimes appeared.²³⁶

For example, a Polish professor was beaten up in Warsaw for talking to his friend in German on a tram.²³⁷ Turkish schoolchildren in Torun beaten and forced to apologize for their

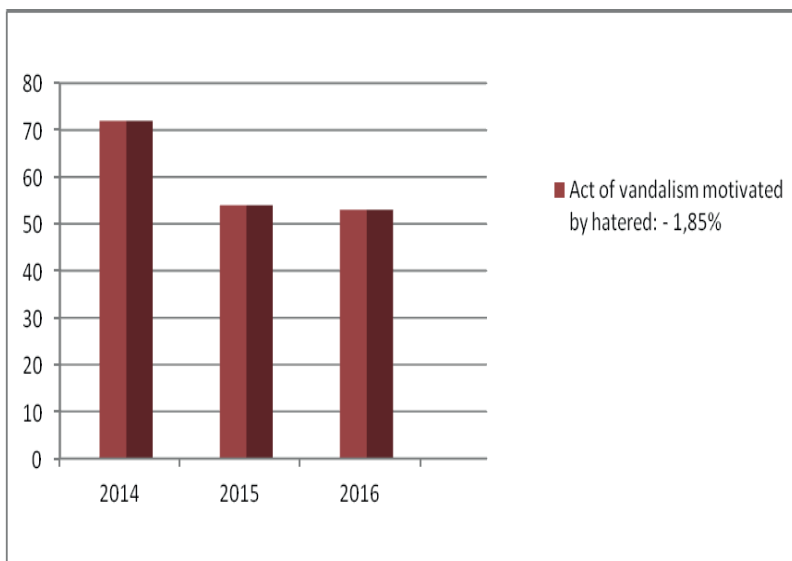
²³⁶ <http://www.tokfm.pl/Tokfm/7,103454,21201819,ekspert-od-2015-mamy-w-polsce-gwaltowny-wzrost-zachowan-ksenofobicznych.html>

²³⁷ <http://www.polityka.pl/tygodnikpolityka/spoleczenstwo/1695402,1,czy-da-sie-zmienic-postawy-polakow-wobec-uchodzcow.read>

origin.²³⁸ In Kutno, a group of Ukrainians were attacked and proposed to leave the country, and so on.²³⁹

Nevertheless, in general, we can state a general decrease in violent hate crimes, which in general is caused by the successful work of law enforcement agencies. Over the past two years those have significantly changed their approaches to countering extremism. The number of investigations conducted and criminal cases opened increased sharply compared to 2014. More than half of them were opened for crimes related to propaganda on the Internet, which corresponds to the requirements of art. 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

Diagram 11. Xenophobic vandalism in Poland (2014-2016)



²³⁸ <http://torun.wyborcza.pl/torun/1,48723,21176242,atak-na-tureckich-studentow-jest-akt-oskarzenia.html>

²³⁹ <http://www.dzienniklodzki.pl/na-sygnale/a/atak-na-ukraincow-w-kutnie-napastnicy-kazali-im-wynosc-sie-z-polski-video,9348112/>

As a result, the number of violent hate crimes in Poland has significantly decreased.

As can be seen in Diagram 11, the number of acts of vandalism decreased. According to the police, in 2014 there were 72 acts, in 2015 - 54, then in 2016 – 53.²⁴⁰

The collection of information on hate crimes in *Germany* is still hampered by the authorities hiding these statistics in the broader notion of "politically motivated crimes". As a consequence, racist incidents and instances of institutional discrimination become invisible in general statistics. Nevertheless, from the reports of the Ministry of the Interior of Germany, one can catch certain trends and get some important figures.

According to the Ministry of Internal Affairs, published in late April 2017, in Germany in 2016 there were 41,500 politically motivated offenses. This is 6.6% more than in 2015. Of these, 23,555 cases revealed right-wing radical motivation (2.6%), 9,389 left-wing motivation (-2.2%), and 3,372 political motivation of foreign citizens (+ 66.5%).²⁴¹

There were 8,983 episodes (8,530 crimes committed by local right-wing radicals, 10 by left radicals, 178 by foreigners, and 265 by persons "without certain political preferences") of "xenophobic crimes" (hate crimes in the conventional sense), which is 5.46% more than in 2015.²⁴² This is a big increase, considering that in 2014 there were only 3,939 hate crimes in Germany.²⁴³

In 2016 in the FRG 1,290 violent crimes were registered, 12.08% more than in 2015.²⁴⁴ Accordingly, in 2014 this number was 62.8% less than a year later.²⁴⁵

²⁴⁰ <http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwno-13/63617,Zniewazenie-objektow-o-znaczeniu-symbolicznym-art-261.html>

²⁴¹ <http://www.heute.de/polizeiliche-kriminalstatistik-2016-mehr-gewalttaten-weniger-diebstaehle-47038002.html>

²⁴² http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Kurzmeldungen/2017/pmK-2016-hasskriminalitaet.pdf?__blob=publicationFile

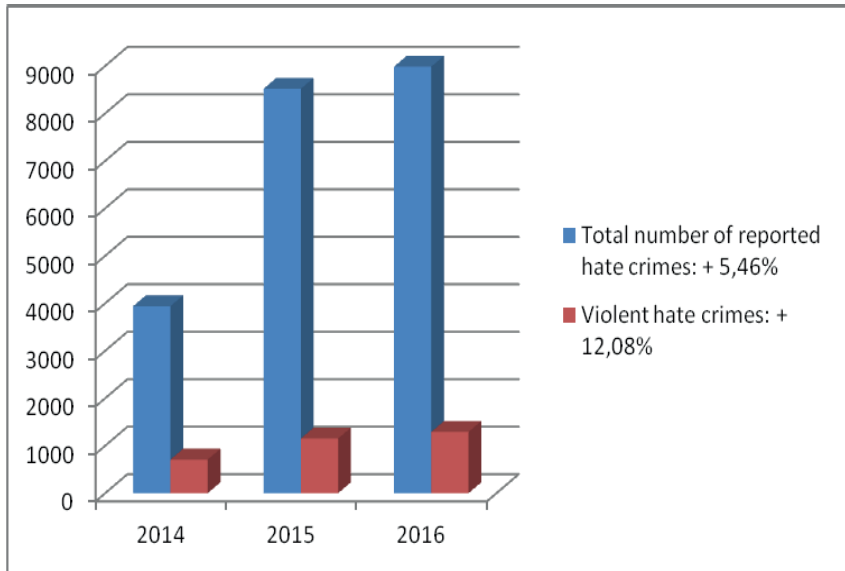
²⁴³ https://docreader.readspeaker.com/docreader/?cid=btste&lang=de_de&url=http%3A%2F%2Fwww.bmi.bund.de%2F

²⁴⁴ http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Kurzmeldungen/2017/pmK-2016-hasskriminalitaet.pdf?__blob=publicationFile

²⁴⁵ https://docreader.readspeaker.com/docreader/?cid=btste&lang=de_de&url=http%3A%2F%2Fwww.bmi.bund.de%2FSharedDocs%2FDownloads%2FDE%2FNachrichten%2FPressemitteilungen%2F2016%2F05%2FpmK-2015-hasskriminalitaet.pdf%3F__blob%3DpublicationFile

At the same time, the Ministry of Internal Affairs recorded 1,468 crimes of anti-Semitic orientation, including 36 acts of violence, 1,335 crimes motivated by racism, 220 of them violent, 1,516 cases motivated by religious hatred, 145 of them violent, 316 cases motivated by homophobia, 81 ended in violence.²⁴⁶

Diagram 12. Hate Crimes in Germany (2014-2016)



In 2016 in the Federal Republic of Germany, the number of anti-Semitic crimes increased by 107 cases (+7.8%), number of religiously motivated - by 404 cases (+36.3%), of racially motivated crimes by 122 cases (+10%), and homophobic crimes by 94 cases (42.3%). As we can see, in percentage the greatest increase was given by homophobic and religious crimes. This vague formulation hides mostly crimes against Muslims. The crimes against sexual minorities were committed mainly by foreigners (190 cases), so, the growth in both positions was associated with the inflow of migrants

²⁴⁶ <http://www.bmi.bund.de/SharedDocs/Downloads/DE/Nachrichten/Kurzmeldungen/2017/pmk-2016-hasskriminalitaet.html>

from Asia and Africa. At the same time, anti-Semitic crimes were committed primarily by right-wing radicals (1,381 episode of 1,468), which destroys the myth that the growth of anti-Jewish manifestations is caused by Muslim refugees.²⁴⁷

In addition, according to NGOs, in 2016, 3,533 attacks on the refugees themselves or on the hostels in which they lived were recorded. 560 people suffered, including 43 children. Also voluntary assistants to refugees from among the German population were targeted.²⁴⁸

In 2016 in Germany, the number of terrorist attacks achieved the maximum number in recent years, namely, 7 attacks. On February 26, 2016, an Islamist attacked a policeman in Hanover and stabbed her. On April 16, 2016, the Salafists blew up the Sikh Culture Center in Essen. Three people wounded. On July 18, 2016, an Islamist armed with an ax and a knife attacked the passengers of a train in the Würzburg area. One dead (terrorist) and five people wounded. On July 24, 2016 there was a bomb explosion in Ansbach, carried out by an Islamist. One dead (terrorist) and 15 people wounded. On September 27, 2016, terrorists blew up a bomb near a mosque in Dresden. There were no victims. The causes of the terrorist attack are not officially established. On October 25, 2016 right-wing radicals set fire to houses in Debelna, in which the families of refugees from Syria lived. Twelve wounded. On December 19, 2016, an Islamist on a truck attacked visitors to the Christmas Market in Berlin. 12 dead and 56 wounded.

According to the police, the only terrorist act by the terrorist organization was the truck's attack on the visitors of the Berlin Christmas Fair. The other events testify to the actions of radical singles.

In general, we see that hate crime remains a problem for Germany for the second year. Despite the active work of the police, it does not manage to reduce the number of attacks against members of minorities.

The question of hate crimes in *Italy* is quite problematic. In the country as of November 2016, there was a clear trend towards

²⁴⁷ *ibid.*

²⁴⁸ <http://www.netz-gegen-nazis.de/node/11582>

growing violence, harassment, threats, and incitement to hatred, along with the high levels of xenophobia (see section 3). The greatest problem is the spread of hate (hate speech) on the Internet. First of all, it was observed by users of social platforms, such as WhatsApp, Facebook or Twitter. Another interesting point is that violence in this country is not necessarily committed by specific extreme right-wing groups, but also by representatives of the "general public", and in some cases also by the police. Moreover, the number of "vigilance groups", i.e. informal associations of citizens who are dissatisfied with the presence of refugees, Muslims, Gypsies, etc., is growing in the country. It is largely influenced by the political presence of Lega Nord in the North, and by the extreme right movement CasaPound in the South.

The situation is complicated by the fact that Italy has signed the Convention on the Elimination of All Forms of Racial Discrimination with reservations, with respect to Article 4 - the prohibition of all forms of racist propaganda, since this, in its view, is contrary to the principles of freedom of speech. In addition, Italian legislation on hate crimes continues to be imperfect. For example, it does not provide criminal prosecution for manifestations of hatred against members of non-traditional sexual orientation, and therefore this type of crime is not officially taken into account if it is not about violence. There is no clear definition in legislation of what hate speech is, and often racist, xenophobic or homophobic comments made on social networks, are not grounds for criminal prosecution. As already mentioned in section 1, incitement of hatred is punishable in Italy only if it is proved that the accused had intentions to change the behavior of a wide audience towards violence.

All this leads to the fact that civil society in Italy is poorly perceiving the problem (with the exception of the threat of terrorist acts). There is no practice of state support for NGOs defending or representing minorities in the country, as is the case in Germany or in Russia. Moreover, in Italy there is no systematic collection of data on hate crimes, as well as the practice of State reports on the state of hate in the country. The only information of this kind appears on the OSCE website at the end of the next year. As a result, a low number of de facto messages makes this problem invisible to most.

Another reason is that victims of hate crimes in Italy themselves rarely turn to the police. In cases of illegal immigrants, the reason is fear of deportation. Homosexuals report only if violent crimes are committed, since other forms are not a crime under current legislation. Ethnic minorities keep silence for fear that "it will not help" and only takes time for nothing. As a result, according to non-governmental organizations, the Italian police is investigating only 40% of registered hate crimes.²⁴⁹

The Government of Italy did not publish statistics on crimes committed in 2016 at the time of this report. Nevertheless, there are NGO data, according to which 212 crimes based on racial hatred were committed in Italy in 2016, including 3 cases of murder and 1 case of attempted murder. Their victims were mostly Muslims.²⁵⁰ A non-governmental organization dedicated to protecting the rights of sexual minorities, Galop, provides data on 27 reported cases of violent crimes against homosexuals.²⁵¹

With regard to Roma and Sinti communities, in 2016, there was a change in the negative trend, as the number of hate crimes in this group fell from 265 cases in 2015 to 175 in 2016, with the number of attacks recorded at two levels.

According to non-governmental organizations, in 2016, 130 crimes were registered on the basis of anti-Semitism, and more than 300 pages were revealed in the social network Facebook with pronounced anti-Semitic content.²⁵²

Thus, according to non-governmental organizations, 544 hate crimes in total were registered in Italy in 2016. According to preliminary data, there are 242 cases of violence, which is almost two and a half times more than in 2015. This indicates not only a sharp rise in violence against minorities, but also serious problems of power structures with the prevention of such crimes. In other words, Italian law enforcement agencies did not work effectively in

²⁴⁹ <https://www.osce.org/what-do-we-know>

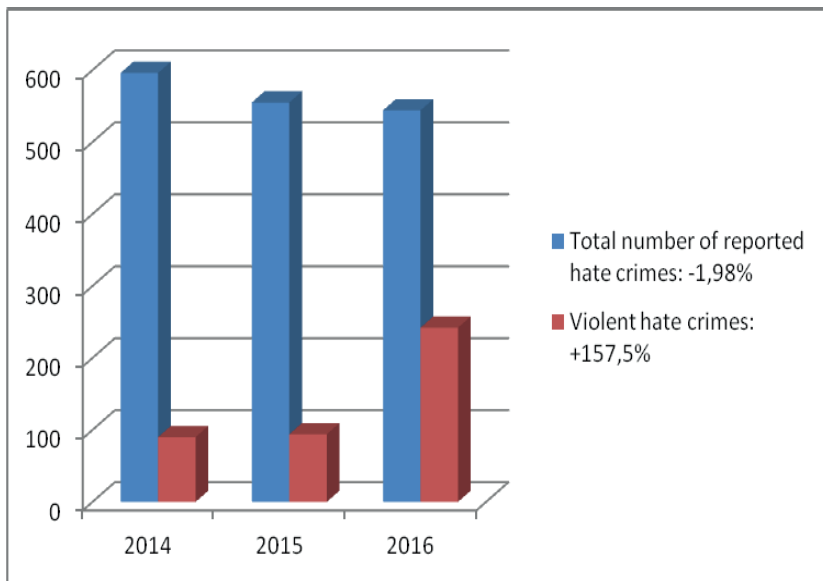
²⁵⁰ <https://www.islamophobiaeurope.com/wp-content/uploads/2017/03/ITALY.pdf>. Author: Cristina Giacalone

²⁵¹ <https://www.galop.org.uk/wp-content/uploads/2016/10/The-hate-crime-Report-2016.pdf>.

²⁵² <https://www.osservatorioantisemi-c02.kxcdn.com/wp-content/uploads/2017/06/SintesiReportItalia2016.pdf>

2016. However, it is necessary to make a discount for the lack of official data.

Diagram 13. Hate Crimes in Italy (2014-2016)



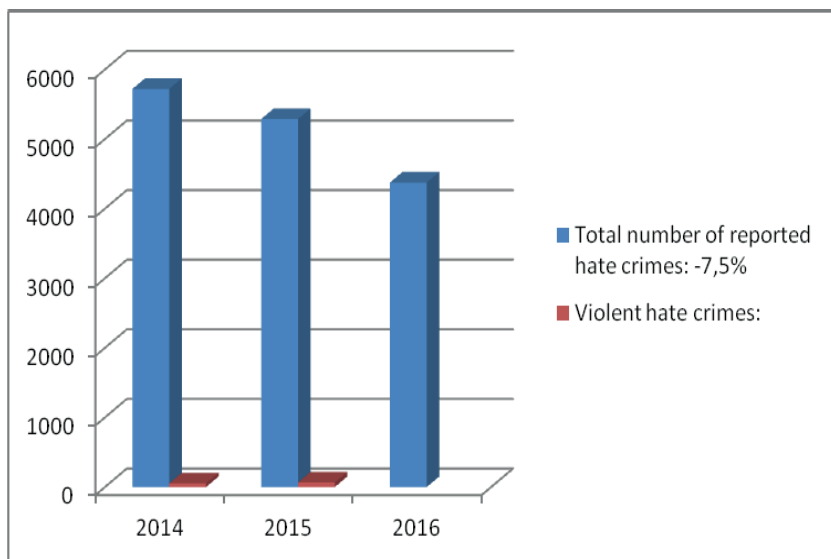
A serious problem with statistics exists in *Hungary*. The authorities of this country do not provide official information on hate crimes either to the OSCE or to other international structures. These data were also not provided in 2015. Very few data were provided by non-governmental organizations. The exception is the Report on crimes motivated by anti-Semitism, made by the Brussels Institute on behalf of the Hungarian Action and Protection Foundation. According to this report, in 2016, 48 crimes against Jews took place in Hungary (52 in 2015), and the main part (32 episodes), like a year ago, are "hate speech", including 21 cases on the Internet.²⁵³ In total, there was 1 recorded attack on Jews (2 in 2015). It seems that the government deliberately prevents the publication of data against the

²⁵³ http://tev.hu/wp-content/uploads/2017/06/2016_eves_jelentes_ENG.pdf

background of the migration crisis and xenophobic media propaganda (see section 3).

Problems exist in *the Netherlands*, as local authorities do not publish full information on hate crimes. In particular, there is no information on violent crimes.

Diagram 14. Hate crimes in the Netherlands (2014-2016)



Thus, the police and the National Center for Discrimination Expertise provided only general data on 4,376 hate crimes in 2016, including 1,723 racist episodes, 352 Islamophobic ones, 1,300 homophobic ones, 355 anti-Semitic, and 400 cases based on disability.²⁵⁴

Nevertheless, the Israeli Information and Documentation Center (CIDI) reports 109 anti-Semitic incidents in the Netherlands, which is 17 less than in 2015 and 62 less than in 2014. Of these, according to the Center, there were 21 case of vandalism (5 and 20

²⁵⁴ <https://www.rijksoverheid.nl/documenten/rapporten/2017/05/18/tk-bijlage-discriminatiecijfers-in-2016>

respectively in 2015), and 3 cases of violence.²⁵⁵ There is another alarming trend that characterizes the situation with anti-Semitism in Holland in general. According to the Chief Rabbi of the Netherlands, Binyamin Jacob, most Dutch Jews are so used to anti-Semitic insults on the street that they rarely react to them.²⁵⁶

In 2016, the hotline against Islamophobia in the Netherlands noted an increase in the number of incidents related to protests against asylum-seekers or against the construction of centers for asylum seekers. In 2016, 2 terrorist acts of anti-Islamic orientation were registered in this country. So, in February, a 33-year-old man threw a gasoline bomb at the mosque, when 30 adults and children were praying inside. The offender was caught and handed over to the police by non-Muslim neighbors.²⁵⁷ In December of the same year in Culemborg a construction site where the Association of Islamic Communities of Holland was building a mosque was set on fire.²⁵⁸

The Dutch non-governmental organization Dutch Reporting Point for Discrimination in 2016 announced about 918 cases of hate spreading on the Internet, including 305 anti-migrants cases, 188 based on religious beliefs, 64 directed against Jews, and 26 against representatives of non-traditional sexual orientation.²⁵⁹

According to NGOs, information about 58% of violent incidents in 2016 was not reported to the police.²⁶⁰

In *Ukraine* there are also big problems with statistics. For a long time, there was a colossal difference in figures between official data and data from non-governmental organizations. So, in 2014, the authorities of Ukraine provided information to the OSCE on 33 hate crimes, while NGOs - about 343, which looks more of an adequate figure, taking the change of power of that time into account.²⁶¹

²⁵⁵ <http://www.cidi.nl/wp-content/uploads/2017/05/English-summary-CIDI-Monitor-2016.pdf>

²⁵⁶ <http://www.jewishpress.com/indepth/analysis/the-top-10-global-anti-semitic-incidents-of-2016/2017/01/05/>

²⁵⁷ <http://www.aljazeera.com/indepth/features/2016/03/netherlands-mosque-attacks-rising-islamophobia-160308101155120.html>

²⁵⁸ <http://nltimes.nl/2016/12/29/mosque-site-five-cars-set-alight-culemborg>

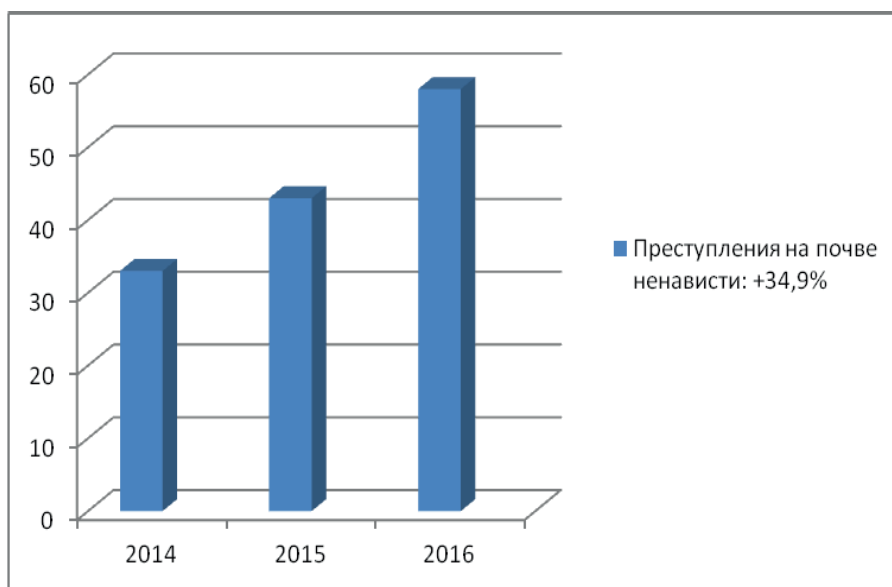
²⁵⁹ <https://www.mindnederland.nl/wp-content/uploads/2017/04/170404-Jaarverslag-2016-MiND.pdf>

²⁶⁰ *Ibid.*

²⁶¹ <http://hatecrime.osce.org/ukraine?year=2014>

In 2016, the General Prosecutor's Office of Ukraine provided information on 58 crimes motivated by racial, ethnic or religious intolerance. Among them, 1 is related to domestic violence, 41 crimes are related to violation of citizens' equal rights for the above reasons, 3 cases of damage to religious or religious buildings, 10 cases of desecration or destruction of religious relics, and 6 episodes related to obstruction of religious rites.²⁶² In 2015, the General Prosecutor's Office registered 43 crimes motivated by racial, ethnic or racial intolerance.

**Diagram 15. Hate crimes in Ukraine
(According to the Prosecutor General's Office)**



In addition, according to the Contact Center for Combating Hate Crimes under the Main Investigation Department of the National Police of Ukraine, 67 offenses based on intolerance were

²⁶² http://www.gp.gov.ua/ua/stst2011.html?dir_id=112661&libid=100820

registered during the period from January to November 2016. Of these, race (color) - 2, ethnicity - 17, based on anti-Semitism – 3.²⁶³

However, according to the data of the Verkhovna Rada Commissioner for Human Rights, Valery Lutkovskaya, in 2016, 303 notifications of cases of discrimination and violations of equality came to her office, including 87 cases on religious belief, 38 on national beliefs, 21 in the place of registration, 19 cases for disability, 14 cases for health reasons, 11 cases for sexual orientation, 9 for language, 5 for sex, 4 for age, 3 for property, and 1 for color of skin. As a result, 69 initiatives were opened, which is 23% more than in the previous year.²⁶⁴

At the same time, according to non-governmental organizations, in 2016, 102 violent crimes motivated by hatred were committed. Of these, 22 were motivated by anti-Semitism (3 attacks and 19 cases of vandalism), 67 attacks against members of sexual minorities and 13 racist attacks.²⁶⁵²⁶⁶²⁶⁷ At the same time, Jewish organizations identified an additional 9 cases of public expression of anti-Semitism, for example, statements by some Verkhovna Rada deputies that were not registered as crimes.

If violent crimes are added to recorded offenses related to discrimination of citizens (69), in 2016 we will receive 171 hate crimes. As for the past years, in 2015 there were 251 crimes, of which 198 were forcible, and in 2014 - 352 and 330, respectively.²⁶⁸

This contradiction between the data of law enforcement agencies and the data of the Verkhovna Rada Commissioner for Human Rights and non-governmental organizations indicates that the police often refuses to register non-violent hate crimes or register them as domestic ones. In particular, manifestations of hate on the Internet are completely outside the legal framework, despite the fact that Ukraine has undertaken the corresponding obligations under the

²⁶³ <http://www.ombudsman.gov.ua/ua/page/secretariat/docs/presentations/>

²⁶⁴ <http://www.ombudsman.gov.ua/ua/page/secretariat/docs/presentations/&page=3>

²⁶⁵ <http://eajc.org/page18/news56148.html>; <http://jewish.org.ua/ru/svinya-izrailyu-doklad-o-provavleniyax-v-ukraine-antisemitizma/>; <http://eajc.org/page18/news56148.html>

²⁶⁶ http://gav.org.ua/publications/Nash-mir_ODIHR-2016.pdf

²⁶⁷ <http://eajc.org/page18/news56148.html>; <http://eajc.org/data//file/0216Ukr.pdf>;

<http://eajc.org/data//file/0316Ukr.pdf> <http://eajc.org/data//file/0416Ukr.pdf>;

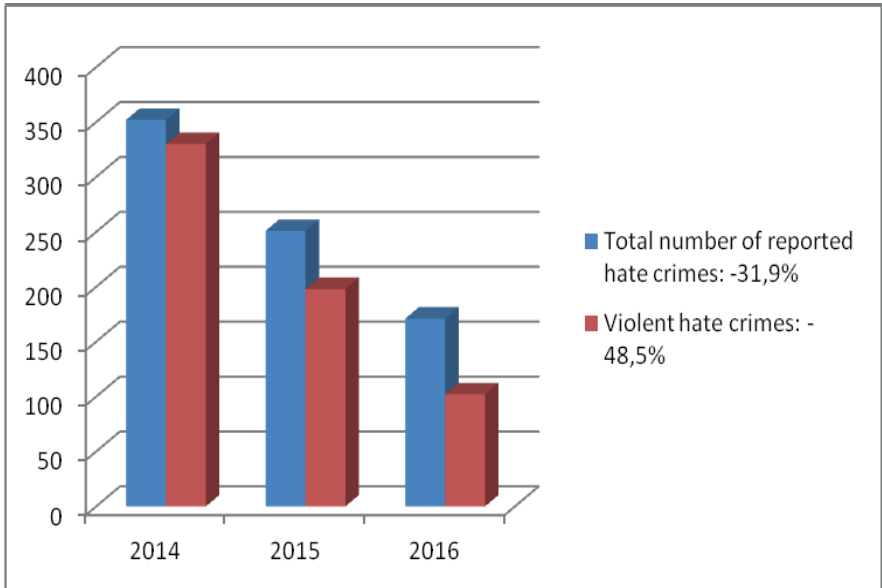
<http://eajc.org/data//file/0816Ukr.pdf>

²⁶⁸ <http://www.ombudsman.gov.ua/ua/page/secretariat/docs/presentations/&page=3> –

«Ежегодный доклад за 2016 г.», р. 148; <http://hatecrime.osce.org/ukraine?year=2015>

Convention on the Elimination of All Forms of Racial Discrimination. This also applies to certain violent crimes.

**Diagram 16. Hate crimes in Ukraine
(According to NGOs and the Verkhovna Rada
Commissioner for Human Rights)**



There are two main reasons for this. First, it is a weak training of policemen responsible for combating hate. Secondly, after the victory of Euromaidan in 2014, law enforcement agencies have increased the influence of right-wing radicals, which act negatively towards minorities. All this contributes to an underestimation of the official statistics of hate crimes. A similar situation exists with the Ombudsman for Human Rights. For example, in 2016, the Office of the Ombudsman, as mentioned above, recorded 11 cases of discrimination and violation of equality based on the principle of sexual orientation and 1 case of hate on the basis of skin color. At the same time, according to the data of the above-mentioned NGOs, these numbers are 67 and 13, respectively.

At the same time, the data of NGOs are not absolutely correct, since many victims do not report attacks or insults to these organizations. Thus, the situation with hate crime in Ukraine can generally be characterized as extremely unstable, which is mainly due to the lack of readiness of law enforcement agencies to counteract this phenomenon.

The same is evidenced by interreligious clashes: the inter-confessional hostility of the Orthodox Kiev and Moscow Patriarchates, accompanied by the seizure of temples, and the clash of Christians with neo-paganists who include increasing number of radical nationalist organizations²⁶⁹²⁷⁰.

This is also expressed by interethnic skirmishes with gypsies, which often arise as a result of criminal quarrels or domestic conflicts.²⁷¹ The longlasting conflicts of Ukrainian nationalists with the Hungarian and Ruthenian population of Transcarpathia are already ripening.²⁷²

In *Russia*, according to the General Prosecutor's Office of the Russian Federation, 1,450 crimes motivated by hate (extremist crimes) were registered in 2016, which is 121 more than in 2015 and 416 more than in 2014.

The increase was mainly due to non-violent crimes, namely, appeals, as well as the incitement of hatred and enmity. So, in 2016, 305 criminal cases were instituted under art. 2801 of the Criminal Code (calls for extremist activity), 232 of them for acts committed on the Internet (+ 19.1%). 953 criminal cases were opened under art. 282 (incitement to hatred and enmity), 682 of them for Internet crimes (+ 15.5%). Also, 11 criminal cases for attempts to rehabilitate Nazism (article 354.1) were opened (+ 10%). As we see, the greater part of the cases were connected with inciting hatred in the virtual space.

In addition, 2,227 crimes of a terrorist nature were registered. In general, 1,082 cases, which is 287 cases more than in

²⁶⁹ <http://www.segodnya.ua/ukraine/silovoy-zahvat-hrama-v-katerinovke-boycy-pravogo-sektora-s-dubinkami-15-postradavshih-i-bezumnaya-vrazhda-652041.html>

²⁷⁰ <http://azov.press/ukr/azov-poverta-slov-yans-ki-tradicii---na-bazi-polku-v-mariupoli-vstanovleno-obraz-peruna>

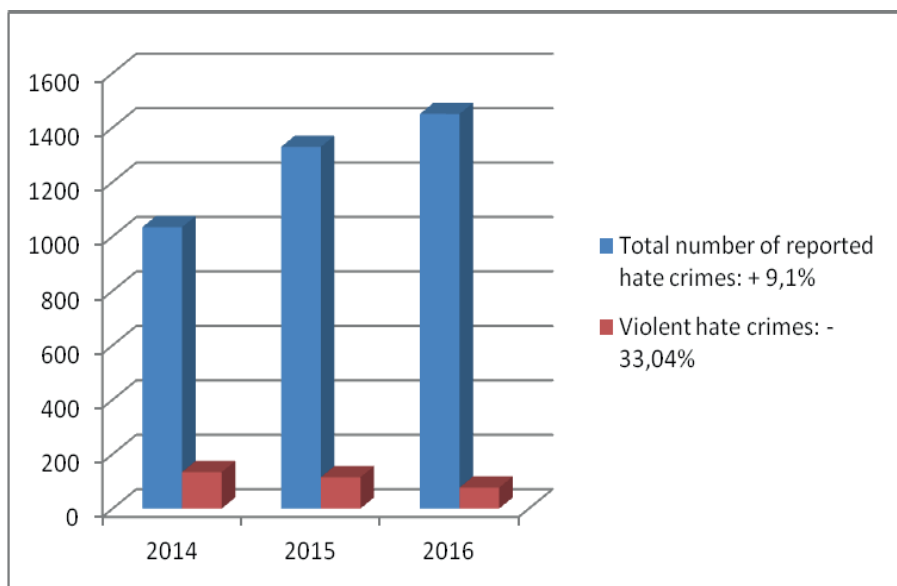
²⁷¹ <http://www.pravda.com.ua/rus/news/2016/08/28/7118910/>

²⁷² <https://lenta.ru/news/2016/03/14/hungary/>

2015, were about participation in illegal armed groups abroad (article 208 of the Criminal Code of the Russian Federation). It is mainly about those persons who left the country and joined terrorist combat groups in Syria and Iraq. 544 criminal cases were instituted under art. 205.5 - public justification of terrorism. In 2015, there were 137 such cases. There are usually cases of Internet activity of criminals. 200 cases relates to art. 205.1 of the Criminal Code (127 in 2015), recruitment to a terrorist organization, were opened.

On the other hand, the number of registered violent crimes decreased from 115 in 2015 to 77 in 2016. Comparing to 2014, when there were 134 crimes, the decrease was more than 57%.

Diagram 17. Hate Crimes in Russia (2014-2016)



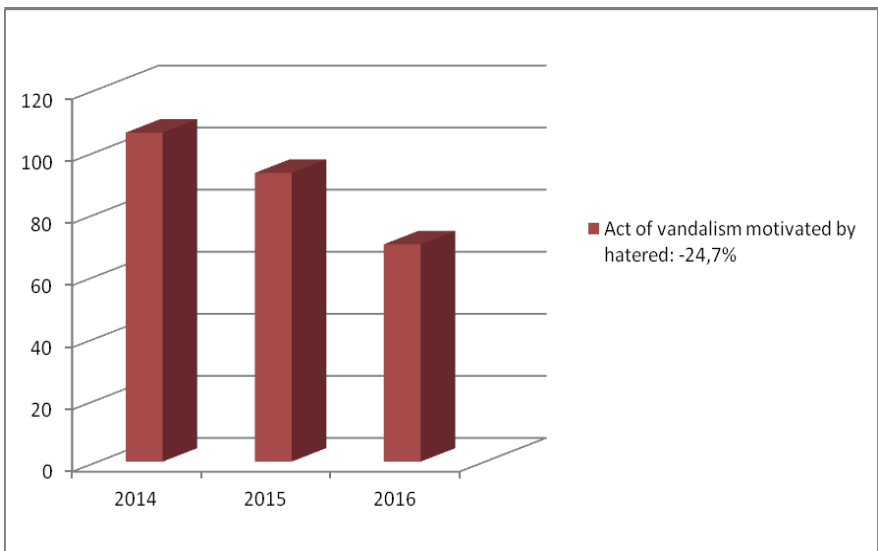
In addition, according to the data of the General Prosecutor's Office of the Russian Federation, in 2016 there was a significant reduction in such types of extremist crimes as murders - by 62.5% (in 2015 - by 33.3%), 3 people were killed on this basis, and that is the lowest indicator for the last 6 years, beatings - by 47.3% (in 2015

there was an increase of 18.8%), torture - by 100%, death threats - by 27.8%.

This dynamic suggests that Russian law enforcement agencies began to initiate cases of hate crimes of a nonviolent nature more actively, which allowed to stop the process of radicalization of offenders at a relatively safe stage and significantly reduce the number of violent crimes.

The statistics of the Prosecutor General's Office, however, does not take into account the acts of xenophobic vandalism. The number of such manifestations, according to NGOs, also declined from 93 cases in 2015 to 70 in 2016.

**Diagram 18. Xenophobic vandalism in Russia
(2014-2016)**



In 2016, there were no inter-ethnic or interreligious clashes, although there were several cases of provoking conflicts related to

insulting religious relics (in Kalmykia) and discrimination of Russians when hiring (Tuva).²⁷³²⁷⁴

Thus, in Russia, for the third year in a row, there has been a decrease in the number of hate crimes of a violent nature, as well as acts of vandalism.

This happens for four reasons. The first one is the reform of anti-extremist legislation, which was held in 2014-2016. It allowed a stop in these crimes even at the stage of activity of their performers in social networks, etc.

Secondly, in Russia there is the Federal List of Extremist Materials, which includes skinhead and Islamist videos, anti-Semitic materials, neo-Nazi sites, Nazi literature from the 1930s-40s, etc. Distribution of such materials is prohibited. This allows the authorities to block Internet sites of extremist content and suppress the spread of extremist literature, which a few years ago was a real problem in this country. In 2016, this list included 4,015 positions, and for two years it increased by almost fifteen hundred titles.

Thirdly, this is an effective work of law enforcement agencies. Practically the corresponding units have been created in every power ministries, whose purpose is to combat extremism.

And, finally, the fourth reason is the split and weakening of radical nationalist groups in Russia. This happened as a result of the actions of the authorities, and thanks to the departure of activists to Syria, where they joined Islamist terrorist groups, as well as to Ukraine, where they are fighting on both sides of the conflict. Incidentally, the right-wing radical movement split based on the attitudes to the events in Ukraine: one part of the nationalists supported by Kiev in this conflict, the other supported the separatists.

At the end of 2016, we can conclude that the most effective counteraction to hate crimes was carried out in Russia and in Poland. Due to active work of law enforcement agencies and an increase of criminal cases initiated for inciting hatred and tightening legislation

²⁷³<http://www.mk.ru/incident/2016/04/03/kalmyki-postavili-na-koleni-dagestanskogo-borca-za-oskvernenie-buddy.htm>

²⁷⁴<http://www.kommersant.ru/doc/2989685>;
https://meduza.io/feature/2016/09/15/tuvinskaya-narodnaya-republika?utm_source=email&utm_medium=vecherka&utm_campaign=2016-09-15

particularly in Russia, the authorities were able to achieve a reduction in violent crimes against the personality in these countries.

In Russia, this decline was 33%, and in Poland - 31%. Similarly, the number of acts of xenophobic vandalism in Russia decreased during the period under review by 24.7%, and in Poland by 1.85%.

Particularly noteworthy is the work of the Polish police, since it was conducted in the context of a growing migrantophobic and Islamophobic propaganda campaign (see section 3).

In Greece, there has also been a reduction in crime, primarily due to the weakening of one of the main instigators of xenophobic campaigns and unrest, the neo-Nazi Golden Dawn party, as well as the success of the government's campaign to integrate refugees, primarily with housing. However, in Greece there is no official data on hate crimes. Non-governmental organizations record a 4.8% reduction in the number of violent crimes and a sharp decrease in the total number of hate crimes (more than 38% compared to 2015), which may be due to the fact that the police do not register a significant part of these crimes.

At the same time, Italy witnesses a sharp increase in violent extremist crime (more than 2 times), with a slight decrease in the number of common hate crimes, due to the imperfection of Italian anti-extremist legislation, as well as the growth of xenophobic, primarily anti-Islamic attitudes in society. However, these conclusions are also made on the basis of information provided by non-governmental organizations.

Despite the serious work of law enforcement agencies, the situation is hard in the UK and Germany, where the total increase in committed hate crimes, including an increase in the number of violent crimes, is recorded. In Germany, this is primarily due to the migration crisis, and the increased activity of both right-wing radicals and Islamist terrorist organizations in this regard. In the UK it is due to the growth of isolationist sentiments in connection with Brexit and also with the rise of the Islamist danger. In both cases, statistics show that the authorities can hardly cope with the growth of hate crimes, although they are taking the necessary measures.

In countries such as Ukraine, Hungary, the Netherlands, and France, the inaccuracy or lack of completeness of statistical data

does not allow any valid conclusions about the dynamics of hate crimes to be made.

6. CONCLUSION

In general, we can state that the situation in Europe has developed in different directions. The level of xenophobia as a whole decreased, except for countries facing the worst consequences of the migration crisis, as well as those states where governments, for political purposes, artificially inflamed the situation of fear of migrants and Muslims.

Reducing the influx of migrants, the authorities' efforts to solve the migration problem, outreach to the public and, finally, the effective work of the police led to a decrease in the activity and popularity of right-wing radical parties and groups. The far-right did not succeed in attempts to change their image, abandoning the most disgusting xenophobic clichés. A slight increase in the ratings of the National Front in France and the Freedom Party in the Netherlands did not help them in the elections. Inside the ultra-right, there was a differentiation that revealed the leaders and outsiders who are about to go into political oblivion.

An important role in reducing the influence of right-wing radicals was played by the strategy of the political establishment parties to win over part of the ultra-right electorate. Although as a result, the ruling elite went right and the migrantophobic rhetoric strengthened in some countries. The danger of such a game was demonstrated by the events in the UK, when the conservative party, having tried to play in the field of the extreme right and get some privileges from the EU, got a completely uncharted result, the Brexit.

At the same time, people who vote for right-wing radicals in Europe are by no means ideological opponents of parties in the democratic spectrum. It is rather a protest electorate, frightened by a sharp change in the socio-cultural landscape and worried about their jobs, social guarantees, etc. Under certain conditions, they are ready to vote for "system" politicians. Accordingly, there was no demarginalization of the extreme right, neo-Nazi ideology. It remains the lot of an insignificant minority of marginal politicians.

Surveys show that those respondents who have prejudices about Muslims, migrants, Jews, Sinti and Roma, homosexuals, and other minorities, respond negatively to questions related to open racism and praising Nazism. Polarization takes place mainly along the line "for or against the reception of refugees," and prejudices against Jews, Roma and sexual minorities are associated not with Nazi ideological views, but with ingrained prejudices of a non-racist nature.

At the same time, the Islamists did not loose their activity. 39 terrorist acts for 2016 and an unprecedented increase in the number of "jihad-tourists" leaving for Syria and Iraq, state the opposite. The defeats of ISIS in Syria and Iraq call for new "warriors of Allah". Terrorist organisations are trying to secure this by spreading enmity, fear and hatred between European Muslims and indigenous Europeans, and by recruiting new supporters among the adherents of Islamic religious groups stupefied by Islamist propaganda.

This forces a number of European countries to take unprecedented security measures bordering on human rights violations. In France, as early as 2015, a state of emergency was introduced, and in 2016 - a state of emergency was extended. In the Netherlands, a law was enacted, that allowed the acceleration of the deprivation of citizenship of jihadists returning from the war. In Russia, a reform of anti-extremist legislation was implemented in 2016, imposing restrictions and new obligations on religious organizations, mail, cellular telephone of companies, etc. At the same time, a number of countries took active measures aimed at reducing the flow of refugees. Thus, the UK adopted a package of bills aimed at creating unbearable conditions for illegal immigrants. At the same time, the United Kingdom is in no hurry to open a border for new refugee flows. Together with Germany, Britain expanded the list of the so-called "safe states", including a completely unsafe Afghanistan, which automatically means the expulsion of all asylum seekers from that country. A whole series of laws aimed at squeezing refugees and asylum seekers from the country was adopted in 2016 by Hungary. All this was accompanied by an unprecedented xenophobic campaign in state-owned media.

Meanwhile, the situation with hate crimes has improved only in Russia and Poland, where the number of *reported* hate crimes increased with a significant reduction in the number of *violent* crimes. The rest of the countries recorded growth, and in such countries as Italy and the United Kingdom, significant growth.

This suggests that the problem of xenophobia and radicalism in Europe has not yet been resolved, and the situation is far from normal.

The problem of xenophobia and radicalism has two main aspects, political and legal.

The political aspect deals with the ideology and principles of the ethnic (national) integration policy of the leading European states. And here the main problem lies, because almost all the countries of the continent implement the assimilation model of this policy, setting as their main goal the minority's acceptance of the language, culture, and traditions of the majority as their own. The consequence is the denial of *the existence of ethnic minorities* by the authorities of the leading European countries or the narrowing of their number to a narrow range of so-called "traditional indigenous peoples".

This problem has existed for a long time. States that deny the existence of ethnic minorities have neither acceded to the Framework Convention for the Protection of National Minorities of the Council of Europe, nor to the European Charter for Regional or Minority Languages, or they joined them with substantial reservations.

Ethnicity, as well as ethnic self-identification of minorities, is completely excluded from legislation and political lexicon in countries such as France and Greece (with the exception of Western Thrace). Moreover, it is justified by the thesis that the recognition of the "special rights" of national minorities leads to the escalation of racism and inequality on ethnic grounds. The constitutional tradition of France says that recognition of the special rights of any population groups leads to inequality. Thus, the French legislation does not allow to collect statistical data on the ethnic origin of its citizens. Approximately the same is said by the Greek tradition, which equates the separate rights of small nations with religious-ethnic segregation, the victims of which Orthodox Greeks were

throughout the centuries of Ottoman rule. At the same time, the "special" national-cultural rights of the ethnic majority - the French or the Greeks are not questioned. Meanwhile, de facto, representatives of national minorities, in both France and Greece, make up at least 10% of the population.

In one form or another, this problem exists in other European countries, except for Russia and Belarus, where the Soviet constitutional tradition and the international model of the state are still strong. In particular, there are more than a hundred peoples and nationalities living in the Russian Federation. At the same time, the country has a powerful title ethnic group - more than 80% of the citizens of the country refer to ethnic Russians. The strategy of the state national policy of the Russian Federation is to support the development of all ethnic groups. Therefore, all official documents do not refer to the "Russians" but to the "Russian nation", which is interpreted as "a community of citizens of the Russian Federation of different ethnic, religious, social and other backgrounds, aware of their civic community and political and legal relationship with the Russian state".²⁷⁵ At present, the draft law "On National Policy" is being prepared in Russia, which should consolidate the basic principles of the multi-ethnic model of the state, as well as the place in it of the largest - the Russian ethnos.

Many European countries have made reservations upon acceding to the Framework Convention, having determined that they refer only indigenous traditional ethnic minorities to national minorities. For example, in Germany they are Danes, Sorbs, Frisians, German Gypsies, in the Netherlands - only Frisians, etc. Even those countries that have adopted the Convention without reservations, de facto carry out exactly the same policy towards minorities, as well as those that have done so with reservations. So, in the UK, which has fully acceded to the Convention, there is one state language (English) and three regional ones - Welsh in Wales, Gaelic in Scotland, and Irish in North Ireland.

Non-indigenous minorities who do not identify themselves with any of the "traditional" minorities, first of all suffer from this practice. They are Turks, natives of the former Yugoslavia, countries

²⁷⁵ http://www.minnac.ru/res_ru/0_hfile_1118_1.pdf

of Asia and Africa, etc. The state does not support, the education system of a wide range of "new" national minorities, does not support cultural programs of communities, with rare exceptions of contractual cases.

For almost a century and a half the assimilation approach helped to solve many of these problems, since people, mostly labor migrants, themselves aspired to assimilate as quickly as possible and to join the advantages of Western civilization. The problem arose when a significant number of immigrants rejected voluntary assimilation. For example, according to recent polls, in France about 75% of Muslims feel "to some extent" or "unconditionally" French, and then representatives of their religion, their ethnicity or country of origin.²⁷⁶ But 25% (and this is a very large figure) do not agree to adopt such a model. For them, their ethnic, religious, and geographical origin is primary. They do not consider themselves French, although for many of them France is the motherland, and they have a French passport in their pocket.

Thus, the state has built a rigid framework, and those who can provisionally be called victims of globalization and international conflicts are beyond that. They do not want to change their identity and prefer to educate their children in the traditions of their ancestors, but for a variety of reasons were forced to leave their country of birth. In the conditions of strict integration rules, this group chose to self-isolate and create a kind of ghetto. And it's not so much about immigrants of the first generation as about large compact immigrant groups of the second and even third generation, which the state leaves in an ideological and cultural vacuum. The problem is also that they perceive Europe as their homeland (after all, they were really born there), but they are trying to change the identity of Europeans so it corresponds to their traditional notions. This creates a basis for the growth of xenophobia, mutual hostility, discrimination, and the strengthening of the influence of extremist groups on both sides. The state, instead of developing a new national policy that ensures the interests of all population groups, categorically does not want to abandon the policy of assimilation,

²⁷⁶ <http://councilforeuropeanstudies.org/critcom/the-diversity-of-muslims-in-france-pre-and-post-charlie-hebdo/>

but periodically makes various symbolic concessions, such as the ban on the installation of Christmas trees, alcohol sales in areas populated by Muslims, the introduction Halal food in general public schools, etc. All this only creates additional conditions for the "ghettoization" of communities and increases intercommunity disunity and enmity.

In essence, the European idea could help to solve this long-standing problem. But attempts of the EU leadership to move towards a federation and, in the long run, the creation of a single multinational state of Europeans, run counter to their member states whose governments were not ready to sacrifice their national traditions and interests. Therefore, when we talk about the successes of the ruling elites in the struggle for the voices of nationalist voters, which is always accompanied by the borrowing of ultra-right xenophobic rhetoric, we must understand that in fact it is a rejection of the idea of a united Europe free from racial and other prejudices and a unified common *European* ideology.

The legal aspect of the problem of European xenophobia and radicalism is that there are still legislative limitations that impede its solution, which are again based on the constitutional tradition. First of all, it is a question of the long-standing contradiction between the struggle with the "language of hatred" and freedom of speech and expression as the fundamental democratic principle. As already mentioned, this principle did not allow a number of European countries to join art. 4 of the Convention on the Elimination of All Forms of Racial Discrimination, and some Eastern European countries that joined it in the Soviet period do not de facto comply with its requirements.

Meanwhile, the criminalization of hate speech, especially in social networks, in many ways could help to reduce violent crimes on this basis. After all, as a rule, the criminal, before resorting to violence, turns to his "own" audience, primarily on the Internet, where he seeks accomplices, spreads his views, etc. The suppression of the crime at this stage provides an effect, since, as practice shows, the majority of persons convicted of non-violent crimes do not return to criminal activity and, moreover, to violence, in the future. It was this way that Russia and Poland went. Greece has been going this way for several years already. And the result is obvious. Conversely,

the refusal to pursue the incitement of hatred provokes the perpetrator of violent actions, which leads to an increase in crime.

This leads to the following problem: the xenophobic rhetoric of power against migrants and sometimes other minorities, which usually pursues political electoral goals. Instead of pursuing a policy of zero tolerance for any manifestations of such rhetoric, the authorities prefer to go for the voters and play on the political field of the ultra-right. As the experience of a number of countries, especially Hungary and Poland, shows, this policy necessarily leads to the growth of xenophobia in the country.

The problem of excessively mild penalties for hate crimes is one of the same category. Proceeding from the principle of freedom of expression, many countries set minimum limits for punishments. Often criminals are fined or conditionally sentenced. For example, in 2006, Italy reduced the punishment for hate crimes from three to one and a half years, and set a maximum of 6,000 euros fine for racial discrimination and appeals, Act No. 85/2006 (except Holocaust denial since 2016).²⁷⁷

Another problem is the contradiction between the plight of refugees, their insecurity, and the legislative efforts of a number of states to complicate their existence. We are talking about the policies of the authorities of the UK, Hungary, Poland, Germany, and a number of others. The policy of indirect "squeezing out" of migrants from the country is fraught with aggravation of interethnic contradictions, and the absence of laws protecting their rights, including social rights, leads to even greater discrimination of this minority.

Thus, the roots of the problem of xenophobia and radicalism go to the level of fundamental contradictions between traditional European values, traditions, and the associated nature of national politics, on the one hand, and objective realities on the other. Over the past decades, assimilation policy in the field of integration leads to the emergence of minority protest groups that are self-isolated in a kind of ghetto and open to the influence of extremist ideologies.

²⁷⁷ <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/italy/ITA-CbC-IV-2012-002-ENG.pdf>

These hotbeds of extremism in prosperous European countries arose primarily because of integration mistakes.

Attempts to stop the spread of hate speech are in conflict with the cornerstone of Western democracy - freedom of speech and expression, which contradicts art. 4 of the Convention on the Elimination of All Forms of Racial Discrimination and leads to the growth of violent crimes in many European countries, and the "hate speech" is simply not being recorded. Attempts by the ruling parties to use xenophobic rhetoric in their own electoral purposes further exacerbate the situation, since the government thus demonstrates the permissibility of "hate speech". Finally, attempts to extrude refugees and illegal migrants from the EU countries by economic and political methods lead to an increase of their discrimination, which further radicalizes these groups and also ethnic and religious minorities in general.

7. RECOMMENDATIONS

Recommendations for overcoming xenophobia and radicalism in Europe are fairly simple and understandable. But, proceeding from the above, it becomes clear that the condition for their implementation in many cases is the revision of the cornerstones of the construction of European nation states.

First of all, it is recommended *to recognize all ethnic minorities*, including the so-called "new", which are the most numerous. Without imploring the importance of integration measures in the field of studying the state language of the host country and the foundations of law, steps must be taken to ensure state support for ethnic and religious communities, which will preserve their identity and establish control over their activities. Collection of information on the ethnic composition of the population and the ethnic composition of immigrants should be allowed in the countries where it is prohibited now. This is necessary both for the implementation of measures of state support for minorities, and for the prevention of inter-ethnic conflicts and terrorism.

It is necessary to abandon *the absolutization of the right to freedom of speech and expression when it comes to the propagation*

of hatred, especially on the Internet. As the experience of individual countries shows, this will lead to a sharp reduction in violent crimes of this nature. At the same time, it is necessary to toughen the punishment for such crimes by introducing a clear gradation, who will be punished by a fine or conditional punishment, and who by a real deprivation of liberty. Solving this problem will help to solve another one, the refusal to register non-violent hate crimes and attempts to hide the statistics of "hate speech".

It is necessary *to strengthen control over radical groups* operating in the legal field, including ultra-Catholic organizations that demonstrate a rapprochement of positions with ultra-right and even neo-Nazis. Measures to attract religious organizations, especially Christian churches and Islamic associations, to combating hatred and promoting tolerance, will also be useful.

It is important to understand that institutional racism and ethnic profiling are, first of all, the problem of the lack of education and proper training of civil servants, including policemen, which requires the special attention of the authorities. It is required to take decisive measures to widely implement *educational programs against racism and discrimination* in the practice of training and improving the skills of law enforcement officers.

It is necessary to do everything necessary to ensure that *the government's actions against migrants and refugees*, including illegally staying in Europe, *do not lead to increased discrimination and hatred* towards these groups and, in general, ethno-religious minorities.

In many ways, these recommendations are universal, but they should be supplemented if we are talking about Russia and Ukraine, because these countries are not part of the EU and have other constitutional traditions.

So, Russia has a centuries-long experience of cohabitation within the framework of one state of representatives of hundreds of ethnic groups and followers of dozens of religions. As is known, after the collapse of the USSR, the share of the Russian ethnos here has sharply increased. This country has departed from the Soviet international model of the national state, but, as already indicated, did not adopt the European model. Russia must finally work out new principles of policy aimed at preserving the interethnic peace in the

conditions of a multiethnic population with a predominance of a strong title ethnos. As a matter of fact, we are talking about the formation of a new model of a national state for countries of this type.

Another problem facing the Russian Federation and requiring a quick solution is the problem of imperfections in anti-discrimination legislation. Russia should refine this legislation in detail, with the introduction of a more correct definition of discrimination, namely, "direct" and "indirect" discrimination, "victimization", and to implement an effective mechanism to prevent such phenomena as institutional racism. Such adjustment should be aimed at the inadmissibility of broad or arbitrary interpretation of such concepts as "extremism", "xenophobia", "racism", "discrimination". It is important to review the practical aspects of gathering evidence in the investigation of cases of discrimination, refusing to apply to cases of discrimination from the principle of the presumption of innocence.

As for Ukraine, several additional measures should be added to what has already been said: adopt a law on national and cultural autonomy and a new version of the law "On National Minorities". It will reduce interethnic tension, especially among Transcarpathian Rusyns, who are not recognized as a separate ethnos, among Hungarians, as well as Russians, Jews, Poles, etc . Ukraine should also restore the provisions of the Law of Ukraine "On the foundations of the state language policy" and to refuse to adopt a discriminatory bill "On the Languages of Ukraine", as well as to develop a draft law "On the Concept of the State Ethnonational Policy of Ukraine".

In general, we can state that in Europe there are many problems related to minorities. All of them require their solution, in almost every case the decision requires great political will. Whether the authorities have this will, the future of Europeans depends.

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