

Fighting xenophobia and hate crimes against migrants and asylum seekers

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What is xenophobia?

Irrational hatred towards foreigners and all their values, customs and habits.

Xenophobia develops revolt and hatred of everything that is foreign and unknown, and can be aimed at someone's faith, habits, anthropological or facial features and it is followed by hostile behavior, with a series of gestures, usually expressed through hate speech, hate crime, refusing foreigners to socially integrate in the new society, sharing xenophobic content in the media



WASH YOUR HANDS OF GERMS & XENOPHOBIA

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Additional Protocol to the Convention on Cybercrime

"racist and xenophobic material" means any written material, any image or any other representation of ideas or theories, which advocates, promotes, or incites hatred, discrimination or violence, against any individual or group of individuals, based on race, color, descent or national or ethnic origin, as well as religion if used as a pretext for any of these factors



Xenophobic displays – great part of the public discourse

The media started to move in a very dangerous direction presenting the migrants, refugees, and asylum seekers as the next criminals at large – bullies, terrorist, sexual offenders, painting a picture that societies with large number of migrants, refugees and asylum seekers will be the next in line for threats to the public safety, national security, national identity, violence ...



They can be seen on <u>mobile phone footage</u> filmed by one of Valev's companions, lying on the ground waiting for police to arrive. Valev can be heard insulting the refugees and saying that they came from Syria "to kill us like dogs".



Bulgaria's vigilante migrant 'hunter'



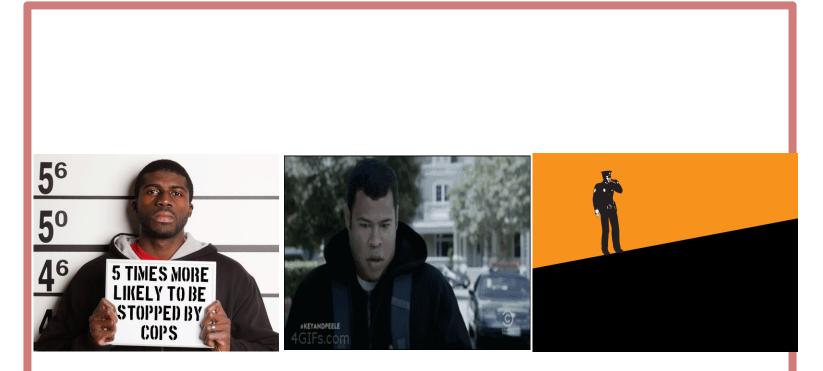
By Matthew Brunwasser Yambol, Bulgaria

A Bulgarian trader in spare parts for buses has become a national celebrity after starting to patrol the Turkish border "hunting" for migrants. Many Bulgarians applaud his vigilante initiative, though others are deeply troubled.

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"Bulgaria needs people like me, dignified Bulgarians, willing to defend their homeland," says Dinko Valev, sipping a fresh-squeezed orange juice in a flashy cafe in his hometown, Yambol, 50km (30 miles) from Bulgaria's border with Turkey.





Institutional xenophobia – are law enforcement acting xenophobically in profiling in criminal cases?



What is racial [ethnic] profiling?

"the use by the police, with no objective and reasonable justification, of grounds such as race, color, languages, religion, nationality or national or **ethnic** origin in control, surveillance or investigation activities"



profiling the racial profiling

individuals are targeted or treated differently by law enforcement – police, public prosecution and even the national courts, solely based on their perceived race, ethnicity, national origin, or religious background, rather than on reasonable suspicion or evidence of criminal activity









799% of BORDER GUARDS at EU airports rated **ETHNICITY** as a helpful indicator for recognising

persons attempting to enter the country in an irregular manner

BEFORE SPEAKING TO THEM.



Unspoken biases

Stop & search or identity checks by police based on appearance and migrant status Harsher sentences for persons belonging to minority groups

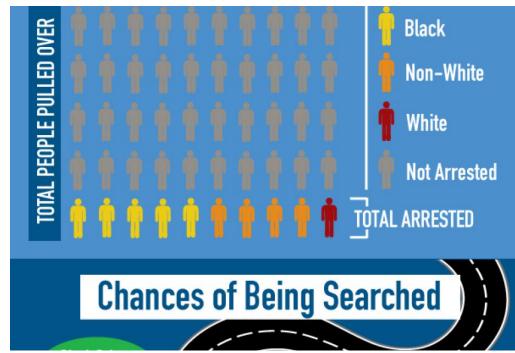
Presumed guilty phenomena

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Migrants will change your country





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Case law

Afghan family identity check on a train to Bonn



"Moelander" project in the Netherlands





Young students in France stopped for being themselves



Basu v. Germany Mohamed v.Spain Seydi & Others v. France



How to fight xenophobia and hate crime?

EU Legal Framework

Framework Decision 2008/913/JHA on combating certain forms and expressions of

racism and xenophobia by means of criminal law

On 9 December 2021, the Commission adopted a Communication on '<u>A more inclusive and</u> protective Europe: extending the list of EU crimes to hate speech and hate crime' which aims to trigger a Council Decision extending to hate crime and hate speech the current list of so-called 'EU crimes' as laid down in Art 83 TFEU.



The legal and policy framework in the EU



How to fight xenophobia and hate crime?

Racism and xenophobia

Combating anti-Muslim hatred

The Commission's action on tackling anti-Muslim racism, hatred and discrimination.

Combating antisemitism

EU activities to combat antisemitism including remembrance, education, and legislation.

Combating hate speech and hate crime

Measures to prevent and combat different forms of hatred and to protect victims.

Consultation process

Civil society organisations participate in consultation processes to monitor the implementation of the EU Anti-racism action plan 2020-2025.

EU Anti-racism Action Plan 2020-2025

The Commission's plan to step up action against racism and achieve a Union of Equality

EU funding to tackle racism and xenophobia

EU provides various ways to obtain funding to combat racism and xenophobia.

Extending EU crimes to hate speech and hate crime

The Commission initiative to include hate speech and hate crime in the list of "EU crimes" in the Treaty.

The Commission's Coordinator on combating racism

Tasks of the Commission's Coordinator on combating racism

The EU Code of conduct on countering illegal hate speech online

The robust response provided by the European Union



CONCLUSION RACISM



