



Hate crime in the European Union

In brief

Hate crime is the term used for criminal offences motivated by prejudice against a victim's identifiable characteristics. However, the complexities of defining hate crime inhibit recording the phenomenon, which means addressing hate crime is also difficult. It is inconsistent with [the European Union's founding values](#) that some citizens live with the fear of being verbally or physically abused just for being who they are. The development of policies to divert trends of growing intolerance and hate crime in Europe should be a priority for the European Union, but we have yet to hear this urgency reflected in the words or work of the new European Commission.

Everyday racism

Far-right ideologies are emerging in some parts of Europe. We observe everyday examples of racist and xenophobic rhetoric in politics and the media. Hate crime is poisoning our society by threatening community peace and security, spreading fear among us, and violating fundamental democratic rights.

How much hate crime is there?

We hear about hate-motivated incidents on the news, but how common are they? The various agencies that monitor hate crime - police, community groups and victim support groups - do not use the same definition of a hate crime, making monitoring and comparisons very difficult. Hate crime is the term used for criminal offences motivated by prejudice against a victim's

identifiable characteristics. But which crimes and which groups are included varies across Europe and among different agencies. Definitions may also change over time: [in 2013 police in the British city of Manchester](#) began to record [hate crime against subcultures, such as 'punks' or 'goths'](#).

The absence of common rules on the recording of hate crime contributes to under-recording and consequently the absence of data on hate crime. This means that governments do not know how much hate crime is taking place in their countries. The lack of a clear picture of the phenomenon's extent, inhibits the development of appropriate preventative and reactive policy responses to hate crime.

We do know that hate crime is a feature of our societies. Although national level recording shows gaps, evidence collected and published by the [European Union Agency of Fundamental Rights \(FRA\)](#) indicates that [hate crime is an everyday reality](#) across Europe. However,

[most of the victims of crime or incidents of serious harassment did not report the incident to the police.](#) The reasons for this include a general distrust of the police among



Photo Credit: Michael Fleshman (Flickr)

those groups that are most likely to be victims of hate crime. Police officers are perceived to be disinterested in hate crime, unwilling to deal with victims from minority communities, or even unqualified to identify hate crime offences. Another reason may be fear among some victims of revealing information about themselves to the authorities, such as gender identity or sexual orientation. Refugees, asylum seekers and

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Peace is so much more than the absence of war and conflict. It does not mean to be in a place where there is no noise, trouble or hard work, it means to be in the midst of those things and still be calm in one's heart. (Ireland QL&P 5.5).

recent immigrants may also fear being arrested, mistreated, or even deported, if they identify themselves to the authorities.

The role of the European Union

In an attempt to define a common law approach to hate crime and hate speech, the [EU Framework Decision](#) on racism and xenophobic forms of expression was adopted by all EU Member States in 2008. For example, it includes a requirement for states to seek a criminal sanction against any person who incites hatred or violence toward an ethnic group. Each Member State was obliged to implement all the provisions of this legislation in its national law by 2010. In January 2014, a [European Commission report](#) outlined whether and to what extent Member States transposed all the provisions of the Framework Decision. Not all Member States fully or accurately implemented the Framework Decision: not legislating restrictions on trivialising some kinds of crimes was a common failure. As a result the European Commission will be engaging in bilateral discussion with each Member State to assist with transposition of the Framework. [The United Kingdom has chosen to opt out altogether](#) with effect from 1 December 2014.

The new Commission

In her confirmation hearing with Members of the European Parliament, the new Commissioner for Justice, Consumers and Gender Equality, [Věra Jourová](#) expressed her willingness to work hard for the protection of vulnerable groups such as children, women and Roma. However, she did not mention hate crime or announce it as a priority. Neither did the new Commissioner for Migration and Home Affairs, Dimitris Avramopoulos. This is very unfortunate when we consider that Cecilia Malmström, the former Commissioner for Home Affairs, emphasized the growing problem of hate crime and stressed the importance of the EU and its Member States acting firmly against it (see, for example, [her speech of 12 November 2013](#)). So is the EU giving less attention to hate crime, just when it needs to increase its concern? How can our current mechanisms for addressing hate crime be improved? QCEA is currently working to answer these questions and will recommend steps that European Union institutions and Member States should consider so that they can address hate crime more effectively.

Sevasti Christoforou

What are other European institutions doing about hate crime?

Beyond the European Union, the Council of Europe is also seeking to address hate crime. The Council of Europe is a 47 Member State human rights organisation, which includes all EU Member States, but is otherwise unrelated to the EU. It encompasses the [European Commission on Racism and Intolerance](#) (ECRI) that monitors problems that derive from racism, xenophobia, and other forms of discrimination. ECRI reviews laws in Council of Europe Member States and publishes reports and recommendations for each Member State.

At a judicial level, the [European Court of Human Rights](#) (another body of the Council of Europe) emphasizes that each state has an obligation to undertake sufficiently thorough criminal investigations to ensure that any potential racist motive or underlying prejudice are identified. Moreover, the [Organisation of Security and Co-operation in Europe](#) (OSCE) is also actively contributing to the fight against hate crime. The OSCE has focused on the creation of informative documents concerning the prevention and combat of hate crimes, as well as to the creation of training programmes for police officers and prosecutors.

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Scale in climate and environment policy

In brief

Citizens at the regional and local level can play a significant role in climate and environment policy. They can even act as pioneers, reaching further than the necessary compromises of national and supra-national governance. The European Union can also help regions to be more proactive through schemes such as the Covenant of Mayors. But development of grassroots methods is needed.

At the end of October, the European Council (made up of Heads of Government or State from every EU Member State) agreed the European Union's [climate and energy targets for 2030](#). They set a legally binding 40 per cent greenhouse gas (GHG) reduction target by 2030 (relative to 1990 levels), and two non-binding targets - 27 per cent each for renewable energy and energy efficiency. Member States considered the agreement a success, with Ed Davey, the UK energy and climate minister, calling it “[a historic moment](#)”. However, the success seems to be primarily that they agreed anything at all, considering the variety of views among Member States.

Many individuals and regions have clearer priorities than is possible for a country. For those of us more focussed on the urgent need to reduce emissions in order to avoid heating the earth by more than 2°C, the EU 2030 targets are [not as ambitious as we might like](#). Neither are the targets as limited as [many others might like](#). As Quakers, we should applaud the targets on the basis that cooperation is better than conflict, and the deal reflects the compromise necessary for [28 divergent Member States](#) to reach agreement.

Climate change is a democratic issue

Whatever the achievement involved, a compromise deal is inevitably disappointing for many, especially as there is often a disconnection between national and regional climate policies. This phenomenon can be observed in Poland where the national government is one of the most recalcitrant when it comes to climate policy. Throughout the Council negotiations, Prime

Minister Ewa Kopacz prioritised the protection of Poland's coal industry in an effort to avoid increased economic hardship for her people. At the regional level though, Poles and Polish authorities prioritise climate action: [Warsaw's mayor complained](#) that the 2030 targets were unambitious; over [800 municipalities](#) have applied to a national fund for environmental protection to be granted financial support in developing low-carbon energy plans; and a poll has shown that [90 per cent of Poles](#) support legally binding targets on renewables and energy efficiency.

Fortunately, citizens can do more than complain about leaders' lack of ambition - we can act on our own scale. It has been 22 years since the [UN's Agenda 21](#) encouraged people to “think globally, act locally.” Despite that, in September 2014, there were [2646 separate marches in 162 countries](#) for climate action. These numbers show how widespread the desire for action is. At the same time, it is important to remember that even small communities of engaged individuals can have big impacts. Just as we all contribute to global warming, we can all contribute to mitigating climate change. Climate change does not respect borders - and neither should we when it comes to countering climate change, whether on the scale of

international cooperation or local action. Taking the initiative ourselves without reference to national divisions is another way in which we, as Quakers, can let our lives speak.

The significance of urban areas

Urban areas are particularly important due to their population density and the scale of their emissions. Around [200 million Europeans live in cities](#). In fact, European urban areas with

population of at least 5,000 account for [80 per cent of Europe's carbon emissions](#). Globally over the next 15 years around \$90 trillion is expected to be invested in architecture, low-carbon or not. Europe, with 12 per cent of the global population, will be responsible for a significant chunk of that, as Europe needs to



Photo Credit: Skeeze (Pixabay)



modernise its infrastructure. There is a particular need to improve the **energy efficiency of buildings**. Cities are clearly hugely important in climate mitigation. This importance brings with it increased power and greater responsibility for acting on climate change.

Local input to the EU

So what relevance does local climate action have to the European Union?

The EU can help to support and encourage climate action at a local level through multi-level, multi-stakeholder governance. Bodies such as the **Committee of the Regions**, or schemes like the **Covenant of Mayors**, are good examples. The Committee of the Regions is a mechanism for European regional governments to help shape EU policy. Here also, the regional ambition is higher: before the October Council meeting the Committee of the Regions **urged bolder binding targets** for 50 per cent greenhouse gas reduction along with 40 per cent renewable energy and energy efficiency targets.

The Covenant of Mayors is a scheme backed by the Committee of the Regions and the European Commission. Local authorities can sign up to support the EU's 2020 climate and energy targets by pledging to reduce their emissions by at least 20 per cent by 2020. There are over 6,000 signatories representing over 160 million Europeans. The Covenant shows that it may not only be easier to reach decisions at a regional level, it is also easier to make more radical decisions. Seventeen signatories have pledged to completely eliminate their greenhouse gas emissions by 2020, displaying the pioneering role that local authorities can play. Signatories share best practice with each other, an office in Brussels provides central support, and the project is funded by the European Commission.

The concept is remarkably simple, and it has a pleasing reciprocity: the EU provides the forum and the financial backing which enables local areas to take action and contribute to their own development, to a

healthier local environment and to the EU's 2020 targets. However, the Covenant is voluntary, and the geographical coverage is patchy. For example, the **UK's 34 signatories** represent just 29 per cent of the UK's population and German local authorities involved in the scheme represent only **21 per cent of the German population**. There is clearly potential for extending the scheme, thereby considerably decreasing greenhouse gas emissions.

The Covenant focusses exclusively on energy policy, eschewing other subjects on which citizens and local areas undoubtedly have opinions and ideas, such as waste, economic injustice, transport, food and natural resources. In contrast, groups across the **Transition Network** tackle all of these issues as they aim to build resilience to climate change, peak oil, and economic instability. Transition initiatives bypass all levels of government, as they are formed and led by citizens.

The QCEA Study Tour 2015 is open for applications

Join us in Brussels and Strasbourg 18 - 25 April

Download information and an application form at <http://www.qcea.org/home/events/study-tours/>
Contact studytour@qcea.org for more information.

The Covenant of Mayors is one of the few EU initiatives that engages with regional and local governance. However, more knowledge and engagement by local authorities remains necessary to help raise the profile of local-level change. Grass-roots input is crucial to successful policy making and implementation. Local and regional approaches to contemporary challenges not only help to make our society more democratic, but they also allow us, as citizens, to take the lead in shaping the society we live in. Initiatives like the Covenant of Mayors, and Transition show what can be achieved by taking on that responsibility. Fundamentally, we all can - and need to - act on our own scale (be it individual, communal, local or regional) in order to combat climate change. The actions we take at one level, could end up having a much wider impact.

George Thurley

Inspired? Write to your local representative and encourage them to sign up to the Covenant of Mayors (http://www.covenantofmayors.eu/index_en.html) or join (or start!) a local Friends of the Earth or Transition group.



(Cyber-)Peace is possible

In brief

Governments have become increasingly concerned about the risk of malicious attacks on the computer information systems that many public and private services rely upon. Attacks can be launched from abroad through the internet: often called cyber-attacks. European leaders have identified cyber-attacks as being one of the biggest security threats facing their countries. EU policymakers are focussing on militaristic responses to these threats. They are failing to take necessary steps to build a peaceful cyberspace.

What are cyber-attacks?

A cyber-attack is the malicious targeting of state infrastructure, computer information systems or computer networks - to steal, alter, or destroy them. Attacks are usually anonymous and can be labelled as either a cyber-campaign, cyber-warfare, or cyber-terrorism depending upon the context.

In one example, a cyber-attack was launched against the Georgian government in 2008, during the conflict with Russia over South Ossetia. [The attacks started on the same day as the main conventional military offensive](#) and focussed on disrupting and defacing Georgian government websites.

In December 2013, the European Council (the Heads of Government of the 28 EU Member States) agreed cyber-security was a priority for the EU's Common Security and Defence Policy; (See: ['Europe reverts to militarism'](#) Around Europe Issue No. 355 February-March 2014). QCEA advocates civilian, preventative, and inclusive responses to security challenges that would protect European citizens more effectively.

More recently in November 2014, the Political and Security Committee of the Council of the European Union (ambassadorial-level officials representing the 28 Member States) agreed a [Cyber Defence Policy Framework](#), as specifically requested by their Heads of Government at their December 2013 European Council meeting. The framework outlines how protection from cyber-attacks is considered a military responsibility, and promises that military-style cyber capabilities will be developed and made available to Member States.

This new EU framework has two main aims:

- to strengthen the European arms trade (specifically the European defence technological and industrial base), and
- to align EU action with NATO cyber-defence activity.

Military 'cyber-defence' research to be funded by civilian budgets

The growth of a competitive cyber-defence industry in Europe is not described in the Cyber Defence Policy Framework as a 'means to an end', but as an end in

itself. [The Framework](#) specifically agrees that Member States will seek to fund military research and development by using the civilian research funding programme, [Horizon 2020](#). This seems to be in direct contradiction to the November 2013 European Parliament resolution that [agreed that research funded by Horizon 2020 would be for civilian tasks](#). The arms trade industry and the European Commission are keen to exploit [a line in the resolution](#) allowing research on "interoperability between civilian and military capabilities in civilian tasks ranging from civil protection to humanitarian relief, border management or peace-keeping". Alongside prioritisation of cyber-attacks within Common Security and Defence Policy, in December 2013 EU Member States agreed to prioritise [strengthening EU-based arms manufacture](#). The EU's approach to cyber-attacks is an example of [governments defining security challenges so that they fit preconceived military solutions](#). QCEA calls on the EU to address the root causes of security challenges and to find sustainable solutions.

Have you seen our new background paper on pre-trial detention?

120,000 people in the EU are awaiting trial in prison. Our paper looks at how this number could be radically reduced. Find it at www.qcea.org



Photo Credit: Lendog, Creative Commons



[Early Quakers] would inevitably come into conflict with the authorities. But the weapons were those of truth and love, not sword and fire (Harvey Gillman 2005).



Photo Credit: EU Agency for Network and Information Security

Avoiding cyber-war

A report by the Oxford Research Group published in October 2014 considers how cyber-war can be avoided. The report explains the need to avoid public panic and sensational media reporting that might lead governments to retaliate disproportionately, further escalating the violence. It recommends that international structures be established to provide timely and accurate information in the event of a cyber-attack. These structures would take the form of multi-national [Computer Emergency Response Teams \(CERTs\)](#): expert groups that undertake emergency analysis and can act to limit attacks once they have been unleashed. Independent CERTs may also help to identify the source of attacks to allow for international accountability and justice. The EU Framework proposes cooperation between EU Member State CERTs, but not with non-EU states with whom confidence-building is most needed.

Common security partners are better than military alliances

The Framework agrees to explore joint cyber-defence training between the EU and the NATO Defence College (including [cryptographic skills used to respond to cyber-attacks and limit their impact](#)). Section 5 of the Framework goes as far as to specifically prioritise cooperation with NATO above cooperation with the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations. However, the OSCE would be a better partner for the EU: for more than a year the OSCE has been developing cyber-security confidence-building measures, such as fora to de-escalate cyber conflicts. By contrast, in September 2014 NATO agreed a more militaristic Enhanced Cyber Defence Policy, which included the prospect of retaliatory action under the collective defence principle. This is the principle that an '[attack on one ally shall be considered an attack on all](#)' enshrined in Article 5 of the North Atlantic Treaty.

When addressing new security challenges, such as cyber-attacks, European institutions should reject the language of allies and enemies that led to so much violence and division during the last century. We call on the EU to work toward a world where security is shared by all, and not something we seek for ourselves at the expense of others. As an organisation founded as a peace project, the EU should limit itself to the use of soft power to ensure its cyber-security.

Andrew Lane

Sign up for our action alerts!

QCEA sometimes issues calls to respond to affect European policy on peace, human rights, Palestine and Israel, sustainability, or economic justice. To sign up, just e-mail your topics of interest and country of citizenship and of residence to Gordon at office@qcea.org

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QUAKER HOUSE NEWS

6 October: Tim and Andrew met with the International Peace Bureau and other Brussels-based peace groups to discuss opportunities for EU-level advocacy to reduce military spending.

9 October: Quaker House hosted an evening reception for new European External Action Service (EEAS) staff. Michael Miller, Deputy Head of Conflict Prevention at the EEAS, and Catherine Woollard, Executive Director of the European Peacebuilding Liaison Office, addressed an audience of 70.

15 October: George published QCEA's response to a European Commission consultation on the Europe 2020 strategy, focussing on sustainability.

17-18 October: The QCEA Council met at Quaker House and were sustained by home-cooked Greek food.

28 October: Sevasti and Andrew took part in a Hate Crime conference at the Council of the European Union.

3 November: Alexandra met with the lobby team of the Ecumenical Accompaniment Programme (EAPPI)

to discuss the role of the EU in Israel/Palestine. A week later, she met with the advocacy coordinator of EWASH (see below).

13 November: George, Andrew and Tim led a workshop for thirty activists from the youth section of the Green Party of England and Wales about influencing EU policy on peace and sustainability.

15 November: George attended QPSW's Quaker Activist Gathering at Friends House, London. Alexandra met with the QCEA British Committee on the same day also in London.

20-23 November: Alexandra joined 430 other Quakers at the annual meeting and lobby day of our sister organisation in Washington D.C., Friends Committee on National Legislation.

28-30 November: Gordon, George, and Tim took part on the Quaker Europe and Middle East Section Peace and Service Consultation in Belgium.

Staff at QCEA: Alexandra Bosbeer, Sevasti Christoforou (through November 2014), Tim Harman, Andrew Lane, Gordon Matthews, George Thurley.

Calls to resist the subtle violence of permits and demolitions

QCEA's location in Brussels brings some benefits, including the opportunity to meet with visiting advocates and activists working on projects related to peace, human rights, economic justice, democratic governance, or sustainability. One of our recent visitors was a Jerusalem-based advocate for the Emergency Water and Sanitation-Hygiene Group (EWASH). This group aims to coordinate work in water and sanitation projects in occupied Palestine, to help ensure optimisation of work. EWASH also has an advocacy unit working to promote policy changes in how water and sanitation are handled in Palestine.

Well-being needs infrastructure

Regular readers of the QCEA blog (<http://qceablog.wordpress.com/>) may remember

that administrative restrictions on infrastructure in the occupied Palestinian territories have been highlighted as affecting the rights of the people living there. According to the World Bank, removal of the restriction on the construction of irrigation infrastructure could help increase food productivity in this water-limited climate approximately 13-fold. So many things depend on water: according to QCEA's water provider, the average water consumption per capita in Brussels is 103 litres per day. It is 300 l/day for each Israeli and only 70 l/day for Palestinians. The World Health Organisation recommends 100 l/day.

The rainfall in Israel and Palestine is not very low, but it falls mostly in winter, so water resources are limited. Lack of water increases the importance of



When we look at our differences and not upon the tasks which God is laying upon us... we are wasting our time and God's time. God is not found in our words, but in the spaces between our words. (Val Ferguson Faith in Action 1991).

water as an ecosystem service supporting life and well-being for the local people. And yet rain cisterns, wells, water tanks, pipes, and toilets, have been destroyed by the Israeli army: 204 in the space of 2 years. How does this happen? The administrative system allows for the destruction of those facilities built without a permit - those which are illegal. Sounds sensible, until you realise that almost all (97 per cent) construction applications from Palestinians in Area C are rejected, including those which help people have enough to drink, to grow food, and to move sewage away from their homes.

The destruction of infrastructure, and even the permit system, are against international law. **Occupation is considered in international law to be a temporary phenomenon.** For this reason, the occupying power is not permitted to change the occupied country's physical and legal structure. In addition, the occupying power has an obligation to protect the civilian population against undue hardship.



Punctured Palestinian water tanks
Photo credit: ISM Palestine (Flickr)

The European Union has a role to play

The EU has been sending humanitarian aid to Palestine to help provide essential infrastructure for basic needs. When this infrastructure is demolished, QCEA believes the EU should hold Israel to account. Repeated demolitions of homes and neighbourhoods, of ways to access water, cannot be said to be protecting the population from hardship.

Quakers have long worked for peace, and many abhor violence. The violence of some factions within the population of Palestinians is sometimes used as a justification for the restrictions of the Israeli occupation. However, increased restriction begets increased resistance. **Displacement and demolition of one's resources, leads to entrenched poverty.** Good neighbourliness, and security, start with understanding our neighbours as human beings, and understanding that humans all have the same human rights, for example rights to meet our basic needs and the right to a decent standard of living.

Alexandra Bosbeer

The EWASH campaign is an online e-mail action urging Europeans to ask your MEP why the EU does not implement its calls on the Israeli government to stop demolition and confiscation of Palestinian water and hygiene infrastructure, including that funded by European aid. To increase the impact of your e-mail, you might consider writing in your own words to your MEP. See more at www.ewash.org and www.thirstingforjustice.org/stopdestruction



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Quaker Council for European Affairs
Square Ambiorix 50, B-1000, Brussels, Belgium

Editeur responsable: Alexandra Bosbeer
No. entreprise 0420.346.728
www.qcea.org
qceablog.wordpress.com

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