# FACING
## ALL THE
# FACTS

# GUIDE TO
# BLACK
# COMMUNITIES
# FOR POLICE IN EUROPE

**FACING ALL THE FACTS**

**Written by:**

Jennifer Kwao and Katherine Minehart

**This publication is part of the Facing All the Facts
online course on anti-Black hate crime.
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# Table of Contents

Facing all the Facts is a project coordinated by CEJI – A Jewish Contribution to an Inclusive
Europe (Belgium) that takes a collaborative approach to unmask the full extent and nature
of hate crime and hate speech working through a coalition of civil society organizations,
policy leads, national law enforcement authorities and practitioners.

**www.facingfacts.eu** ⭕ **www.facingfactsonline.eu** ⭕ **www.ceji.org**

# Introduction

This publication was developed in the framework of the **"Facing all the Facts"** project, an EU funded initiative led by **CEJI – A Jewish Contribution to an inclusive Europe** in partnership with a diverse coalition of civil society organisations and national law enforcement authorities, aiming to unmask the full extent and nature of hate crime and hate speech through a collaborative approach. Facing Facts fosters and advocates for better cooperation among civil society and public authorities in recording and monitoring of hate crime. We hope this guide will support better recognition and appreciation of Black communities and organisations towards better responses to anti-Black hate crime.

Along with research and advocacy, training is one of the key activities of the Facing all the Facts project. This booklet stands as an important component of the new Facing Facts Online course on recognising and identifying anti-Black bias indicators for civil society and law enforcement. The course was developed in close cooperation with partners and relevant experts in the field of anti-Black hate crime. The course is available on the project's e-learning platform http://www.facingfactsonline.eu along with additional online courses on other bias motivations (antisemitism, anti-disability, anti-Muslim, anti-LGBT, anti-migrant, anti-Roma), three online courses on hate crime for police in UK, Italy and Hungary and an online course on recognising and combating hate speech currently available in English, French, German and Italian.

**Lead partner:** CEJI-A Jewish contribution to an inclusive Europe

## Facing All the Facts partners:

- Community Security Trust (CST)
- Dutch Centre for Documentation and Information Israel (CIDI)
- ENAR Ireland
- European Network on Independent Living (ENIL)
- European Roma Information Office (ERIO)
- Movimiento Contra la Intolerancia (MCI)
- National Police Chiefs' Council (NPCC)
- National University of Public Service (NUPS)
- Osservatorio per la sicurezza contro gli atti discriminatori (OSCAD)
- Praksis

# A Note on Terminology

There are many different terms used, often interchangeably, when discussing people of African descent (PAD) and members of the black community. The UN Working Group on People of African Descent has defined people of African descent, often abbreviated as "PAD", as "descendants of the African victims of the transatlantic and Mediterranean Sea slave trade.

The group includes those of the sub-Saharan slave trade[1]." However, the United Nations High Commissioner for Human Rights broadened this definition to include "descendants of those Africans that were displaced to the Americas during the Transatlantic Slave Trade many generations back, or more recent migrants who have journeyed to the Americas, Europe, Asia and within Africa itself."[2]

While the term "PAD", and its derivative "Afro-descendant", encompass a wide range of people with genealogical, geographic, and historical ties to the African continent, other terms can be used when referencing members of the black community. "Black people" and "members of the black community" are terms that are used to refer to members of the African diaspora.

In addition, Black people might not necessarily identify as people of African descent, due to growing up in a region outside of Africa and having no cultural ties to the African continent.

People perceived as Black are likely to suffer Afrophobia, and anti-Black hate crime since perpetrators select victims based on their membership or perceived membership to a particular group.[3] This means that Afrophobia and anti-Black hate crime disproportionately affect people with a visibly dark skin complexion, regardless of the victim's identification with any particular community, region, or ethnic group.

In this booklet, we use the terms "PAD", "Black people", "Afro-descendants", and "members of black communities" interchangeably.

[1] http://cms.horus.be/files/99935/MediaArchive/publications/FS%20People%20of%20African%20Descent_final.pdf
[2] https://www.un.org/en/events/africandescentdecade/assets/pdf/PAD-final%20for%20NY.pdf
[3] See p. 9 https://ceji.org/wp-content/uploads/2012/11/Guidelines-for-monitoring-of-hate-crimes-and-hate-motivated-incidents-PROTECTED.pdf

# History of Black Communities in Europe

There are currently an estimated 15 million people of African descent (PAD) living in Europe.[4] PAD have been present in Europe since the time of the Roman Empire, due to trade and social interactions with European and Arab merchants between Africa, the Middle East and Europe.[5] In the 1400s, Portuguese merchants began transporting Africans to Spain, Portugal, and Italy as slaves, servants, and workers.[6]

Prior to the creation of the Transatlantic Slave Trade in the 16th century, PAD living in Europe enjoyed relative levels of freedom, often working as poets, playwrights, shopkeepers, ambassadors, servants for noble families, or members of the clergy, particularly in southern Europe.[7]

Portugal's transportation of Africans to Europe evolved into an elaborate slave trade by the mid-1500s.[8] As the need for labour grew, both in Europe and in the newly established European colonies, more countries began participating in the slave trade.[9]

Portugal, Spain, Great Britain, France, and the Netherlands transported enslaved Africans to colonies in North and South America and the Caribbean, and, to a lesser extent, Europe itself. Most of the enslaved people were transported from the coast of West Africa.[10] Over the next 400 years, at least 11 million Africans were transported to the Americas, which marked the beginning of what is now known as the "African Diaspora".[11]

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[4] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_8

[5] https://reviews.history.ac.uk/review/619

[6] https://reviews.history.ac.uk/review/619

[7] https://www.liverpoolmuseums.org.uk/ism/slavery/europe/black_people.aspx

[8] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml

[9] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml

[10] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml

[11] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml

This rampant decline in population and disruption of traditional political and social life left many parts of Africa vulnerable to the subsequent European colonisation of the African continent.[12] It was during this period that an ideology—"scientific" and "cultural"— suggesting that Africans were "naturally inferior" to Europeans emerged—a sentiment which still persists as fuel for modern racist ideologies. This ideology was used as a means of justification for the slave trade and colonisation.[13]

As European countries began to outlaw the slave trade in the early 1800s, they turned their attentions to Africa itself with the ambition to expand their empires.[14] A desire for wealth, resources, territory, and political dominance led many European countries to fight over different regions of Africa, ultimately culminating in the Berlin Conference of 1884-85, during which the European powers arbitrarily divided Africa between themselves, with Great Britain, France, Belgium, Portugal, Italy, Germany, and Spain establishing colonial territories across the continent.[15]

The European powers justified the colonisation of Africa by emphasising their "legal and religious obligation" to "civilise" Africans, further emphasising sentiments of European superiority over Africans.[16] The colonial regimes implemented this process of "civilisation" by introducing European educational, linguistic, legal, and religious systems to the African colonies through coercion and forced assimilation.[17]

The colonial regimes established a hierarchy of a small population of white elites over the local communities, who maintained power through the constant threat or exercise of violence by armed military and police groups in order to intimidate the indigenous populations into submission, creating a culture of fear and distrust among African communities towards police, which may still be felt today.[18]

African states acquired independence between 1922 and 1975[19] thus abdicating colonial rule. However, the effects of colonialism did not end with the departure of the European imperial powers from Africa.

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[12] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml
[13] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml
[14] http://www.bbc.co.uk/history/british/abolition/africa_article_01.shtml
[15] https://www.thoughtco.com/berlin-conference-1884-1885-divide-africa-1433556
[16] https://www.nationalgeographic.com/culture/topics/reference/colonialism/
[17] https://www.nationalgeographic.com/culture/topics/reference/colonialism/
[18] Dwyer, P., & Nettelbeck, A. (Eds.). (2018). Violence, Colonialism and Empire in the Modern World. Springer.
[19] http://www.let.leidenuniv.nl/history/migration/chapter8.html

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Enslavement and colonialism by European powers exposed African communities to French, Italian, German, Dutch, British, Spanish, Portuguese, and Belgian rule, and, therefore, the languages, cultures, and education systems of each of these countries.[20] The cultural and linguistic connections established thereafter encouraged many Africans to emigrate to Europe even after the European powers left Africa.[21] Today, Afro-descendants who emigrate to Europe are more likely to go to countries with former colonial ties to their home countries, as there is often a cultural, linguistic, or family connection.

These various histories have fostered diversity in communities across the world, spanning the Caribbean, Latin America, North America, and Europe[22].Within the European Union, France has the highest population of Afro-descendants with an estimated 4 million people of African descent, mostly coming from former French colonies and the French Caribbean Islands.[23] France is closely followed by the U.K., with an estimated 1.9 million Afro-descendants mainly from former British colonies in the Caribbean and Africa[24], Italy with 1 million[25], and the Netherlands with 700,000.[26]

The movement of PAD and their participation in society have forced important, at times difficult, conversations to the surface. They have and continue to compel European countries to confront their colonial legacies and how it still affects social, political, and legal spheres. Many countries have received criticism from major international bodies, like the United Nations, condemning racist practices, such as traditional celebrations that perpetuate harmful practices or the glorification of colonisation in the form of monuments —e.g. blackface, statues and street names commemorating colonisers. These practices perpetuate stereotypes about people of African descent and intensify discrimination.[27]

[20] http://www.let.leidenuniv.nl/history/migration/chapter8.html

[21] http://www.let.leidenuniv.nl/history/migration/chapter8.html

[22] http://www.let.leidenuniv.nl/history/migration/chapter8.html

[23] https://www.nytimes.com/2008/06/17/arts/17abroad.html

[24] https://www.ethnicity-facts-figures.service.gov.uk/uk-population-by-ethnicity/national-and-regional-populations/population-of-england-and-wales/latest

[25] https://www.tuttitalia.it/statistiche/cittadini-stranieri-2016/

[26] https://opendata.cbs.nl/statline/#/CBS/nl/dataset/37325/table?ts=1559761610403

[27] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html

Other countries have been charged with providing a space for hateful, afrophobic ideologies to thrive in the forms of ultra-conservative, xenophobic political parties and politicians, many of which echo sentiments that were previously used to justify the slave trade, colonization, and the superiority of white people over Black people. While some countries have made efforts to atone for their colonial histories, others have attempted to ignore or else completely erase their intricate histories people of African descent, which only perpetuates Afrophobia and anti-Black sentiments.

The influence of these sentiments can also be found in the general populace, in the form of afrophobic hate crimes, discrimination, bias, and violence. The European Agency for Fundamental Rights reports that "minorities in Europe with sub-Saharan African backgrounds are particularly likely to experience racism and discrimination in all areas of life." [28] It is important that members of civil society organisations and law enforcement are aware of these bias-indicators in order to adequately address racially motivated hate crimes when they occur.

**Practical Policing Tips**

⬡ Racially-motivated hate incidents may be accompanied by verbal references or imagery alluding to the slave trade or colonization which may be used to taunt Black people or to incite violence against Black people.

[28] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html

# Migration: Current Reasons for Migration

In the immediate years following the decolonisation, many European countries still considered natives of their former colonies citizens, thus allowing them to immigrate freely from to Europe.[29] Migrants from former colonies came to Europe in search of education and job opportunities, including the Windrush Generation of Afro-Caribbean migrants to the United Kingdom after WWII.[30]



A Surinamese family arrive at Schiphol Airport. Source: Dutch National Archives

[29] http://www.let.leidenuniv.nl/history/migration/chapter8.html
[30] http://www.let.leidenuniv.nl/history/migration/chapter8.html

Many Africans who emigrate to Europe today do so for similar reasons as their predecessors[31]. Others come because they have family in Europe. This type of migration is considered voluntary. Currently, Africans make up about 12% of the migrants Europe receives each year.

Some members of black communities that emigrate to Europe leave behind family members in their home countries. In these instances, members of the black community might use international financial service providers, like Western Union or Moneygram, to send remittances to family members in their home countries.[32] These are legal and normal means of transferring money between countries.

Although the majority of these remittances are sent via informal corridors, the World Bank is currently conducting research with the aim of promoting the use of formal corridors for the sending of remittances from Europe to countries in Africa; however, the use of both informal and formal corridors to send remittances is legal.[33]

Still, many Africans migrate to Europe because they are forced to, meaning they have no choice but to leave their home country. These people have the right to enter the target country and apply for refugee status, as international law prescribes. While they are awaiting decision or while in the process of applying for asylum, they acquire the status of asylum seeker—a legal status under the protection of national and international law. Most asylum seekers come to Europe from Nigeria, Somalia, Sudan, Guinea, Ivory Coast, Senegal, Cameroon, Zimbabwe, and the Democratic Republic of the Congo.[34]

Most Africans emigrate to Europe as regular migrants, meaning they do so in accordance with national standards and in possession of the necessary documents such as a valid passport, travel documents, and required visa.

[31] https://www.nationaalarchief.nl/en/research/photo-collection/detail?limitstart=0&q_searchfield=suriname%20schiphol&language=en&imageType=Foto
[32] http://documents.worldbank.org/curated/en/896121468292896275/The-UK-Nigeria-remittance-corridor-challenges-of-embracing-formal-transfer-systems-in-a-dual-financial-environment
[33] http://documents.worldbank.org/curated/en/896121468292896275/The-UK-Nigeria-remittance-corridor-challenges-of-embracing-formal-transfer-systems-in-a-dual-financial-environment
[34] https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Asylum_statistics#Citizenship_of_first-time_applicants:_largest_shares_from_Syria.2C_Afghanistan_and_Iraq

Others come to Europe through irregular means of migration, which is often framed as 'illegal migration' first by state policies, and then by social discourses. Any forms of migration falling outside the regulatory norms of the sending, transit and receiving countries should be understood as irregular migration. For example, because an asylum-seeker has resorted to irregular means of migration, he/she is an irregular they may also be undocumented, but he/she is not an 'illegal migrant'. However, migration policies, political and social discourses today frame anyone who is crossing borders, and also without necessary documents, as an 'illegal migrant'.

**Practical Policing Issues**

- In recent years there has been a rise in racially charged hate crimes and attacks throughout Europe which have targeted third-country nationals, specifically refugees and migrants.[35] An expression which is commonplace among perpetrators is: "*go back to where you came from*". Look out for such racist and xenophobic language when investigating bias motivations for hate crime incidents.

- Discourses around illegality are one breeding ground for the rise in hate crimes and attacks as it makes it seem that these attacks are justified. Law enforcement needs to be informed about the context they operate in and prepare for any escalations that may be caused by it.

- Some members of the black community who do not have formal residence papers or who have entered Europe through an irregular means of migration may be afraid to talk with police or to report being a victim of hate crimes, out of the fear of being detained or deported. Keep in mind that laws that require police to initiate the deportation process when they come into contact with an undocumented migrant only substantiate and heighten these fears.

- Some countries have implemented laws protecting undocumented immigrants by allowing them access to hospitals for emergency health care and educational facilities without the risk of their legal status being reported.[36] Police should investigate if any such law exists in their countries to protect undocumented migrants and to ensure their engagement in society.

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[35] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_12
[36] https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/179/55/PDF/G1617955.pdf?OpenElement

# Traditions and Religions

As with any group of people, black communities in Europe feature a wide array of traditions and religions. Before Europeans and other groups arrived on the African continent, thousands of traditional religions existed amongst African communities. When European explorers, missionaries, and Arab traders arrived in Africa, they brought with them the religions of Christianity and Islam.

It was during the time of colonisation and exploration that conversion by European missionaries became widespread and endorsed as part of official policy to "civilise" Africans or to "save their souls". Some Africans resisted this conversion, while others accepted it or incorporated aspects of certain Western traditions into their pre-existing religions.

To this day, members of black communities may be practitioners of any variations of these religions, from different sects of Christianity or Islam to traditional African religions. They also may be agnostic, atheist, or not religious at all.

## Practical Policing Issues

- During religious celebrations PAD will attend religious services throughout the day. Law enforcement should be aware of places of worship that feature mostly black practitioners as these places may be at an increased risk of racially motivated hate crimes.

- The racial motivations behind crimes that occur in or near a place of worship frequented by PAD should always be explored and recorded by the police.

# Diaspora Culture

Diaspora is defined as the "movement, migration, or scattering of a people away from an established or ancestral homeland". The term "African Diaspora" gained prominence in the 1950s to describe the mass migration of Africans from the African continent, either by choice or by force, since the beginning of the Transatlantic Slave Trade to the present.[37]

Diaspora Culture as a term can be problematic as it assumes that there is one culture that all people of African descent ascribe to. PAD have varying and complex backgrounds that make it impossible to define them or their culture under one monolithic term.

Nevertheless, some commonalities can be identified amongst PAD. There are explicit ways PAD maintain connections to their ancestral homes. These commonalities and shared practices are what we have labelled "Diaspora Culture" and will be highlighted in this section.

PAD guard their heritage and maintain a connection to their communities through food, hair, lifestyle choices, and burial and mourning rituals. Ethnic stores and black barbershops and salons are a critical part of life for PAD, especially considering that the products and services these businesses provide are unavailable on the high street or at the local grocery store.

A notable tradition among black communities is commemorations of enslavement and the Transatlantic Slave Trade (a few of which can be found in the table below). Aside from these regular commemorations, African countries have played host to various anniversaries as a way to unite members of the African Diaspora and to encourage them to return to their ancestral home. For example, Ghana has designated 2019 as the "Year of Return" to mark the 400th anniversary of the arrival of Africans in Virginia.[38] For many returning, this can be a religious and unifying experience.

[37] https://www.encyclopedia.com/social-sciences-and-law/anthropology-and-archaeology/human-evolution/african-diaspora
[38] https://www.un.org/africarenewal/magazine/december-2018-march-2019/2019-year-return-african-diaspora

Music and dance are also a strong unifying force across black communities because African musical practices are the basis for many musical traditions that emerged outside of the continent. These musical traditions continue to inspire contemporary genres in Europe and beyond. Afro-Caribbean Carnival celebrations and Afronation are events that showcase and celebrate a shared African heritage, drawing large attendance from members of black communities and others.

The reach of diaspora culture is not confined to black communities alone. For centuries, PAD have shaped the culture of local communities by drawing from their heritage.

**Practical Policing Issues**

- It is traditional for parades or processions to be organised through neighbourhoods throughout the day for any of the aforementioned occasions.

- Some black communities may gather at monuments or historical sites for a small ceremony on commemoration days.

- Afro-Caribbean Carnival, Black Pride and Afronation are joyful and fun celebrations where people may wear fancy dress costumes, play music and dance in public places.

- The public nature of these events could lead to an increased vulnerability of black communities to racially-motivated attacks and violence. It is important for law enforcement to prepare well in advance for these events, in collaboration with communities wherever possible. Cautionary steps could include placing police officers to patrol specific areas which can be chosen with the help of event organizers or community members.

- In providing security for these events, law enforcement should be cautious not to over-police them as this reinforces stereotypes—about black spaces being unsafe and a source of criminality—and creates an atmosphere of fear among the participants. A few ways to guard against over-policing is to ensure that: law enforcement release a public notice prior to events; and that the precautionary steps taken are comparable to those for music festivals attracting large crowds.

# FACING ALL THE FACTS

| Celebration/Festival | 2020 | 2021 |
|---|---|---|
| Festival AfroDisiac | Jul | Jul |
| Afro-Caribbean Carnival | UK (Notting Hill) - 30-31 Aug | |
| Afronation (Algarve, Portimao, Portugal) | TBA | TBA |
| Black Pride | UK - 12 Jul | |
| International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade | 25 Mar | 25 Mar |
| Afropolitan Festival | Feb | Feb |
| International Day of Remembrance of the Slave Trade and its Abolition | 23 Aug | 23 Aug |
| Kwanzaa | 26 Dec - 1 Jan | 26 Dec - 1 Jan |
| Emancipation Day | 16 Apr | 16 Apr |
| National Independence Days* <br><br> *List not exhaustive. Look up individual countries. | Democratic Republic of the Congo - 30 Jun Ghana - 6 Mar Nigeria - 1 Oct Suriname - 25 Nov | Democratic Republic of the Congo - 30 Jun Ghana - 6 Mar Nigeria - 1 Oct Suriname - 25 Nov |

*These dates may differ depending on national context. Check which dates apply in your country.*

# Black Rights Movements

Black civil society organisations, activists and campaigners often have strong grassroots identities. This grassroots identity is a product of systematic exclusion that occurs even in organizations created to address issues affecting PAD. The "nothing about us, without us" attitude rejects the status quo, at the same time, gives black rights campaigners the room to commit to empowering black communities in addition to fighting Afrophobia, discrimination and anti-Black racism.

> *"NOTHING ABOUT US, WITHOUT US"*

**A few observable themes driving the work of these human rights campaigners are:**

- Challenging exclusion and promoting social, economic and political inclusion

- Mainstreaming the problem of intersectional discrimination

- Resisting structures of domination and oppression in a national and/or international context

- Challenging racism and discrimination in education, employment, policing, the criminal justice system, and in immigration policies

- Realizing the UN Decade for People of African Descent (2015-2024)

Black rights movements can be embedded in an organisational structure working on issues affecting black communities, such as the European Network of People of African Descent (ENPAD) and the European Network Against Racism (ENAR). Black rights movements can also be initiated on an ad hoc basis, notably as a response to a pressing issue, such as police brutality or hate crimes against black communities.

**The following are a few notable black rights movements across Europe today:**

- #BrusselsSoWhite draws attention to the lack of diversity in the EU institutions in Brussels.

- The "Black Vests" movement is led and coordinated by undocumented workers in France. They organize peaceful demonstrations against the exploitation of undocumented workers by companies and the state; and the erosion of their rights at detention centres and in the immigration process overall.

- Black Lives Matter UK follows the US example, organizing peaceful protests against anti-Black racism and violence in policing, criminal justice system, and immigration detention procedures in the UK.

- The "Kick Out Zwarte Piet" and the "Zwarte Piet is Racisme" [39] campaigns advocate for the abolition of blackfaced Zwarte Piet in holiday celebrations and raise awareness on the racist figure in Dutch Christmas festivities (Sinterklaas).

- The Citizen Association for "Decolonisation" of Public Spaces (ACED) & De Stoeten Ostendenoare ("The Bold Ostenders") protest the glorification of Leopold II in statues and public spaces in Belgium. They also raise awareness of the Belgian colonial administration's mutilations of Congolese by cutting off the hands of statues memorialising former colonial officials.

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[39] https://www.facebook.com/zwartepietisblackface/

○ Neri Italiani ("Black Italians") is a social movement by young students, workers and artists who aim to give recognition to the contributions of Black people to Italian society and to challenge stereotypes about Italians of African descent.

○ The UN Decade for People of African Descent (2015-2024) has created an impetus to rally around issues affecting black communities

   ○ "Parad de pararme" is one of such campaigns, which calls for the end of racial profiling in Spain. It is currently gathering testimonies to report to the Working Group of Experts on People of African Descent.[40]



*Source: Afro Empowerment Center Denmark*

[40] https://paraddepararme.org/guia-es/

**Practical Policing Issues**

⬤ There are many examples of these movements being over-policed.
Law enforcement need to apply the same tips previously outlined and more,
to ensure that PAD have the room to express their civil and political rights as
fully as the rest of the general population do.

## Complexities of the Black Experience in Europe

Although most members of black communities can trace their ancestry back to
the African continent, there is no single experience of being black in Europe.
Some members of black communities are recent migrants while others have been present
in Europe for generations with a long history of citizenship, forming large and established
communities where they live.

Members of black communities have long contributed to the history, culture, and growth
of Europe. Following both World Wars, a large number of Black people from former
European colonies moved to Europe, for example, the "Windrush Generation" of British
citizens in the Caribbean who came to the United Kingdom after World War II. The people
of the Windrush Generation became nurses, doctors, teachers, manual workers, cleaners,
and drivers and helped to rebuild post-war Britain, although these contributions remain
mostly unacknowledged to this day.

*First group of Surinamese student nurses arrive in Amsterdam.*
*Source: International Institute of Social History*

## Intersectionality

Media portrayals of people of African descent often focus on the figure of the male migrant. There is also a predominant prejudice that black communities are more homophobic than other communities or 'white communities' thereby effectively erasing the presence of queer black communities.

In reality, however, the identities of members of black communities vary greatly, which contributes to unique, individual lived experiences. In fact, the slight majority of Black people in Europe are female and identify as Muslims, Christians, atheists and a number of other religions.

People of African descent include people of varying ethnicities, sexual orientations, religions, socio-economic status, and occupations. Annual events such as UK Black Pride and Paris Black Pride showcase and celebrate this diversity.



*Source: London Friend; Paris Black Pride*

**Practical Policing Issue**

⚪ Crimes committed against PAD can be motivated by racial, gender, religious, or class bias. The full circumstances of a hate crime case should be recorded and examined, especially when multiple bias motivations can be identified.

⚪ People express the axes that make up their identity differently. This means some people are more visible than others and therefore at a higher risk of being targeted. Most pointedly, the FRA found that men of African descent who wear traditional or religious clothing in public experience racist crimes twice as much as men who do not wear such clothing in public. Law enforcement needs to be aware of this intersectional dimension in hate crimes, and incorporate this understanding in how they investigate, monitor and support victims of hate crimes.[41]

⚪ Intersectionality shapes the needs of a victim following an attack or their abilities to participate in an investigation. It is therefore important to identify these needs when looking to work with victims or to anticipate and plan for them with the help of community leaders.



*Source: London Friend; Paris Black Pride*

[41] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-being-black-in-the-eu_en.pdf p. 23

# Understanding Intersectionality in Hate Crimes: Women and Girls of African Descent

Women and girls of African descent occupy a particularly precarious position in society. They are likely to experience intersectional discrimination — that is, discrimination on account of the multiple axes that make up their identity and position in society, such race, sex, gender, class, religion, and nationality.[42]

This precarious position is evident in PAD's overrepresentation in maternal mortality,[43] sex trafficking victims, unemployment and underemployment, death from preventable diseases, and chronic diseases.

Recognising the unique position of black women is the first step to accounting for specific societal, structural and economic factors which place them at an elevated risk, make them victims of hate crimes, or criminalise them even after victimisation. The "prostitution myth", neglect by authorities, and poverty are all factors generating this unique context and as such, deserve further examination.

Societal factors motivating the victimization of women and girls of African descent include their perceived hypersexuality and supposed innate desire to be promiscuous, also known as the "Jezebel" stereotype. Working in tandem with these stereotypes is the "prostitution myth", whereby women and girls of African descent are seen as "naturally suited for prostitution".[44] These stereotypes are, of course, rooted in the history of colonialism and enslavement, during which the bodies of black women and girls were something to be possessed, abhorred and eroticised, all at the same time.[45]

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[42] https://www.un.org/en/events/africandescentdecade/assets/pdf/Women%20and%20Girls%20of%20Africa n%20 Descent%20WEB.pdf ; para. 88 Report of the Working Group of Experts on People of African Descent - visit to the Netherlands.
[43] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5608036/
[44] Butler, C. (2015). The racial roots of human trafficking. UCLA Law Review, 62(6), 1477-1478.
[45] Butler, 2015, p. 1481

When such stereotypes are combined with ambiguous legal frameworks for policing gendered violence, and a context in which curbing hate crime is conflated with securing borders against irregular migration, or maintaining law and order, women and girls of African descent are positioned as deserving of exploitation, unworthy of protection, or worse, as criminals. This, in turn, erodes any level of trust these women and girls have in authorities which are supposed to help them. It also means they are very unlikely to report incidents of hate crime.

In addition to societal misconceptions and structural problems are the various forms of social exclusion that women and girls of African descent contend with on a daily basis. A report by the UN Working Group on discrimination against women and girls, notes that women from minority communities are disproportionately impoverished.[46] This economic status coupled with the many discriminations they face makes them vulnerable to abuse, exploitation, and sexual exploitation in particular.

**Practical Policing Issues**

○ When investigating any criminal case, law enforcement should pay attention to racial slurs used by the perpetrator especially in relation to prostitution then record accordingly. Those slurs indicate that the crime has a bias motivation, and therefore qualifies it as a hate crime.

○ A black woman who is a victim of a racist crime might experience the incident differently than a black man because gender influences one's lived experience of hate crime. This is why collecting a statement from the victim is critical to mapping the bias indicators of a hate crime.

○ Where black women are invisible to protection mechanisms, strong partnerships with communities are crucial. Black women community leaders do not only have access to black communities but also know their most vulnerable members. They can be a great resource for connecting victims of hate crimes to law enforcement. Solicit their help in investigating crimes but also invest in long-term partnerships with them.

[46] https://www.un.org/en/events/africandescentdecade/assets/pdf/Women%20and%20Girls%20of%20Africa n%20 Descent%20WEB.pdf
[47] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[48] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[49] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[50] https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf

# Challenges and Responsibilities in the Context of Hate Crimes

A recent report issued by the European Network Against Racism (ENAR) found that despite the increase in incidents of racially-motivated hate crimes in EU Member States, victims of hate crimes are often reluctant to report these crimes due to a fear of police mishandling, abuse, and racial profiling.[47] The report found that police officers often do not take reports of racially-motivated crimes seriously or do not believe victims of racist crimes.

The report emphasized that racial profiling is rampant across all levels of law enforcement, with officers often stereotyping certain groups of people that they, subconsciously or consciously, believe are associated with criminality, violence, dishonesty, or seen as a security threat.[48] All of these factors lead to distrust within black communities of law enforcement and underreporting of hate crimes.[49]

Stereotypes and racial bias have violent and immediate consequences in the everyday lives of members of black communities. This section will focus on how this impedes law enforcement response to hate crime and weakens victim support systems.

## What is Racial Profiling?'

Racial or ethnic profiling refers to "a reliance by law enforcement, security and border control personnel on race, colour, descent or national or ethnic origin as a basis for subjecting persons to detailed searches, identity checks and investigations or for determining whether an individual was engaged in criminal activity."[50]

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[47] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[48] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[49] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf
[50] https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf

In effect, racial profiling contributes to the over-policing of a particular group of people in society. Racial profiling is a direct violation of international, European and domestic laws which guarantee that every individual is equal before the law and entitled to equal protection before the law and against discrimination.[51]

Some stereotypes underlying racial profiling of PAD include the idea that Black people are criminals, violent, or moral deviants and that black youth are less innocent than white youth.

Racial profiling can be a result of police officers' individual biases or official policy on policing. On a more institutional level, it can be a result of a lack of training on this issue, or even the result of formal instructions that particular crimes are more likely when coming from certain communities. There is still much work to be done to understand how racial profiling works at an institutional level.[52]

**The impact of racial profiling**
Regardless of where racial profiling stems from, it is damaging to black communities. It restricts PAD's enjoyment of freedoms by creating a feeling that they cannot go to certain places or live their lives in certain ways. This psychological impact is experienced by young black boys too-a group so often the target of interpersonal and systemic forms of racism. At an alarmingly early stage in life, racial profiling impacts health, safety and development[53] as well as violates fundamental rights that black children are entitled to.[54]

Beyond the immediate psychological distress[55], physical restraints and violation of rights, racial profiling can limit social and economic opportunities for PAD in the long term. Moreover, racial profiling causes overrepresentation of PAD in prisons, mental institutions, detention facilities and the justice system in general.[56]

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[51] Ibid; https://equineteurope.org/2019/07/25/equality-bodies-countering-ethnic-profiling/

[52] https://www.opensocietyfoundations.org/explainers/ethnic-profiling-what-it-and-why-it-must-end

[53] For impact of interpersonal and systemic forms of racism see https://www.centreformentalhealth.org.uk/sites/default/files/2018-10/Against%20the%20odds%20-%20Up%20My%20Street%20evaluation.pdf

[54] See UN Convention on the Rights of the Child

[55] https://www.enar-eu.org/IMG/pdf/shadowreport_afrophobia_final_with_corrections.pdf

[56] https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/161/09/PDF/G1316109.pdf?OpenElement

Racial profiling also negatively impacts policing. Because racial profiling operates on stereotypes, it establishes behavioural patterns of police that criminals can evade easily.

It also undermines trust in the police which can deter PAD reporting more serious incidents such as hate crime. When asked to rate trust in police on a scale from 0 to 10 — where 0 indicates "no trust at all"' and 10 indicates "complete trust" — respondents of the FRA survey who had experienced racial profiling gave a 4.8 on average.[57]



*Source: Equinet*

[57] https://adsdatabase.ohchr.org/IssueLibrary/EU%20AGENCY%20FOR%20FUNDAMENTAL%20RIGHTS_ Being%20Black%20 in%20the%20EU.pdf

*"... TWO THIRDS (64 %) OF VICTIMS OF RACIST VIOLENCE, AS WELL AS A MAJORITY (63 %) OF VICTIMS OF RACIST PHYSICAL ATTACKS BY POLICE OFFICERS, DID NOT REPORT THE MOST RECENT INCIDENT TO ANY ORGANISATION – EITHER BECAUSE THEY FELT REPORTING IT WOULD NOT CHANGE ANYTHING (34 %) OR BECAUSE VICTIMS DO NOT TRUST OR ARE AFRAID OF THE POLICE (28 %)."[58]*

**Practical Policing Issues**

⚬  Profiling should be based on objective factors and specific, reliable intelligence.

## Petty Reporting and Biased Witnesses

Petty reporting can be another manifestation of Afrophobia. Petty reporting occurs when the general public actively partakes in the criminalisation and profiling of PAD. A person engages in petty reporting when they call the police on PAD engaging in normal, everyday activities simply because they perceive their presence to be threatening.

Rampant petty reporting illustrates and fuels tensions along racial lines in society. It is a product of bias as well as deep systemic problems. Racial bias is founded on society holding the social conduct of PAD to a higher standard than the rest of society, and the idea that if PAD violate these social norms they are deserving of punishment, however harsh that may be.[59]

[58] https://adsdatabase.ohchr.org/IssueLibrary/EU%20AGENCY%20FOR%20FUNDAMENTAL%20RIGHTS_ Being%20Black%20 in%20the%20EU.pdf
[59] https://www.vox.com/explainers/2018/8/1/17616528/racial-profiling-police-911-living-while-black

Systemic problems include the "persistence of residential segregation and isolation" of PAD (see 'Lack of social inclusion' below for more on this). This form of social exclusion makes PAD seem out of place in spaces they have historically been excluded from, such as historically "white" neighbourhoods or institutions.

Aside from social exclusion, other systemic problems that encourage petty reporting include racial profiling of PAD and excessive use of force against PAD at the hands of law enforcement. Racial profiling and excessive use of force demonstrate law enforcement's over-policing of black communities, leading to a culture that makes violent or discriminatory behaviour towards PAD acceptable.

As previously stated, racial profiling at the hands of law enforcement and ordinary citizens leads to reduced trust in police and a lack of reporting of bias-motivated crimes among PAD. Police should work to discourage racial profiling in the communities in which they are present and among their own ranks in order to reduce societal divisions along racial lines and to safeguard the legitimacy of the police.

**Practical Policing Issues**

⭕ Pay attention to the caller's choice of words when they are reporting a crime as this could indicate possible bias. This could be explicit or coded, for example, "there's a black boy playing near my garden" or "there's a man in dreadlocks approaching my house" or "there's a group of Black people behaving inappropriately". None of such reports indicate a direct threat being posed by the situation or the people. Therefore, such reports should always be pursued with the highest level of discretion. Ask for specific details from the reporter, such as what the person is doing, their behaviour, or if any harm has been done, before deciding on an appropriate response.[60]

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[60] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-preventing-unlawful-profiling-guide_en.pdf p.71

## Racism in Care

Racism in health care is an uncomfortable reality that many medical professionals would rather ignore or deny. [61] There are, nevertheless, ample examples in history and in present-day Europe that demonstrate that medical professionals are not immune or above racial discrimination: from making stereotypical inferences from health complaints by black patients to addressing them without any sense of urgency, including when a patient has suffered a hate crime.
Racism in healthcare services is demonstrated by the poorer overall health of PAD, limited access to health services, poor delivery of health services and how health services are organised, the location of clinics, disproportionate sanctioning of minority ethnic practitioners, and laws on medical coverage.

These conditions mean that even in instances of a black person being a victim of a hate crime, they may not get the necessary health care they need.

Law enforcement can only be effective in their duty if they establish strong relationships with medical professionals and clinics. Such relationships would encourage medical professionals to involve the police when they encounter a victim of a hate crime.

For black communities who have been deprived of health services, it is important for law enforcement to be accessible and to ensure that members of those communities know that they are reachable, especially when members of these communities become victims of hate crimes.

Federal mental health acts give law enforcement a central role in the provision of mental health care and the admission of people into mental health institutions. Where this is the case, law enforcement are the first point of contact; they are mandated to detain anyone who they consider as suffering from mental health or in need of care[62]. This reality situates law enforcement in discharging their duty in a criminal justice capacity and/or a healthcare capacity.

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[61] https://www.researchgate.net/publication/6291729_Racism_in_health_and_health_care_in_Europe_Wher e_does_the_Netherlands_stand
[62] https://www.bbc.com/news/health-40495539

In practice, such a mandate tasks frontline officers to use their own discretion when they come into contact with members of the public. This can be problematic especially where medical training is lacking, where unconscious bias underlies judgements they make and especially where racial profiling is the norm. It could result in a wrongful diagnosis and thus in wrongful detention or institutionalisation of a member of the public or even neglect of a person affected by mental illness, especially while they are in police custody.

> *UK: "…MEN OF AFRICAN DESCENT ARE MORE LIKELY TO END UP IN THE MENTAL HEALTH CARE SYSTEM FOLLOWING CONTACT WITH THE POLICE OR COURTS THAN VIA A GENERAL MEDICAL PRACTITIONER. THEY ARE ALSO MORE LIKELY TO BE DIAGNOSED WITH PSYCHOTIC ILLNESSES AND TO RECEIVE MEDICAL TREATMENT RATHER THAN COUNSELLING."[63]*

**Practical Policing Issues**

It could happen that in your work, you encounter Black people in need of medical assistance but:

⚙ They are from outside your jurisdiction.

⚙ They are from an area that has been excluded systematically by the removal of services i.e. clinics, banks, schools, etc.

⚙ They are undocumented and/or do not have a health card.

[63] Report of the Working Group of Experts on People of African Descent - visit to the United Kingdom of Great Britain and Northern Ireland

It is important to listen to the person asking for assistance, as they are often informed about their condition. If you do not understand them, perhaps due to a language barrier, get someone on your team who can, or someone in your vicinity who is competent in that person's language—members of the public are normally eager to help. If the person is unable to express the medical help they need, it is important to connect them to a medical professional as soon as possible and to see to it that they receive the medical assistance they need. This could simply mean calling emergency services on their behalf or offering to take them to the closest hospital or General Practitioners office. Remember that as law enforcement, you have a duty to "protect the rights and security of all members of society, irrespective of their ethnic, religious or other backgrounds."[64] Access to health care is one of those rights.

A good way to ensure that members of the community are aware that law enforcement is accessible to them is by distributing flyers within these communities to let them know that they do not need to travel long distances to get help in the case of a hate crime and that the police can come to them if they suffer a hate crime. These flyers can also be distributed to clinics and medical professionals serving black communities.

Frontline officers need to adopt strategies that help the person, de-escalate situations, and reinforce positive behaviour.

- Helping the person could mean taking them to a doctor or connecting them to an expert instead of consenting to medical intervention on their behalf or locking them up.[65]

- It could also be helpful to refer to the mental health triage team of your police department when you find yourself in an escalating or emergency situation involving a person affected by mental illness.

- Moreover, physical restraint is not the only way to diffuse an encounter involving a person affected by mental illness. Examples of constructive techniques can be learnt from training programs like 'Respect' by NAViGO.[66]

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[64] https://rm.coe.int/ecri-general-policy-recommendation-no-11-key-topics-combating-racism-a/16808b7639
[65] http://lambethcollaborative.org.uk/wp-content/uploads/2014/08/ENC-4.4-BHWB-Commission-Final-Report2-PDF-June-2014.pdf
[66] https://www.respecttrainingsolutions.co.uk/training-services/our-training/training-levels/

# Processes of Othering, Exclusion, Internalisation, and their Impact

The previous section discusses concrete examples of modern-day manifestations of racism in Europe and the influence of racism in shaping the context of hate crimes. Those topics, however, are one part of a wider context of marginalisation. And although rooted in ideas of the colonial and slavery period, this marginalization is being sustained and carried forward by several processes in our time, as well as the internalisation of racist ideologies.

PAD are less likely to be represented in politics, more likely to face discrimination on the housing and labour market, in the workplace and at school. They are also portrayed negatively in the media and are more likely to face economic deprivation than the rest of the general population. The combination of a social discourse making PAD into an 'other' and lived socio-economic discrimination creates a context where hate crimes are likely to occur without any alarm or notice or even redress. This is because processes of othering create a hostile environment, normalise exclusion and violence, and simultaneously deters black communities from reporting.

This section outlines the nature of these issues in Europe and explores how they influence hate crimes and police response to them.

**Practical Policing Issues**

- Social or political discourse is always evolving. Law enforcement needs to keep up with changing hostile language—e.g. symbols, slogans, slurs, imagery etc.—of hate crimes to be able to identify them when incidents occur.

HOUSING DISCRIMINATION

UNEMPLOYMENT

UNDEREMPLOYMENT

ECONOMIC DEPRIVATION

SOCIAL EXCLUSION

NON-REPRESENTATION

"They are all..."
whores            criminals
dirty          drug dealers

NEGATIVE REPRESENTATION

"EU flooded by thousands of refugees every day"

*Source: Jennifer Kwao*

## Negative and Non-Representation

There is a striking lack of representation of people of African descent (PAD) within European political and law-making institutions, at the local, national, and European Union levels.[67] Out of the 751 Members of European Parliament, only 6 are black.[68] If the black population of Europe was proportionally represented, there would be 22 black MEPs.[69] Further, all 28 European commissioners and nearly all government ministers and leaders are white.[70] Politicians of African descent often face racially-fuelled attacks, such as cyberbullying and other hate crimes, in the public sphere both in-person and online at the national and European level.[71]

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[67] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_12

[68] http://www.europarl.europa.eu/meps/en/full-list/all

[69] https://www.theguardian.com/world/2018/aug/29/eu-is-too-white-brexit-likely-to-make-it-worse

[70] https://www.theguardian.com/world/2018/aug/29/eu-is-too-white-brexit-likely-to-make-it-worse

[71] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_12

This lack of representation contributes to an absence of advocacy for and awareness of issues that affect black communities. Besides the European Parliament's 2019 resolution on the fundamental rights of people of African descent in Europe,[72] there are few initiatives that address the specific racism and fundamental rights violations that PAD face.[73] Because of this lack of advocacy and specific legislation, it is often difficult for police officers and law enforcement to find resources and organisations that can provide assistance concerning racially-charged hate crimes, discrimination, and violence.

In addition to a lack of representation in politics, people of African descent are also often underrepresented in the media. Recent portrayals of Black people in the news have often been as criminals, irregular migrants, and refugees crossing the Mediterranean or as people escaping warfare and conflict zones, particularly during and after the 2015 migrant crisis.[74] These portrayals depict Black people in a negative light, escalating existing stereotypes borne from histories of enslavement and colonisation. Not only does negative and non-representation impact how people perceive Afro-descents, but it also impacts how PAD view themselves.

When the majority of news stories covering PAD depict them as criminals or illegal migrants, discrimination, racial profiling, petty reporting and even hate crimes against them can seem justified even though they are not.

Law enforcement can internalise negative representations of PAD. When this occurs, racial profiling becomes normalised and reports by black victims are not taken seriously — either because they are deemed unworthy of protection or because it is simply too difficult to find resources and organisations that can provide assistance. At the same time, distrust towards law enforcement deepens within black communities.

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[72] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_8
[73] https://www.enar-eu.org/European-Parliament-milestone-vote-for-the-rights-of-black-people-in-Europe
[74] https://www.euractiv.com/section/africa/opinion/eu-owes-a-strategy-for-inclusion-to-black-people-in-europe/

## Racism at work and schools

Although EU law bans workplace discrimination on the grounds of ethnic or racial origin, people of African descent face discrimination on the job market and at the workplace. 25% of Black people in Europe reported having experienced racial discrimination at work or when looking for work.[75] In some European countries, up to 76% of black youth are not in work, education or training compared to 8% of the general population.[76] Across EU member states, PAD face higher unemployment rates than the national average.[77]

The impact of this rampant unemployment is reflected by the finding from the European Agency for Fundamental Rights that states that more than one in ten of PAD experience economic difficulties daily.

This discrepancy between PAD and the rest of the European workforce can be attributed to bias and discrimination at the hands of employers. Afro-descendants are more likely to be passed over for raises and promotions than their white counterparts and some employers are less likely to invite someone to an interview with their organisation if they have a "black-sounding" name on their application rather than a traditionally "white", European-sounding name[78]. Job applicants with natural hair, cornrows, or dreadlocks are more likely to face discrimination from potential employers, if they even hear back from them at all.[79]

When PAD enter into the workforce, they may contend with hostile work environments that often penalise them even for the way they look. For example, natural or afro-textured hair is often deemed as not workplace or school appropriate. Where there is a culture of penalising Black people more harshly, such minor offences could mean that the police are called on to be the disciplinary force.

These are all processes that isolate members of black communities by systematically making spaces for advancement inaccessible or making Black people feel unwelcome. They have an impact on the living standards of Black people as well as their livelihoods. Moreover, they place PAD at a higher risk for exploitation, abuse and criminalisation by reinforcing existing prejudices and stereotypes about Black people.

[75] https://fra.europa.eu/en/press-release/2018/being-black-eu-often-means-racism-poor-housing-and-poor-jobs

[76] https://fra.europa.eu/en/press-release/2018/being-black-eu-often-means-racism-poor-housing-and-poor-jobs

[77] https://www.enar-eu.org/IMG/pdf/shadowreport_afrophobia_final_with_corrections.pdf

[78] https://fra.europa.eu/en/press-release/2018/being-black-eu-often-means-racism-poor-housing-and-poor-jobs

[79] https://www.bbc.com/news/av/uk-england-london-31914177/woman-lost-job-chance-over-hairstyle

**Practical Policing Issues**

○ Law enforcement should apply the same tips elaborated in the 'Petty Reporting' section above. Police officers should always strive to diffuse the situation if intervention is required at the scene. Police officers are encouraged to inform both the PAD who has been reported and the person who reported them that the PAD has done nothing wrong if that is the case. Police officers are also encouraged to make PAD aware of their rights under the Charter of Fundamental Rights or other equal treatment legislation, specifically in regards to those being violated in that situation.

○ Law enforcement should keep in mind that although dress codes in educational and work settings do exist, any slight deviation from what is considered the norm is no justification for abuse in the workplace or at school. Any such derogation in the workplace or within educational settings is not allowed under equal treatment legislation and the EU Charter of Fundamental Rights. Racial motivation should therefore always be considered when investigating abuse, discrimination, or bias in the workplace and within educational settings, as this could mark them as hate crimes.

○ Police are encouraged to interact with communities with higher populations of PAD in order to create a sense of trust within the community rather than one of fear and distrust.

## Social Exclusion: Housing Discrimination & Economic Deprivation

Social inclusion can be measured in terms of the economic and social conditions enabling a person to live a dignified life. Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) identifies the "right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services" as some of the basic conditions for a dignified life.

Housing deprivation and discrimination aggravate the exclusion of black communities across Europe, with PAD living "disproportionately often in socially deprived residential areas."[80] This reality often reveals itself in the spatial configurations of large cities whereby, neighbourhoods with cheaper housing, apartment complexes and poor infrastructure overall are densely populated by ethnic communities from similar social backgrounds, while the businesses servicing them remain in a close radius.

A recent study by the FRA shows that this spatial segregation does not occur by accident. It is a result of widespread discrimination against PAD in the housing and labour markets as well as the wilful neglect by urban planning authorities of so-called ethnic enclaves. More concretely, "eight in ten respondents identify their skin colour or physical appearance as the main reason behind the most recent incident of discrimination they experienced when looking for housing" while 14% received an outright refusal from landlords.[81] This problem is particularly relevant in Austria, Italy, Luxembourg, and Germany, where many landlords refuse to rent to "non-nationals."[82]

Most notably, "one in two respondents live in overcrowded housing" — a high percentage compared with incidents of overcrowding within the general population of the EU. Moreover, "one in ten respondents experience housing deprivation, which includes living in a dwelling without a bath and toilet or in a dwelling that is too dark, has rot in the walls or windows or has a leaking roof."[83]

Such conditions reinforce the poor standard of living, poor health, and overall social exclusion that PAD face.

All of these issues demonstrate the marginalization of people of African descent in the EU as a result of internalised and systematic racism. These issues are perpetuated through racist ideologies that can be traced back to discourse used to justify colonisation and the slave trade. All of these issues contribute to hostile environments, a culture of violence, and exclusion from mainstream society for people of African descent. All these issues place PAD at an increased risk of racially-motivated hate crime and discrimination.

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[80] https://rm.coe.int/ecri-general-policy-recommendation-no-11-key-topics-combating-racism-a/16808b7639

[81] https://fra.europa.eu/en/press-release/2018/being-black-eu-often-means-racism-poor-housing-and-poor-jobs

[82] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-being-black-in-the-eu_en.pdf

[83] https://fra.europa.eu/en/press-release/2018/being-black-eu-often-means-racism-poor-housing-and-poor-jobs

# FACING ALL THE FACTS

## References to Relevant Legislation, Principles, Surveys and Recommendations

### Legislation

⊙ The aim of the **Framework Decision on combating racism and xenophobia (2008)** is to fight against hate speech and hate crimes through criminal law.

⊙ European Parliament **resolution of 26 March 2019 on fundamental rights of people of African descent in Europe**[84] is the first act by the European Parliament that publicly recognised the specific racism and fundamental rights issues faced by PAD in Europe.[85] The resolution outlines policy actions EU institutions and the Member States should take to combat institutional racism, hate speech and hate crime against PAD.[86]

⊙ **European Union equal treatment directives (No. 2000/43/EC and No. 2000/43/EC)** set standards that all Member States must legislate on. Those standards aim to prohibit discrimination on the basis of race or ethnic origin, impose a duty of due diligence on the state and its authorities, and fights employment discrimination.

⊙ Article 1 of the **International Convention against Racial Discrimination** outlines the legally binding definition for "racial discrimination". Article 14 allows for individuals or groups of individuals to directly file a complaint to the Committee on the Elimination of Racial Discrimination. Complaints can also be filed to the UN Human Rights Committee.[87]

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[84] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_8

[85] https://www.enar-eu.org/European-Parliament-milestone-vote-for-the-rights-of-black-people-in-Europe

[86] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html

[87] See <http://unimelb.libguides.com/human_rights_law/international> for requirements on individual complaints to UN committees

- Article 26 of the **International Covenant on Civil and Political Rights (ICCPR)** proclaims that all are **equal before the law** and are **entitled to equal and effective protection from discrimination.**

- Article 2(3) of the **ICCPR** bind states and state authorities to respect their **duty of due diligence** when a person's civil and political rights have been violated. This obligation includes **making sure that the victim can litigate their case, has a fair trial** and the **verdict of the case is implemented**.

- Article 3 of the **European Convention on Human Rights prohibits torture, inhuman or degrading treatment and punishment.**

- Member states have an obligation under Article 11(3) of the **EU Trafficking Directive (No. 2011/36/EU)** to provide assistance to victims of trafficking, regardless of their willingness to cooperate with an ongoing criminal investigation, prosecution or trial.

## Principles

- Principles of **necessity, legality**, and **proportionality**: a three-pronged test before taking action. Law enforcement action can be unlawful and excessive. However, this can be guarded against by testing for the following:

  - **Necessity**  Is the chosen line of action indispensable to law enforcement aims? Is there a less restrictive alternative?
  - **Legality**  Is the action based on existing law? Does it comply with legal statutes? Does it respect the principles of equal treatment and protection?

  - **Proportionality**  Is the action appropriate for the offence committed? / Does the action directly serve a law enforcement aim in a systematic and objective way?

- Member states have a **duty of due diligence** in fighting against discrimination and organised crimes such as trafficking in human beings. States and state authorities can be held accountable under international and European law for failing to: "prevent, investigate, prosecute or compensate for the commission of the wrongful act".[88]

[88] https://www.unwomen.org/-/media/headquarters/media/publications/en/uncommentaryeutraffickingdirective2011.pdf?la=en&vs=947

- The **principle of equal treatment irrespective of racial or ethnic origin or principle of non-discrimination** stems from the constitutional traditions of the EU Member States and international law. In European law, it is understood as essential to securing other rights and freedoms as well as preserving core values of the Union i.e. democracy, rule of law, and the respect for human rights.

- A **duty to "protect the rights and security of all members of society, irrespective of their ethnic, religious or other backgrounds"**[89] arises from state obligations under international and European laws previously highlighted.

## Surveys of victims' perception of Afrophobia

- European Union Agency for Fundamental Rights: "Second European Union Minorities and Discrimination Survey: Being Black in the EU"[90]

  - The second large-scale survey conducted by FRA on migrants and minorities evidences frequent discrimination and harassment against PAD, most shockingly by police, in 12 member states.

- European Network Against Racism: "Racist crime & institutional racism in Europe"[91]

  - The shadow report draws attention to a rise in hate crime between 2014 to 2018, and widespread institutional racism within police departments allowing reported hate crimes to be mishandled or neglected.

[89] https://rm.coe.int/ecri-general-policy-recommendation-no-11-key-topics-combating-racism-a/16808b7639
[90] https://adsdatabase.ohchr.org/IssueLibrary/EU%20AGENCY%20FOR%20FUNDAMENTAL%20RIGHTS_ Being%20Black%20 in%20the%20EU.pdf
[91] https://www.enar-eu.org/IMG/pdf/shadowreport2018_final.pdf

## Recommendations

- European Commission against Racism and Intolerance in its general policy recommendation No. 11 (2007) on combating racism and racial discrimination in policing

- PICUM Explainer: 'The Rights of Undocumented Victims: What to Know if You're a Police Officer'

# Key Principles for Interviews

**Objectivity**

- Remain as factual as possible.

- Avoid basing information on perceptions or stereotypes.

- Choose a neutral place for the interview.

**Confidentiality**

- Offer to hide names or other potentially sensitive information.

- Ask for consent to use information, recording devices, etc.

**Respect for the interviewees**

- When intervening in a situation, be respectful to the victim.

- Don't reinforce racially-fuelled behaviour.

  - Don't use racial slurs such as the 'n' word to refer to victims.

  - Referring to a victim as a 'Person of Colour', 'Black', or 'Person of African Descent' is acceptable.

  - When in doubt, ask the victim which term they prefer.

- Beware of victims' trauma, both from the incident in question or former trauma endured if they are refugees, asylum seekers, or sex trafficking victims or in terms of generational trauma in terms of enslavement, colonisation, or the incarceration of family members.

  - Avoid leading questions such as *"How did you get here (. . .)?"* or *"Did someone arrange your trip or did you just do it all by yourself?"*

- Respect their private life, offer confidentiality and the option to change or conceal their identity in order to protect their privacy.

- Offer to take breaks during the interview.

# Further Advice

- Always make sure that victims and their relatives are aware of their rights and of what various procedures entail.

- Be clear about your objectives and clearly state your objectives to the interviewee.

- Prepare various types of questions (background questions, open-ended questions, specific questions).

- Allocate sufficient time for the interview.

- Create a safe environment for the interviewee – let them know that the interview can be stopped at any time and that, they can stop if there is a question that they do not wish to answer.

- Explain to the victim what she/he can expect as follow up of the report.

## General Observations to Make

- Observe how the interviewee is behaving. Recognition of some of the behaviours listed below may be helpful in guaranteeing the safest environment for the victim to report an Afrophobic incident:

  - Signs of nervousness (e.g. tone of voice, eye contact, body language, etc.).

    - Does the victim need a break? Does the victim need a helper, such as a family member or a Black community representative?

⚪ Signs of emotions/tears.

- Does the victim need professional support such as psychological support or medical assistance?

⚪ Responsiveness to questions (hesitation, difficulty in understanding, etc.).

- Does the victim need an interpreter? Is the victim not in the physical/emotional conditions to answer the question? Does the victim need a break?

⚪ Be aware of the setting of the interview.

  ⚪ Who is present during the interview? Does the interviewee feel comfortable with everyone present? Please note that some members of black communities may speak a different language than that of the host country. In this instance, a translator would be necessary. They are most likely to speak English or French or a broken version of either (e.g. Pidgin English etc.).

⚪ Pay attention to special words (slurs, insults, anti-Black racist language):

  ⚪ If during an attack or crime against a black person the perpetrator uses derogatory words, such as the n-word (or dehumanising words, such as calling the victim a "monkey"), it is important that police officer documents these words in the report, as they are key elements for the prosecutor to assess if the incident is a hate crime, and for the judge to decide about the racist bias of the crime.

# Best Practices

Following what has so far been discussed, these are long term practices that can be put in place to ensure that your force is ready to support black communities especially when they have suffered a hate crime:

- ⚫ Avoid **re-victimisation**. This includes the arrest or detention of victims either to extract information from them or to ensure their safety.[92] As the Working Group of experts have stated in a report "...any form of detention has a deleterious effect on the mental health of people of African descent, in particular in the case of minors and victims of trafficking, sexual gender-based violence or torture."[93]

  - ⚫ Working with community leaders on investigations into hate crime cases could eliminate unnecessary intimidation of victims and create trust between victims and law enforcement.

  - ⚫ Following the tips above on confidentiality and respect can also prevent re-victimisation.

- ⚫ Good practices and tips against stereotypes and bias

  - ⚫ Frontline officers should:

    - Avoid judging members of black communities based on stereotypes perpetuated by the media or by society (e.g. assuming the victim is uneducated, "uncivilised", or a criminal).

    - Help and support the victim with an open mind and ask them directly for clarification if you have any questions.

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[92] https://www.eurekalert.org/pub_releases/2019-08/cajr-htv072619.php
[93] https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/249/75/PDF/G1824975.pdf?OpenElement

- Law enforcement/police departments should:

  - Engage in and maintain long-term partnerships between law enforcement and black communities (e.g. by involving communities in police annual review process; sharing of successful examples of partnership-based initiatives with other cities, regions, or EU countries).

  - Educate officers on the history and contemporary manifestations of Afrophobia in the course of their general training.

  - Train police officers on valid criteria for profiling people (See FRA guide on 'How to avoid unlawful profiling' for objective criteria). Have these standards in writing e.g. manuals, code of conduct etc. and hold officers to account when these have been violated.

  - Involve civil society in trainings; establish and coordinate hate crime hotlines with them.[94]

- Good practices to ensure accountability of law enforcement officers

  - Internal monitoring for accountability

  - Implement a system that would allow officers to file incidents of profiling accurately, and ask them to explain why a stop and search was carried out.

    - This would ensure that officials carrying out racial profiling can be monitored and held to account.

    - If a computer-based system is adopted, make sure to test for and eliminate biases in the algorithms used or data used to construct the system.[95]

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[94] See Box 7 in https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf
[95] https://www.research.ibm.com/5-in-5/ai-and-bias/

- The algorithms and the overall system should respect fundamental rights and data protection rules.[96]

- For example, the software could alert them to officers who are habitually practising racial profiling. The software could also propose questions supervisors could raise when interviewing officers on their conduct.[97]

○ External monitoring for accountability

  ○ Create community monitoring groups with a mandate to review data on police stop-and-search encounters, to hold police accountable and to be the contact point for communities to engage the police on the impact of their stop-and-search activities.[98]

## Glossary

### 2015 Migrant Crisis

In 2015, more than one million migrants and refugees entered Europe as a result of conflict and violence in their native countries. Most of these migrants came from Syria, Afghanistan, Iraq, Eritrea, and Kosovo. Most migrants entered Europe by sea through countries along the Mediterranean and overland across the Western Balkans. Most applied for asylum in Germany, Hungary, Sweden, and other countries within the European Union. This sparked an international crisis as countries struggled to cope with the influx of people and created a division in the EU over how best to deal with resettling people.[99]

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[96] https://fra.europa.eu/en/news/2018/how-avoid-unlawful-profiling-guide
[97] See Box 10 in https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf
[98] See Box 6 in https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf
[99] https://www.bbc.com/news/world-europe-34131911

## African Diaspora

The term **African Diaspora** is used to describe the voluntary and involuntary movement of Africans and their descendants to various parts of the world during the modern and pre-modern periods.[100]

According to the African Union, the **African Diaspora** are "peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union[101]". The intention to contribute to development most likely stems from long-standing support members of the **African Diaspora** have lent to political and social struggles, most notably against colonialism and apartheid.

A person can also belong to the **Diaspora** if they fall within one of the following categories: not represented by any specific African government but are of African descent and are a minority where they have naturalised (e.g. communities of African descendants in the USA); hold a passport from an African country or dual citizenship, but are naturalised in a country outside the continent[102]; or from 'African nation-states outside the continent' (e.g. Haiti, Jamaica, Grenada, etc.).

## Anti-Black racism / Afrism / Afrophobia

**Anti-Black racism, Afrism, Afri-phobia** and **Afrophobia** all refer to a specific form of racism targeting people of African descent. They include any act, discourse, attitude, ideology or system implemented, held or conducted by an individual, institution or state that is harmful to people with visible African origins (known or assumed). This form of racism is understood as rooted in historical abuses and negative stereotyping that has systematically excluded and dehumanized people of African descent.

[100] https://las.depaul.edu/centers-and-institutes/center-for-black-diaspora/about/Pages/defining-diaspora.aspx
[101] https://au.int/en/diaspora-division
[102] https://issafrica.org/chapter-9-from-roots-to-branches-the-african-diaspora-in-a-union-government-for-africa-hakima-abbas-fahamu-nairobi-kenya

## Berlin Conference

Officially the **Berlin Conference of 1884–85**, also known as the **Congo Conference** or **West Africa** Conference, regulated European colonization and trade in Africa. The conference was organised by Otto von Bismarck, first Chancellor of Germany. Its outcome, the General Act of the Berlin Conference, can be seen as the formalisation of the Scramble for Africa, which ushered in a period of heightened colonial activity by European powers. This eliminated or overrode most existing forms of African autonomy and self-governance and led to the establishment of European colonies across the African continent.

## Bias Indicators

**Bias indicators** are objective facts that tell us whether an incident might be motivated by bias, such as victim perception, timing, location and demographic differences between the victim(s) and offender(s). These criteria are not all-inclusive, and each case must be examined on its own facts and circumstances.

## Bias Motivation

**Bias motivation** is "the offender's prejudice towards the victim based on a protected characteristic." A hate crime or hate-motivated incident can be based on one of the following motivations: race/ethnicity, religion/faith, nationality, age, disability, sex, sexual orientation, gender identity, or other grounds.

## Blackface

Blackface consists of a non-black person dressing up as a Person of African Descent: painting the face black, exaggerating one's phenotypes, while putting on a supposedly African accent or making monkey noises.

## Colonialism

**Colonialism** refers to European countries asserting political, economic, and social dominance over African nations and claiming the territory as their own.

**Colonialism** "is a relationship in which foreign rulers impose their authority, law and culture on peoples over whom they exert political, social and military control."[103] The intrusion and embeddedness of colonial rule meant that even while it ended, its influence can still be felt in society, the economy, legal systems and domestic life. PAD experience this in the form of anti-Black racism, inequality, discrimination, social exclusion across multiple areas of life and in today's institutions and laws.[104]

In UN discourse, **colonialism** is understood in terms of its violation of rights and principles, namely: self-determination, human rights, human dignity, equality of states, and the promotion of peace.[105]

## Hate Crime

**Hate crimes** are criminal acts motivated by bias or prejudice towards particular groups of people. This could be based, inter alia, on gender, gender identity, sexual orientation, ethnicity, race, religion, age, or disability.

## Hate Incident

A **hate incident** is an act that involves prejudice and bias but does not reach the threshold of a criminal offence. Such incidents often precede, accompany or provide the context for hate crimes.

[103] https://link-springer-com.kuleuven.ezproxy.kuleuven.be/book/10.1007%2F978-3-319-62923-0
[104] https://www.un.org/en/events/africandescentdecade/background.shtml
[105] https://www.un.org/en/decolonization/declaration.shtml

## Hate Speech

**Hate speech** includes speech or other expressions including gestures, writing, or displays that involve prejudice and bias towards particular groups of people. This could be based, inter alia, on gender, gender identity, sexual orientation, ethnicity, religion, age, or disability. Such incidents often precede, accompany or provide the context for hate crimes.

## Irregular Migrant

An **irregular migrant** is someone who, owing to entry by irregular means or the expiry of his or her visa, lacks legal status in a transit or host country. The term applies to migrants whose movement falls the regulatory norms of the sending, transit and receiving countries. Or any other person not authorised to remain in the host country (also called clandestine/illegal/undocumented migrant or migrant in an irregular situation).

## Intersectionality

**Intersectionality** is defined as "the complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism, and classism) combine, overlap, or intersect especially in the experiences of marginalised individuals or groups."[106] Regarding hate crime, a person's race, gender, religion, class and legal status may intersect in a way that makes them more likely to be targeted for a hate crime and affects their needs following an attack or their abilities to participate in an investigation.

## Over-policing

**Over-policing** generally results from the imposition of police control on individual or community activities at a level unlikely to occur in the dominant society[107]. Over-policing can result in distrust and fear amongst the communities being policed.

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[106] https://www.merriam-webster.com/dictionary/intersectionality
[107] http://www.ajic.mb.ca/volumel/chapter16.html

## People of African Descent (PAD) / Afro-descendants / Black people

**People of African Descent (PAD)** are "descendants of those Africans that were displaced to the Americas during the Transatlantic Slave Trade many generations back or more recent migrants who have journeyed to the Americas, Europe, Asia and within Africa itself."[108] While the term **"PAD"**— and its derivative **"Afro-descendant"** — encompass a wide range of people with genealogical, geographic, and historical ties to the African continent, other terms can be used when referencing members of black communities.

**"Black people",** "people of African descent", **"Afro-European", "African European", "Black European", "Afro-Caribbean"** or **"Black-Caribbean"** all refer to people of African ancestry or descent who are born in, citizens of, or living in Europe or other specific regions.[109]

## Racial Profiling

**Racial or ethnic profiling** refers to "a reliance by law enforcement, security and border control personnel on race, colour, descent or national or ethnic origin as a basis for subjecting persons to detailed searches, identity check and investigations or for determining whether an individual was engaged in criminal activity."[110]

## Racist Harassment

**Racist harassment** includes any offensive non-verbal cues, offensive or threatening comments, or threats of violence that are racially motivated.

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[106] https://www.merriam-webster.com/dictionary/intersectionality

[107] http://www.ajic.mb.ca/volumel/chapter16.html

[108] https://www.un.org/en/events/africandescentdecade/assets/pdf/PAD-final%20for%20NY.pdf

[109] http://www.europarl.europa.eu/doceo/document/TA-8-2019-0239_EN.html#def_1_8

[110] https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf

## Secondary Victimisation

**Secondary victimisation** or **re-victimisation** occurs when the criminal justice process aggravates the suffering or harm caused to the victim of a crime.

Flaws in the process that may trigger **secondary victimisation** include detention, lack of information to the victim, "the interaction between criminal justice officials and the victim, the long duration of the trial and discontent about the outcomes of the trial."[111]

Hate crime victims can also experience **secondary victimisation** from intimidation or retaliation by perpetrators.[112]

## Regular Migration

**Regular migration** takes place in accordance with national regulations with the necessary documents e.g. valid passport, travel documents, required visa.

## Racism

**Racism** is an ideological construct that assigns a certain race and/or ethnic groups to a position of power over others on the basis of physical and cultural attributes, as well as economic domination and control over others.

**Racism** can be defined as a doctrine of or belief in racial superiority. This includes the belief that race determines intelligence, cultural characteristics and moral attitudes.

**Racism** includes both racial prejudice and racial discrimination.

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[111] https://www.unwomen.org/-/media/headquarters/media/publications/en/uncommentaryeutraffickingdirective2011.pdf?la=en&vs=947

[112] https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-hate-crime-recording_en.pdf

## Scramble for Africa

The **Scramble for Africa**, also called the **Partition of Africa** or the **Conquest of Africa**, was the occupation, division, and colonisation of African territory by European powers during the period known to historians as the New Imperialism (between 1881 and 1914).

## Slave Trade

In this guide, when discussing the **Slave Trade**, we are referring to the **Transatlantic Slave Trade** which lasted for around 500 years. Between the 16th and 19th century, Spain, Portugal, the Netherlands, Great Britain, and France engaged in trade that would forcibly remove over 18 million Africans for the purpose of slave labour on plantations in the Americas.[113] [114] [115]

There, slaves would often remain for the rest of their lives, if not sold on to other plantations in the colonies. In its tenure, the slave trade and its subsequent abolition normalised both legal and social discourse which form the foundations for racism and violence towards people of African descent today.

## Slavery

The 1926 Slavery Convention defines **slavery** as "the status or condition of a person over whom any or all the powers attaching to the right of ownership are exercised." **Slavery** is defined by the Collins Dictionary as "a civil relationship whereby one person has absolute power over another and controls his or her life, liberty, and fortune."[116]

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[113] http://www.unesco.org/new/en/social-and-human-sciences/themes/slave-route/transatlantic-slave-trade/
[114] https://undocs.org/en/A/61/PV.59&Lang=E
[115] https://undocs.org/en/A/RES/61/19&Lang=E
[116] https://www.collinsdictionary.com/dictionary/english/slavery

## Sex-Trafficking

Trafficking for the prostitution of another or for sexual exploitation is one type of Trafficking in Human Beings (THB).[117] Under article 4(a) of the Council of Europe's Convention on Action against Trafficking in Human Beings, THB refers to 'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation'. Regardless of the victim's consent to the activity, exploitation can be established if any of the aforementioned means have been used by the perpetuator.[118]

## Helpful Contacts

- Germany: **Initiative Schwarze Menschen in Deutschland Bund e.V.** (ISD-Bund e.V.) http://isdonline.de/

- United Nations International Decade for People of African Descent (2014-2025): https://www.un.org/en/events/africandescentdecade/

- United Nations Working Group of Experts on People of African Descent: https://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/WGEPADIndex.asp x

- European Network Against Racism: https://www.enar-eu.org/

- International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) — Europe: https://www.ilga-europe.org/

- OSCE-ODHIR: http://hatecrime.osce.org/what-hate-crime

[117] http://www.eurojust.europa.eu/doclibrary/Eurojust-framework/Casework/Strategic%20project%20on%20Eurojust%20action%20against%20trafficking%20in %20human%20beings%20(October%202012)/THB-report-2012-10-18-EN.pdf
[118] https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/cets_197.docx.pdf and Framework Decision on combating trafficking in human beings, 19 July 2002.

# Resources

○ FRA 'How to avoid unlawful profiling - a guide': https://fra.europa.eu/en/news/2018/how-avoid-unlawful-profiling-guide

○ Facing Facts Guidelines on Monitoring Hate Crime > Bias Indicators [p. 13-15]: https://ceji.org/wp-content/uploads/2012/11/Guidelines-for-monitoring-of-hate-crimes-and-hate-motivated-incidents-PROTECTED.pdf

○ 'Preventing and Countering Racial Profiling of People of African Descent: Good Practices and Challenges': https://www.un.org/en/events/africandescentdecade/assets/pdf/PreventRacialProfiling-EN.pdf

○ Working Group of Expert Country Visit Report on Belgium, Germany, Portugal, Spain, Sweden, UK and the Netherlands: https://www.ohchr.org/EN/Issues/Racism/WGAfricanDescent/Pages/CountryVisits.aspx

○ 'Women and Girls of African descent Women Human Rights Achievements and Challenges': https://www.un.org/en/events/africandescentdecade/assets/pdf/Women%20and%20Girls%20of%20African%20Descent%20WEB.pdf

○ 'Joint UN Commentary on the EU Trafficking Directive – A Human Rights-Based Approach': https://www.unwomen.org/-/media/headquarters/media/publications/en/uncommentaryeutraffickingdirective2011.pdf?la=en&vs=947" \h

○ DW Documentary 'Black Skin, German Passport': https://www.youtube.com/watch?v=NrKTEzOzUAM&feature=youtu.be

○ Meggie Palmer and Kylie Grey's documentary: 'Princess and the Sex Slaves'

## Lead partner



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## Associate partners



## Funders



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# FACING ALL THE FACTS

## Notes

The... many different terms used, often... of African Descent and members of the bla... People of African Descent has defined Peop... "PAD", as "descendants of the African victi... Sea slave trade.

The group includes those of the sub-Sahara... Nations High Commissioner for Human Ri... "descendants of those Africans that were di... Transatlantic Slave Trade many generation... journeyed to the Americas, Europe, Asia an...

While the term "PAD", and its derivative "... people with genealogical, geographic, and h... terms can be used when referencing membe... and "members of the black community" are... the African diaspora.