

## **GOOD PRACTICE – description**

to send to the EUCPN website team at [eucpn@homeoffice.gsi.gov.uk](mailto:eucpn@homeoffice.gsi.gov.uk)

<b>Project purpose</b>	The prevention of racist, anti-Semitic, xenophobic and discriminatory acts, and of hate-related crime
<b>Categories</b>	anti-social behaviour feelings of insecurity street crime youth crime

## GOOD PRACTICE – document details

<b>Project title</b>	Operational guidelines for gendarmes for the prevention and the fight against racist, anti-Semitic, xenophobic, discriminatory acts and hate related crime.
<b>Country of origin</b>	France
<b>Project description</b>	The diffusion within the National Gendarmerie units of two operational guidebooks about the prevention and fight against racist, anti-Semitic, xenophobic, and discriminatory acts : one guidebook contains the known symbols associated with the ultra-right wing; the other presents the various judicial frameworks to prevent and fight against discrimination, as well as racist, xenophobic and anti-Semitic acts.
<b>Project start date</b>	2008
<b>Project status</b>	Implemented
<b>Is the project still running?</b>	Yes
<b>Date of last review</b>	2010
<b>Contact details</b>	Ministry of the Interior French National Gendarmerie Headquarters – Judicial Police Subdirectorate  DGGN/DOE/SDPJ/BPJ and BLAT Immeuble « Le Lombard » 143 avenue de Verdun – 92130 ISSY LES MOULINEAUX TEL: 01.56.28.66.35, or 38 or 76 @Email: <a href="mailto:bpi.sdpj.dggn@gendarmerie.interieur.gouv.fr">bpi.sdpj.dggn@gendarmerie.interieur.gouv.fr</a> <a href="mailto:blat.sdpj.dggn@gendarmerie.interieur.gouv.fr">blat.sdpj.dggn@gendarmerie.interieur.gouv.fr</a>
<b>Documents</b>	Best practice France – July 2010

## Operational guidebooks for gendarmes for the prevention and fight against racist, xenophobic, anti-Semitic, discriminatory acts and hate related crime.

### **Information:**

#### ***Short description of the problem***

Racism, anti-Semitism, xenophobia, and more widely the hatred of others, as well as discrimination, are often sensitive public order problems within the different member states of the EU. Anyone can be their target, whatever their origins, religion, or lifestyle...

It is therefore essential to prevent any development of such phenomena that entail social disturbances, risk seriously unbalance the national cohesion of the member States of EU member, and that clearly breach the Fundamental Rights of the EU, as well, as the European Convention for the Protection of Human Rights.

#### ***Period***

Since the 1980s in Europe.

#### ***Data***

Every year, the National Gendarmerie, as well as the National Police, unfortunately registers offences linked to racism, xenophobia, and anti-Semitism. As far as the Gendarmerie is concerned, the greater part of these offences consists mainly in the degradation of material (tags...)

#### ***Types of offenders***

- Ideologically-driven persons who perpetrate voluntary acts of violence (called identity violence or violent extremism) ;
- Outsiders, youths, or any person without social ties, and acting in provocation and/or under the influence of alcohol or drugs; their acts are of a gratuitous nature.

#### ***Modus operandi***

Types of discrimination; violence, threats, desecration of graves, theft or extortion aggravated by a racist-, xenophobic-, or anti-Semitic-related motive; incitations, through any medium of communication, of discrimination or hatred; abuse or slander towards a person or a group of persons because of their ethnic origins...

#### ***The victims***

The victims are an isolated person or a group of persons that are stigmatised because of their origins, their religion, their lifestyle or their true or supposed "belonging" to a race, an ethnic group, or a nation. They may already be in a situation of vulnerability.

#### ***Causes***

- A lack of knowledge of social and moral rules, and of the legal implications of these acts;
- Community tensions, sometimes amplified by precarious social and economic situations, by the international situation, or by a high level of illegal immigration;
- extremist or supremacist ideologies of some politicised groups.

#### ***Advisable***

The forces for civil order should be correctly sensitised to what today's situation entails in order to tackle the problem better.

#### ***Inadvisable***

One should not consider that this matter is solely the business of a handful of specialised units. All the units dedicated to a mission of prevention or repression of such offences are concerned.

## **Intervention**

### ***Short description of the project***

Diffusion within the National Gendarmerie units of two operational guidebooks concerning the prevention and the fight against racist, anti-Semitic, xenophobic, and discriminatory acts : one guidebook containing the known symbols associated with ultra-right wing, the other presenting the various legal framework of French Common Law under which the acts of discrimination, racism, xenophobia and anti-Semitism are punishable. The two guidebooks are classified “restreint UE”.

### ***Short, medium and long term objectives of the project***

- Elaboration of the guidebooks by the General Direction of National Gendarmerie (published in the space of a couple of months);
- Diffusion of the guidebooks by the General Direction of National Gendarmerie (immediate);
- Application of the guidelines by the various Gendarmerie units (perennial);
- Updating of the guidelines by the General Direction of National Gendarmerie (regular).

### ***Activities***

- 1) The operational guidebook containing the known symbols associated with to ultra-right wing aims at enabling the gendarmes to identify on written documents, tags, or any other medium one or several logos potentially related to a racist, supremacist or neo-Nazi ideology. Besides being an obvious benefit in the case of inquiries, this memento also has an important preventive use:
  - On the one hand, it enables the early detection of an oncoming threat;
  - On the other hand, it provides the military of the National Gendarmerie elements that will enable them better understanding in how to best put across preventive message to the population.
  
- 1) The operational guidebook presenting the various legal means to prevent and fight against discrimination, racist, xenophobic and anti-Semitic acts has the same goal. It allows an easy reading of legal texts that are sometimes complex. These judicial bases, indispensable for repression, will also be useful as far as prevention is concerned:
  - On the one hand, it will allow one to understand the motives of discrimination, racist, xenophobic, and anti- Semitic acts.
  - On the other hand, in contact with the population, it will enable one to explain the legal consequences risked by perpetrators of such acts.

These two mementos enable a better awareness of the officers of National Gendarmerie to these social issues.

In addition, one can note that the initial training of gendarmes, especially as far as ethics and deontology are concerned, deals with these questions, just as the Charter of the Gendarme demands an exemplary behaviour from the professionals.

### ***Issues to address***

Indeed, the forces of civil order have to have a thorough knowledge of these issues.

## **Implementation**

### ***History of the project***

Following the signature of the partnership between the High Authority for the Fight against Discrimination and in favour of Equality (HALDE) in December 2007 on the one hand, and the National Gendarmerie on the other, the latter has wished to move forward.

### ***Project plan***

- A better prevention and fight against that type of offences, if possible, within the framework of a global and partnership process.

### ***Project customisation***

- A wide diffusion of the guidebooks for a wide use.

## **Involvement**

### ***Involvement of public and private partners***

The operational guidebook presenting the legal means in order to prevent and fight against discrimination, racist, xenophobic and anti-Semitic acts has been developed with the help of HALDE (see above).

The operational guidebook about the symbolism of ultra-right wing is a document specific to National Gendarmerie. However, the skills of the latter is acknowledged by OSCE. The General Direction of National Gendarmerie is, among others and under the control of its employment authorities, in contact with the Consultant National Commission for Human Rights (CNCDH, an independent administrative authority). It is also sometimes part of the French Delegation to the Comity for Human Rights of the UN.

### ***Roles and responsibility of each partners***

The two guidebooks essentially have an operational vocation: prevent, or else repress. It is thus addressed to gendarmes (who work in prevention or investigation).

### ***Financing***

Law enforcement National Gendarmerie covers its own costs.

### ***Did the project have an impact upon the intended target group? Did it have an impact upon other parties as well?***

Yes.

### ***Advisable***

it should be considered that the acts we most wish to avoid are those directed at individuals.

### ***Inadvisable***

It is difficult to measure the impact, even though there have been obvious favourable results following the publication of these guidebooks.

## **Impact**

### ***Has the project been evaluated?***

Yes.

### ***What was evaluated?***

- The global operational results;
- The opinions of the units that used them;
- The scale of the document's diffusion.

***At what stage?***

Every year, during the statistical assessment of the recorded offences.

***Participants***

The involved bureaus of the General Direction of National Gendarmerie, but under the control of the Ministry of the Interior as well as under the advice of the above-mentioned partners.

**Results**

***Has the goal of the project been reached?***

Yes, globally, the Gendarmerie units are more and more involved in this field.

***Advisable***

Having a widened approach to the issues.

***Inadvisable***

One should not expect spectacular results, as results grow with time, especially in this field.