

# V-START

Victim Support Through  
Awareness Raising and  
neTworking

## EUROPEAN HANDBOOK ON GOOD PRACTICES



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(2014 - 2020)



# Introduction

This European handbook on good practices is a result of a research carried out in four EU countries within transnational project V-START - Victim Support Through Awareness Raising and neTworking, financially supported by the Directorate-General Justice and Consumers of the European Commission. This project is implemented by COSPE – Cooperation for the Development of Emerging Countries (Italy), EFSM - Europaisches Forum Fuer Migrationsstudien EV (Germany), Human Rights House Zagreb (Croatia) and ZARA - Civil Courage and Anti-Racism Work (Austria). The project focuses on the protection of victims of criminal acts, particularly victims of racist and homo-inter-transphobic hate crimes and the practical implementation

of the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crimes and replacing Council Framework Decision 2001/220/JHA.

The aim of the project is to contribute to a better understanding of the specificity of hate crimes, i.e. to raise awareness on the impact of the phenomenon of hate crime and how to properly identify and investigate bias motivated crimes. However, examples of good practices from Germany are not included because project partner from Germany did not participate in international meeting on exchange of good practices in Zagreb held in Zagreb in May, 28, 2019.



# About the Partners

## COSPE

COSPE - Cooperation for the Development of Emerging Countries is a non-profit association established in 1983 and recognised in 1984 as Non Governmental Organisation (NGO) by the Italian Ministry of Foreign Affairs and the European Union. Cospe is active in the international cooperation field in about 30 Developing Countries with approximately 100 projects, while in Italy and in Europe promotes fair and sustainable development, intercultural dialogue and cohesive communities, tackling racism and discrimination and realising programs to create and raise public awareness among students and teachers, media and institutions, professionals and citizens.

## HUMAN RIGHTS HOUSE ZAGREB (HRHZ)

The Human Rights House Zagreb is human rights watchdog and advocacy organisation established in 2008 as a network of civil society organisations with the goal of protecting and promoting human rights and fundamental freedoms. The vision is to build a democratic, pluralist and inclusive society founded upon the values of human rights, the rule of law, social justice and solidarity. The HRHZ contributes to the protection, promotion, developing and advancing human rights and fundamental freedoms through research, monitoring, public advocacy and education. By publishing annual human rights reviews, thematic reports and policy briefs, HRHZ helps to create better laws and public policies.

## ZARA

**Zivilcourage und Anti-Rassismus-Arbeit**  
(Civil Courage and Anti-Racism Work)

ZARA is an Austrian anti-racism NGO founded in 1999. Its mission is to strengthen civil courage, combat all forms of racism and to promote the

equal treatment of all human beings residing in Austria, regardless of one's skin colour, language, appearance, religion, citizenship and/or origin. ZARA's mandate is shared along three pillars: The support of those (directly) affected by racist discrimination and online hatred, awareness-raising through public information and prevention (ZARA Training). ZARA provides information, support and legal advice to people who are confronted with racism. Since January 2000, ZARA has been operating its Counselling Service where those (directly) affected by racism in Austria can report cases and are provided with support and assistance by psychosocially and legally trained counsellors. In 2017, ZARA set up a Counselling Service #AgainstOnlineHate, which is there to support internet users, who are affected by hate speech, all forms of discrimination online, smear campaigns as well as cyberbullying. ZARA aims at enhancing public awareness of discrimination and racism – on and offline – by implementing topic-specific projects and campaigns, by outreach activities and educational measures for different target audiences (e.g.: media, civil servants, policy makers, students, teachers and many more).

## EFMS

**The European Forum for Migration Studies**

The European Forum for Migration Studies (EFMS) is an academic institute at the University of Bamberg (Faculties of Social Sciences/Cultural Sciences & Geography). Founded in 1993, its main topics are migration and integration of migrants, anti-discrimination and diversity policies related to migration in Europe. The EFMS is active in the areas of scientific research, policy counseling, quantitative and qualitative empirical research, expertise studies, evaluation of migration, integration and diversity policy measures, training of students, post-graduates and professionals from public administrations, information and documentation.

# About Hate Crimes and this Handbook on good practices

Hate crimes committed against persons or property are a daily reality throughout the European Union and the extent of hate crime and hate speech is still largely unknown. The most common crimes fall into three categories: physical attacks, incitement to violence and property damage.

In many EU countries, policies aimed at combating hate crime focus primarily on sanctioning perpetrators, and only secondary to victim protection, partly due to limited understanding of the specificity of hate crimes and the consequences of such crimes for single persons actually or allegedly affiliated to certain groups as well as for entire groups (defined by law) potentially confronted with hate crimes. In order to obtain a comprehensive overview of the support system for victims of hate crimes, within the project three countries conducted a qualitative research of existing legal framework for combating hate crime and existing associations that provide legal and/or psychosocial support to hate crime victims in order to improve their knowledge base and enhance their support activities.

Having in mind that the significant level of underreporting and the relatively low uptake of support services for hate crimes victims leads to a difficult implementation and practical application of some of the provisions contained in Directive

2012/29/EU, including a lack of a comprehensive understanding of how to support those affected by hate crime best, the main contribution of this project is to overcome the above-mentioned problems.

The Handbook produced in the project V-START situates the protection of victims of racist and homo-inter-and transphobic hate crimes within the broader framework of protection of crime victims as outlined in EU and national legislation, illustrating the good practices in providing information, support and assistance to hate crimes victims identified in the previous phases of the project (written national reports of analysis of national legislation regarding the rights of the victims of hate crimes, structure and functioning of the national system of support services, networking and international meeting of exchange of good practices) in the countries involved in the project.

This Handbook presents 9 good practices on combating hate crime and supporting victims of hate crimes. Each country is accompanied with the name of the practice, short description of the practice and why this practice serves as a good example.

National reports available here: [Austria](#), [Croatia](#), [Germany](#) and [Italy](#).

# Selected practices from Austria, Croatia and Italy

## Austria

Examples of good practices in combating hate crimes in Austria are the following:

1. ZARA Counselling Unit #AgainstOnlineHate
2. Network to shed light on and effectively as well as preventively counteract hate crime
3. HateNoMore – Collaboration of NGOs combating hate crime

### ZARA Counselling Unit #AgainstOnlineHate

Short description of the practice: Additionally to its longstanding counselling unit for those (directly) affected by racism, ZARA has been operating the Counselling Unit #GegenHassimNetz (#AgainstOnlineHate) since September 2017, funded and supported by the Austrian government. The Counselling Unit #GegenHassimNetz (#AgainstOnlineHate) is Austria's central point of contact for those affected by and witnessing online hatred. A total of 3.193 incidents of online hate has been reported to the counselling unit between September 2017 and September 2019. The cases are assessed and documented by the counselling unit, partially the posts reported are deleted by the respective platforms and providers on request of the counsellors. Those affected are supported, and if they want to take action the counsellors can launch interventions and take various (legal) steps. The counselling unit works closely with the ZARA public relations department in order to sensitise the public in regards to topics like the differentiation between "legal" and "illegal" hatred (both forms need to be tackled) and overlapping as well as differentiation between hate speech and hate crimes.

The counselling unit regularly participates in the monitoring of the implementation of the Code of conduct on countering illegal hate speech online, which targets Facebook, Microsoft, Twitter and YouTube. This activity looks into how long it takes these companies to have illegal online hate removed.

Why is a counselling unit #AgainstOnlineHate focussing on countering online hate speech to be found as an example of good practice amidst practices tackling the phenomenon of hate crime? When it comes to working with the Office for Democratic Institutions and Human Rights (ODIHR) definition of a hate crime in the Austrian context, it is worth mentioning that the authorities as well as civil society organisations, who report cases of hate crime to ODIHR, do not provide data "separately from cases of hate speech" and include "the crime of incitement to hatred, which falls largely outside the OSCE's definition [...]" (ODIHR 2017). The reason for it is that specific forms of (online) hate speech, insofar as it is a criminal offense under Austrian law, are recognized as part of the hate crime phenomenon in Austria. The authors recognise connections and interfaces between the two differentiated phenomena. Hate speech is additionally considered a potential trigger for hate crime. Therefore it is essential to create an awareness for the overlapping and differentiation of hate crime and hate speech in Austria.

### Network to shed light on and effectively as well as preventively counteract hate crime

Short description of the practice: In the framework of the EU project V-START – Victim Support Through Awareness-Raising and networking representatives of civil society organisations and

initiatives operating in Austria, active in the field of anti-discrimination, victim protection and human rights, had the possibility to network and to unite as a strengthened lobby for those affected by hate crime. The network intends to keep an eye on hate crime-related research as well as relevant projects. It does not necessarily aim at agreeing on a fixed common definition of a hate crime, but rather focuses on joining forces to achieve the following goals together.

The members of the network have also signed a memorandum of understanding affirming they will contribute to the visibility of the hate crime phenomenon, undertake further networking activities, actively promote the dissemination and enforcement of the recommendations agreed on and, particularly, focus on the problem of 'underreporting' and the lack of intersectoral exchange.

A study was implemented in 2017 within the research project "Hate Crime in der Steiermark" (translation: hate crime in Styria), commissioned by one of the network members – the Anti-Discrimination Office Styria and compiled by the European Training Center Graz (ETC Graz). The study showed the extent of hate crime in Styria for the first time. 1.112 people "with a migration background", living in Austria, participated in the survey. 431 interviewees (38%) indicated that they had experienced a hate crime within the last 12 months. 17% indicated that they had become victims of hate crime even three times during the last 12 months. A series of measures and recommendations drawn from the study led to further sensitization of the public.

This study (as well as very few similar studies in Austria) is of great significance, as it was not only about collecting statistical data, but it was key in sensitizing the public and shedding light on the fact that hate crime is a phenomenon and problem to be taken seriously.

### Workshop > "HateNoMore" – Collaboration of NGOs combatting hate crime

Short description of the practice: ZARA and WEISSER RING, two NGOs supporting victims of

(racist) criminal offenses (and beyond), conducted a workshop together – in the framework of the EU project "Hate No More", conducted by WEISSER RING and its European partners, in order to pass on knowledge and experiences on how to recognize hate crime, how to differentiate hate crime from hate speech, on legal frameworks (specific to Austrian criminal law) as how to support those affected. The target group were victim support counsellors, judges and police officers as well as interested citizens.

The core objective of the EU project "Hate No More" is to improve the protection of victims' rights in cases of hate crime. Civil society is sensitised, and law enforcement agencies and victim support organizations trained to be able to support victims of hate crime and hate speech.

## Croatia

Examples of good practices in combating hate crimes in Croatia are the following:

1. Rules of Procedure in Processing Hate Crimes
2. Working Group for Monitoring Hate Crime Cases
3. Long-term cooperation between Police Academy and certain civil society organisations in training police officers on processing hate crimes and protecting and promoting human rights.

### Rules of Procedure in processing hate crimes

Short description of the practice: Rules of Procedure in Processing Hate Crimes (hereinafter: Rules of Procedure) was adopted in March 2011 by the Government Office for Human Rights and National Minorities (hereinafter: the Government Office). The main goal of the Rules of Procedure is to ensure that the relevant authorities who are participating in the discovering, processing and monitoring of hate crimes operate efficiently in order to protect victims of hate crimes.

The Rules of Procedure also contain provisions related to obligations of relevant authorities (Police officers, the State Attorneys' criminal and minor offence courts) and their mutual cooperation in collecting data and monitoring of hate crimes, including conducting activities such as education on combating hate crime. In that regard, the Rules of Procedure oblige authorities to act promptly and with particular diligence in all hate crime cases, to mark hate crime cases files in an appropriate manner and to record relevant data on hate crime. In particular, the police is obliged to obtain data and information necessary to determine bias motivation, such as: affiliation of the victim which was the main motive of the hate crime in question, motivation of the perpetrator and their possible affiliation with a group, consequences of the hate crime, the means of identification of bias motivation and qualification of the act as either a crime or a minor offence.

The Rules of Procedure set up a very important system not only of monitoring hate crime cases as well as for adequately collecting relevant statistical data within various stakeholders which can serve for further meaningful analysis of hate crime cases. Also, the Rules of procedure outlines responsibilities of relevant authorities in combating hate crimes.

## Working Group for Monitoring Hate Crime Cases

Short description of the practice: Working Group was established within the auspices of the Government Office who has been set up as the focal point for collection, integration and dissemination of data on hate crimes. Thereof, the aim of the Government Office is to collect and consolidate data on hate crimes from the police, State Attorney's Offices and Criminal and Misdemeanour Courts for the purposes of the Working Group. The Working Group is coordinated by the Government Office.

Working Group is comprised of representatives of all relevant domestic stakeholders responsible for processing hate crimes, including the Ministry of

the Interior, Ministry of Justice, State Attorneys' Office, Police Academy, Office of Ombudswoman and Judges. Representative of civil society is also included in the Working Group.

In order to enable full insight into hate crime occurrences in Croatia, a Working Group is obliged to meet on a quarterly basis in order to discuss practical issues, challenges and future initiatives, including exchanging statistics. The Working Group analyses and monitors the implementation of anti-discrimination legislation relating to hate crime and coordinates the process of collecting data on hate crime and inter institutional cooperation with regard to its prevention.

Working Group established as focal point for monitoring and combating hate crime represent an important tool for establishing effective cooperation with various state bodies (police, prosecutors, judiciary, academics and CSO's) that deal with hate crimes.

Croatian model of the Working Group of processing and recording hate crimes has been recognised as an example of good practice by the OSCE and ODIHR as well as by the FRA working group for the improvement of reporting and monitoring hate crimes.

## Trainings for law enforcement agencies

Short description of the practice: Trainings for police officers against hate crime began in 2006 within the auspices of OSCE's Office for Democratic Institutions and Human Rights (ODIHR) as a part of Training against Hate Crimes for Law Enforcement (TAHCLE) program. The programme is designed to improve police skills in recognizing, understanding and investigating hate crimes.

Furthermore, certain civil society organisations and Police Academy have been involved in training police officers on combating hate crimes and promoting human rights. Education of police officers in the field of protecting and promoting human rights is carried out as a result of long-term cooperation between individual civil society organisations and the Policy Academy. Trainings are



designed to raise awareness among police officers on hate crimes and to improve the knowledge and capacity how to identify, investigate hate crime properly and to collect data.

As a result, in the period from 2009 until 2018, 6101 police trainees and 3505 police officers have attended courses on combating and processing hate crimes and this training programs are provided continuously<sup>1</sup>.

## Italy

Examples of good practices in combating hate crimes in Italy are the following:

1. Codica Rosa
2. Rete Dafne (Dafne Network)
3. Gay help line

### Codica Rosa

Short description of the practice: Codice Rosa is a code used within First Aid to identify all violence victims and, in particular, those that are the most vulnerable: women, children, the elderly, immigrants, and LGBTI people. This code is assigned alongside the severity code by personnel trained to recognise all signals, even those not always evident, of a violent attack. When assigning a Pink Code, the operating group consisting of health personnel and law enforcement officers is activated, and a dedicated and reserved room (the Pink Room) is reserved for medical checks and interviews. The group is made up of about 20 professionals including social and health personnel, magistrates and law enforcement agencies, assisted by 50 other operators (nurses, doctors, social workers, psychologists). The Pink Code takes care of socio-health and legal assistance to violence victims ensuring protection of their privacy, physical and mental health as well as an accelerated response against the perpetrator(s), by initiating legal proceedings and taking other victim support measures.

Codice Rosa has two specific paths, one addressed to women who are subjected to gender-based violence and another path addressed to victims of hate crimes. Codice Rosa was set up by the Azienda Sanitaria Locale [Asl] 9 (Local Health Authority) of Grosseto in 2010 as a pilot project and in 2014, it was extended to all local health authorities and hospitals in Tuscany region.

A major strength of the project is its coordination and networking of institutions and professionals, through the combination of different skills and effective integration with existing local facilities that support victims of violence, for a comprehensive and effective response. Another fundamental element is the timely activation of the local network that takes over after first aid, because ensuring the safety of the victim and assistance by social services are crucial components of the victim's protection. The use of shared operational guidelines and protocols is key because uniform procedures and strategies enable effective action and enhance data collection. Another strength of Codice Rosa project is that it can be replicated in many other areas, given the important results obtained since the pilot phase.

### Rete Dafne (Dafne Network)

Short description of the practice: Dafne Network is a support service for victims of all crimes. It is a free service, based on collaboration between municipal administrations, health services, judicial authorities, law enforcement agencies and civil society organisations (CSOs). It offers victims of all crimes, including their family members, guidance services, information on rights, psychological and medical (psychiatric) assistance irrespective of their age, nationality, economic or social condition. The Dafne Network was founded in Turin in 2008 and in January 2017, it opened a branch in Florence to support victims of crime by providing free guidance by legal experts, psychologists, psychiatrists and mediators. Since September 2018, the Dafne Network operates also in Sardinia

<sup>1</sup> Government of Republic Croatia, Office of the Representative of the Republic of Croatia before the European Court of Human Rights, Action Report, Šečić group v. Croatia, Precedent application no.: 40116/02, 29 December 2017, paragraph 163, link available at: [http://hudoc.exec.coe.int/eng?i=DH-DD\(2018\)16E](http://hudoc.exec.coe.int/eng?i=DH-DD(2018)16E)



Region, through two operational offices in Sassari and Cagliari.

Operationally and with utmost respect for the privacy of the victim, the Dafne Network offers one or more initial reception meetings to provide an overview of its assistance services or those of the territory (e.g., public and private social protection services, employment, training, housing, access to care, access to compensation funds). In addition to guidance, it informs victims of their rights within legal proceedings and can also arrange direct or indirect mediation meetings, preceded by preparatory or pre-mediation meetings aimed primarily at ascertaining the victim's willingness to undertake the mediation process. As for psychological support, the assistance includes 10 meetings, plus an additional five times where necessary, and mental health consultancy is also provided where necessary. Starting from 2015, self-help and self-help group therapy have also been activated. Lastly, the Dafne network also offers a short-term accommodation to victims who need protection or have to be removed from their home. In addition to working with crime victims, the network also works with law enforcement agencies, magistrates, a social and health services and private social workers, which it engages to foster dialogue and exchange of good practice on crime victim protection. In this regard, Dafne Network is promoting a "National Coordination of Support Services to help Victims of Crime", which will seek to open new support services in each Regional capital, obtain the Ministry of Justice's certification as service associations and guarantee the training and certification of the operators.

### Gay help line

Short description of the practice: Gay Help Line founded in 2005 is the national contact center against homophobia and transphobia for gay, lesbian, bisexual and trans people managed by the

Gay Center. The service is completely free and can be contacted via a toll-free number, the web or chat and it provides confidential counselling, information and support. In particular, it offers the following services: psychological counselling for LGBTI persons, their families and friends; legal advice on civil and criminal matters, both in cases of discrimination and homo-transphobic violence; medical advice, especially on sexually transmitted diseases; anti-homophobia and mediation support in schools; social, family and employment mediation; protection in cases of homophobia within the family, including hospitality and support at a foster home (the only such case in Italy). Gay Help Line also collaborates with a number of Italian institutions, including the Ministry of Education, University and Research and OSCAD - Observatory for Security Against Discriminatory Acts. All the services are managed by trained operators and experts (two training sessions are held each year), who work mainly on a voluntary basis. About 20 percent of its budget is covered through public funding and donations.

A major strength of Gay Help line is that it targets a specific category of victims of discrimination. This allows it to offer a targeted service that is particularly attentive to the needs of victims of discrimination based on sexual orientation or gender identity. For example, the information service through 'Speakly' chat is completely anonymous and allows one to leave no trace of the conversations, thus allowing people who fear retaliation to contact the service without risk (for example, adolescents abused by their families for their sexual orientation). Another strength lies in its provision of not only information or guidance on services but also psychological and legal assistance. This allows it to provide the victim with continuous guidance, thereby enabling the latter to complete the process of overcoming the situation of discrimination or violence.

# Conclusion

Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people such as “race”<sup>2</sup>, ethnicity, language, religion, nationality, sexual orientation, gender, disability or any other fundamental characteristic. Individuals are attacked, abused, threatened solely for the reason that they belong or share characteristics of above mentioned groups. The offence must meet two criteria to be considered a hate crime. First criteria is that the act must constitute an offence under criminal law and second criteria is that the act must have been motivated by bias. This is a practice-oriented definition, formulated by the OSCE Office for Democratic Institutions and Human Rights (ODIHR)<sup>3</sup>.

Bias-motivated crimes and incidents can have deeper (societal as well as personal) impact than non-aggravated versions of the same offences. A hate crime has consequences that far exceed the relationship between “offender” and “victim” – such crimes and incidents send a message to the entire communities or persons who (actually or allegedly) share a specific characteristic. The message is that persons (actually or allegedly)

affiliated with a specific (actual or constructed) group should be denied the right to be an equal part of society, that anybody with the victim’s characteristic is not welcome in society as a whole. Related processes of dehumanization and lived incitement to hatred are a danger to single persons (actual or constructed), groups as well as society as a whole. When recognizing this phenomenon, governments can strengthen their commitments and developed instruments to provide a more effective response to counter such crimes and incidents, promote equal rights to everyone and create an equally accessible society to everyone. Our goal is to encourage policy makers to be more aware of other countries’ good practices in order to potentially adapt them for use in their own national contexts.

This Handbook illustrates good practices in providing information, support and assistance to hate crimes victims which we hope will encourage policy makers to rethink own practices or lack thereof and to adjust adequate initiatives to their national context in order to respond to the needs of victims of hate crimes more adequately.

<sup>2</sup> Since the term “race” has long been outdated and does not correspond to the current state of academia, the authors allow themselves to resort to quotation marks.

<sup>3</sup> See more on link available at: <http://hatecrime.osce.org/what-hate-crime>