

# STAND UP

for victims' rights

---

Know your rights, react to racism.



[www.standup-project.eu](http://www.standup-project.eu)

## What are Hate crimes

**Hate crimes** are common crimes but with an aggravating factor: they have a discriminatory motive.

Almost every type of crime can also be a hate crime: what transforms an act of aggression or persecution into a hatecrime is the fact that the victim is "chosen" on the basis of their membership (or presumed membership) of a certain "group". For example, if you wear a religious garment, such as a veil, yarmulke, etc.; if you have a skin colour or features that are different from those of the majority of people around you; if you show affection towards people of the same sex. In hate crimes the attack is not prompted by personal reasons: people are assailed not for the actual person they are, but for their social identity or fact of belonging to a social group. Often the assailer does not even know the victim. The act of violence or aggression is not provoked by anything the person has done or said but by their physical appearance, clothing or habits, which identify them as belonging to a certain group. There are real bias indicators that help us understand when we are in the presence of a hate crime, such as:

- The perception of the affected person;
- Differences between perpetrator and victim, in terms of nationality, origin, skin colour, etc.
- Place and timing (if the assault occurs in a place frequented by a specific group, or on religious holidays);
- Language and gestures (racist insults or phrases, explicit references to characteristics such as skin colour, origin, nationality, religion, etc.);
- Any recognisable features (clothing, symbols) identifying the aggressor as a member of an organised racist group;
- Involvement of "organised hate groups".

Therefore, hate crimes include all physical or verbal attacks, and damage to property or symbols, such as places of worship, in which the motive for the violence or persecution is attributed to religion, skin colour, nationality, belonging to a minority, sexual orientation, gender identity or disability.

Being attacked or subjected to insults because of one's origin or skin colour



is certainly a hateful and destabilising experience. Aside from the damaging physical, psychological, economic and social consequences, it is normal for anyone who has this kind of experience to feel anxiety and worry and be unsure of what to do.

If you have been the victim of physical or verbal aggression due to your ethnic origin or the colour of your skin, or if you know someone who has suffered

such an attack or have witnessed one yourself, here you can find information on victims' rights, the first steps to take and the most useful services to turn to. Share the experience of the assault by asking for help from experts or associations, as well as by talking about it with your family and friends. Talking to other people helps to stop attackers, preventing them from continuing to hurt others.

## Real life stories - How to react<sup>1</sup>

1. Chris is a 25 years old man from Burkina Faso. While he is on the train, the woman sitting next to him begins to comment on how he is dressed, on the fact that he is talking on the phone, on his backpack that she considers is too bulky. After a few minutes of complaints, first expressed quietly and then with increasing volume, the woman invites him to "go back home" repeatedly insulting him for the colour of his skin and his origins.

These episodes, as well as the less obvious ones known as 'micro-assaults' (such as when someone blatantly

avoids sitting next to us), are psychologically burdensome, even though they may seem like non-dangerous behaviours. For those who experience an episode of verbal aggression such as the one described, on a train, bus or other public place, it is not easy to react or report the incident to a public figure such as the train conductor or similar. If you are the victim of a micro-aggression or a more blatant form of racial hostility, you can simply decide to leave so as not to continue being the target of further offence. Do not feel obliged to react - you are not required to argue with your attacker if you do not feel like it, and moreover

those who perpetrate such acts almost always deny that they have done something wrong or that their behaviour is motivated by racial prejudice. If, on the other hand, the person in front of you openly professes to be a racist (or displays symbols that may lead you to think that they belong to openly racist groups), it is hopeless to try and change their mind. Indeed, in some cases, to attempt to do could constitute a danger to your personal safety, because they may react in an even more hostile way. However, if the situation allows and you want to respond to those who insult you, you have the right to do so. Experiencing these situations can be emotionally traumatising. If need be, and even if some time has passed, you can always contact an association or a support centre to discuss what happened to you, receive psychological support and advices from experts. It is also important to talk about it with people who are close to you and whom you trust, who will be able to advise and support you.

If you witness a scene of this type, you can still play an important role because in these cases the support of those present is essential in creating a social climate that ensures it is the aggressors, and not the victims, that feel isolated. The victim needs to feel your support, which you can show by talking to them or standing between them and their aggressor, for example. It is important that they are aware of the

solidarity of the other people present and that they do not think that others are indifferent to what is happening or, worse, agree with the insults that are being addressed at them. It may also be useful to advise the person under attack to move away, or move away with them, to be out of the aggressor's line of sight.

2. Idrissa is 24 years old, has a permit as a refugee and attends a night school which will allow him to obtain the baccalaureate. The school's location is somewhat isolated and he has to walk a couple of kilometres to get home. One evening a car pulls up alongside him and slows down. Someone rolls down the window next to the driver's and empties a bottleful of water on him, and then the car drives off amidst laughter. A few evenings later, a car that is similar in appearance pulls up alongside him again, and this time a stick appears out of the window and hits him hard, accompanied by a racist slur, before again leaving quickly.

If you are physically attacked, it is important that you go to A&E as soon as possible to be treated and also to obtain a report certifying the damage suffered. You can also file a complaint, even if it is not possible to give precise information that may help to recognise the attackers. This may enable the po-

1. 1. The stories were freely inspired by news events taken from the database of Chronicles of ordinary racism or from reports received by COSPE



lice to patrol the area where the incident happened more frequently, and it also contributes to giving greater visibility to the many cases of racism that happen around us. If you want to file a complaint and you cannot afford a lawyer, there are many associations in which specialised lawyers can provide you with a free consultation and then help you access free legal aid (if you are entitled to it).

However, there is also a psychological and emotional trauma which results from attacks such as this that occur for no understandable reason. The repercussions on one's daily life can be extremely burdensome, leading the victim to change their habits, not to leave the house anymore, to be afraid of others and so on. In this case, it is also advisable to contact an association or a support centre, where experts can offer you psychological support or simply advise you on what to do. Lastly, it is always important to talk about what happened with the people who are close to you and whom you trust, who will be able to support you.

If you witness a similar episode, it is important to make sure that the victim is alright and, if necessary, to call 118. It is important to give as much support as possible to any victim of a violent attack, ideally accompanying them to A&E or, if they wish to file a complaint, to the police or 'carabinieri'. Furthermore, it may be useful to leave your contact details in order to later testify about the incident.

**3.** Pilar is a Peruvian woman who has been targeted by two work colleagues for a year. First with teasing and verbal insults, then damage to the locker in which she kept her personal effects, finally culminating in a real physical assault. For months, the two colleagues continued to reiterate that they did not want to work with foreigners, mocking her in front of everyone for the way she spoke, and explicitly asking her to leave her job.

If you find yourself or have found yourself in such a situation, you should know that attacks of this nature are also called "incremental crimes", because they can start with relatively simple or trivial actions (such as teasing or verbal insults) to then increase in intensity (damage to personal objects or even physically violent attacks) if no action is taken to stop them. It is not easy to react faced with situations of this type because we initially tend to underestimate the signals as to what is happening, and thus not perceive the acts as motivated by hatred towards the group to which the victim belongs. However, it is more important than ever to report what is going on to a superior or to a person capable of intervening and act as soon as possible (the employer, in the example cited). Trade unions can also be contacted in order to attempt a resolution of workplace conflicts. As in other contexts, it is also very important to contact an associa-

**“The less obvious episodes known as «micro-aggressions» are psychologically burdensome.**

tion or a support centre for guidance as to how to behave, along with psychological and legal support.

If you happen to witness such an incident, your behaviour can be significant, not only in terms of establishing a context that makes the attackers feel isolated, and thus creating a sort of protection around the victim, but also because you can be the one to report what happened. Or you can talk about it directly with the victim, in order to support them in choosing a solution and assist them in approaching support services, trade unions, and other dedicated organisations of civil society.

**4.** At school, Amina is constantly targeted by a group of peers from another class, who never miss an opportunity to mock her for the colour of her skin when they meet her in the corridors or in the school yard. The mockery and teasing continue, to such an extent that the girl begins to avoid leaving her classroom during recess and enters and leaves school in haste so as not to meet the group that harasses her.

Experiencing such treatment can be painful and shocking, especially if you are very young and are in a context, such as your school, that you considered a safe space.

It is important to combat the tendency to underestimate these offences, and to immediately report racist - or any - insults to teachers in the first instance, or to the school senior management team, along with family and friends.

Reporting and dealing with these kinds of situations right away makes it easier to prevent them from happening again, or from occurring in other classes or with other groups of boys and girls.

If teachers and the school community take immediate action to recognise incidents of this type and deal with them in an appropriate manner, including by asking for help from support services and school professionals and psychologists, the harmful effects of the episode can be greatly reduced, and it can provide the opportunity for collective discussion and growth for the entire school community.



5. Lia's Facebook page is constantly targeted by some people - always the same ones - who comment on each of her posts, seriously insulting her because she is of Chinese origin. The situation suddenly worsens due to the Covid-19 pandemic and the uncontrolled rumours spreading on the web about the alleged responsibility of China in the spread of the virus. Following accusations that she is responsible for the spread of the infection, along with numerous personal threats, Lia stops writing and closes the page with which she had hoped to make herself professionally known, because she is unable to bear or deal with the insults that she is receiving.

Reports of people or groups being verbally attacked online for political, religious, racial, gender or sexual orientation-related motives are more and more frequent in today's media. So-called online hate speech is really an ancient phenomenon that has

found a new vehicle, one which has enabled it to become even more pervasive. Experiencing personal insults and threats can be unbearable and the temptation to close all ties with social media is understandable. But in this case too it is important to counteract the sense of helplessness these anonymous attacks can generate and to report the insults received to the competent bodies. You can start by 'blocking' the perpetrator, or you can report inappropriate comments to Facebook or the social network in question, and ultimately to the Postal and Communications police. Of course, it is also advisable to contact support services and specific organisations that can provide guidance, including legal information, as to how to react to events of this type.

Once again, the role of anybody who witnesses such unjustified insults based on a person's origin or the colour of their skin on social media can also be important, if they take a stand and help to isolate the perpetrator.

“It is important to combat the tendency to underestimate racist insults and offences.”

## General guidance and specific services

In addition to national legislation which includes specific aggravating factors for hate crimes committed on a racial, ethnic, national and religious basis, there are other rules that can be used to protect the victims of crimes, including the victims of hate crimes. First of all, the European Directive which establishes the fundamental rights of any victim of crime, which are - among others:

- the right to **receive information in an understandable language** right from their very first contact with the authorities;
- the right to **obtain information about their case** and the type of assistance they can receive;
- the right to **receive free assistance from support services for victims of crime**, even in the absence of a formal report;
- the right to **be heard and understood**, also valid for minors, and the right not to have contact with the perpetrator of the crime.
- the right to **free legal assistance** by accessing legal aid;
- the right to **participate in the criminal trial**.

If you find yourself in a dangerous situation and need immediate help, call the Police or Carabinieri. **The emergency numbers are 112 and 113 and operate 24 hours a day, 7 days a week.** Remember to give your name and phone number and tell them where you are. Explain briefly what has happened, so that the person who has answered your call can accurately assess the situation and decide what to do. Once the call has been made, the Police or Carabinieri are obliged to intervene immediately, assess the risk or danger and take all necessary measures to remove you from the situation and protect you from violence. If you need medical assistance following an act of violence, **call 118** or go to A&E. Tell the health care professional who attends you that your wounds are the result of violent aggression and remember that the medical report is very important as it constitutes evidence of what happened and will be required for any future claim for compensation.

In this context, however, victim support services are also of particular importance. These services are also



considered essential for reducing the number of crimes that go unreported and should provide:

- information and assistance on victims' rights;
- emotional and psychological support;
- advice on financial and practical aspects deriving from the crime;

- counselling relating to the risk and prevention of secondary and repeat victimisation, intimidation and retaliation.

Below you will find a list of some, among the many existing subjects, individuals and services, that can help you should you suffer or witness an attack or insult due to your origin, nationality or the colour of your skin.

## Main support services

NAME	CONTACTS	WEBSITE
<b>O.S.C.A.D.</b> Osservatorio per la Sicurezza Contro gli Atti Discriminatori	oscad@dpc.interno.it	<a href="http://www.interno.gov.it/it/ministero/osservatori/osservatorio-sicurezza-contro-atti-discriminatori-oscad">www.interno.gov.it/it/ministero/osservatori/osservatorio-sicurezza-contro-atti-discriminatori-oscad</a>
<b>U.N.A.R.</b> Ufficio Nazionale Antidiscriminazioni Razziali	Tel. 800 901010 unar@unar.it <a href="http://www.unar.it/cosa-facciamo/contact-center/fai-una-segnalazione/">www.unar.it/cosa-facciamo/contact-center/fai-una-segnalazione/</a>	<a href="http://www.unar.it">www.unar.it</a>
<b>ASGI</b> Servizio antidiscriminazione	Tel. 351 5542008 antidiscriminazione@asgi.it	<a href="http://www.asgi.it/servizio-antidiscriminazione">www.asgi.it/servizio-antidiscriminazione</a>
<b>Lunaria</b> Sportello contro il razzismo	Tel. 06.8841880 segnalazioni@cronachediordinariorazzismo.org	<a href="http://www.lunaria.org/sportello-contro-il-razzismo">www.lunaria.org/sportello-contro-il-razzismo</a>
<b>COSPE</b> Sportello contro il razzismo	Tel. 392 5386480 denunciaillrazzismo@cospe.org	<a href="http://www.cospe.org">www.cospe.org</a>
<b>Articolo 3</b> Osservatorio sulle discriminazioni	Tel. 393 1010118 / 0376 1510429 osservatorio@articolo3.org	<a href="http://www.articolo3.org">www.articolo3.org</a>
<b>Rete Dafne</b>	Tel. 800 777811 italia@retedafne.it	<a href="http://www.retedafne.it">www.retedafne.it</a>
<b>Rete VIS</b> Sportello VIS	Piazza del Municipio, 4 - Livorno Tel. 0586 257229 sportellovis@provincia.livorno.it	<a href="http://www.provincia.livorno.it/fileadmin/Pari_Opportunita/provincia_depliant.pdf">www.provincia.livorno.it/fileadmin/Pari_Opportunita/provincia_depliant.pdf</a>



This publication was funded by the Justice Program of the European Union (2014-2020). Its content represents the point of view of the authors only, who accept all responsibility for the same. The European Commission declines all responsibility for any use that may be made of the information contained herein.

The brochure was created as part of the *Stand Up for Victims' Rights project- Fostering the rights of the victims of hate crimes through support and 'civil courage'*

