

Documentation  
of  
homophobic  
and  
transphobic  
violence

Final report 2013



financed by ILGA-Europe, Documentation & Advocacy Fund 2013

## 1. Introduction

The present report presents the results of an internet-based survey (anonymous on line reporting form) conducted between 8 April 2013 and 2 November 2013. Since the beginning, the survey garnered many responses to two parallel questionnaires; one designed for victims, and another one for witnesses. The total of the responses was 256 but after processing the data, some of them were evaluated as fakes and rejected in order not to falsify the research and keep our data reliable. The final set of questionnaires that went through the quantitative and qualitative analysis reached the 232 ones; in 98 of them people have stated they have witnessed homophobic and transphobic incidents and in 134 responded as victims of such incidents.

The research was from the beginning labelled with a confidentiality clause ensuring the anonymity of the victim's and the witness' personal data. Hence many people responded to the survey asking OLKE to keep absolute secrecy of personal data in all cases. The questionnaires have been tested before going online by activists, as well as by people the organisation knew they had been attacked in the past and were familiar with victimization contexts.

The promotion of the questionnaire was realised via LGBTI magazines, newspapers, and online webpages of NGOs and blogs. Sharing over a thousand leaflets in universities, schools as well as during the two Prides in June 2013 (those of Athens and Thessaloniki) had a really positive impact on the promotion of the survey. OLKE intends to keep collecting data and monitor hate crime incidents in order to compare data and trends so as to observe if the situation improves.

The present report is an outcome of *Step up reporting on homophobic and transphobic violence*, a project supported by ILGA-Europe, the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association. The objective of the project was to empower European LGBTI civil society organisations to more consistently monitor and report homophobic and transphobic hate crimes and incidents.

To prepare this work, ILGA-Europe had developed a harmonised data collection methodology in 2012. The methodology builds on international standards and on the expertise gained in different past activities, such as the elaboration of European-wide submissions to the OSCE's Office for Democratic Institutions and

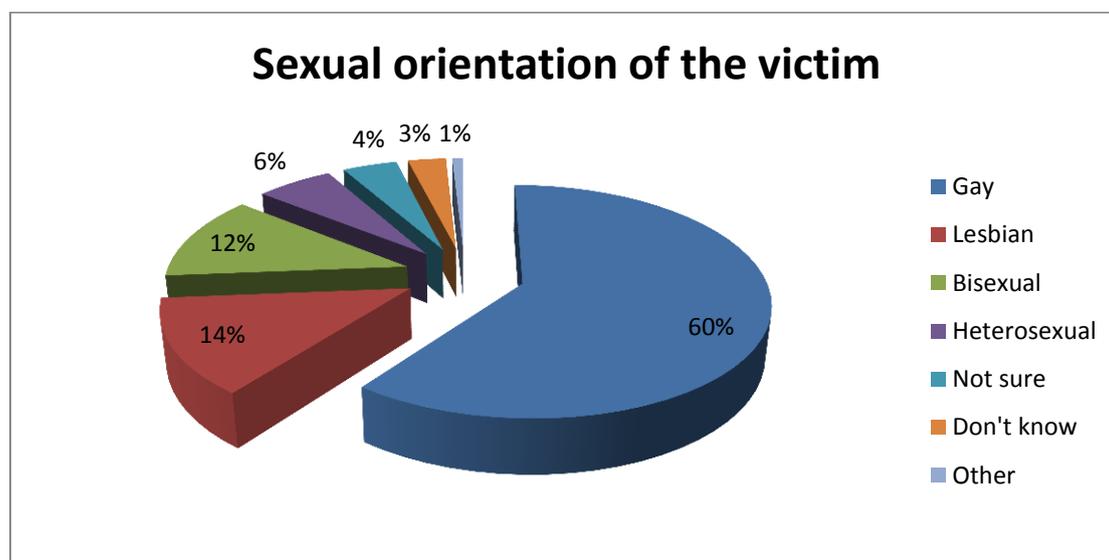
Human Rights (ODIHR) in view of its Annual Report on Hate Crime<sup>1</sup>, or ILGA-Europe's participation to the *Facing Facts! Making hate crime visible* project.<sup>2</sup>

*Step up reporting on homophobic and transphobic violence* was launched in 2013. ILGA-Europe's Documentation and Advocacy Fund, with the support of the Government of the Netherlands, provided dedicated resources to 12 national and local NGOs in Bosnia and Herzegovina, Greece, Ireland, Italy, Latvia, Lithuania, Moldova, Poland, Portugal, Spain, Turkey and Ukraine. These NGOs were trained on the methodology previously developed by ILGA-Europe, and committed to apply it in order to produce comparable data.

Data collection and publication is expected to be developed on a more sustainable and professional basis in the future, thanks to the capacity building aspect of the current project. Following this pilot initiative, ILGA-Europe's methodology will be made available to more European LGBTI civil society organisations.

## 2. Key findings

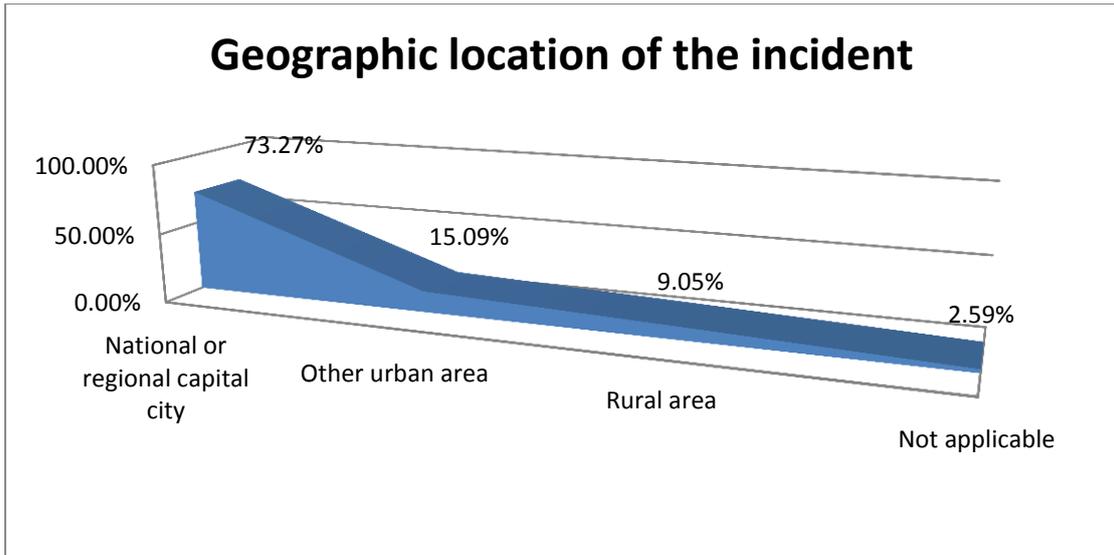
The majority of the victims attacked in the reported incidents are gay men. Their ages differ starting from 14 years old and reaching 55. The most prevalent perpetrator(s) motive is by far the sexual orientation of the victim (82,3%).



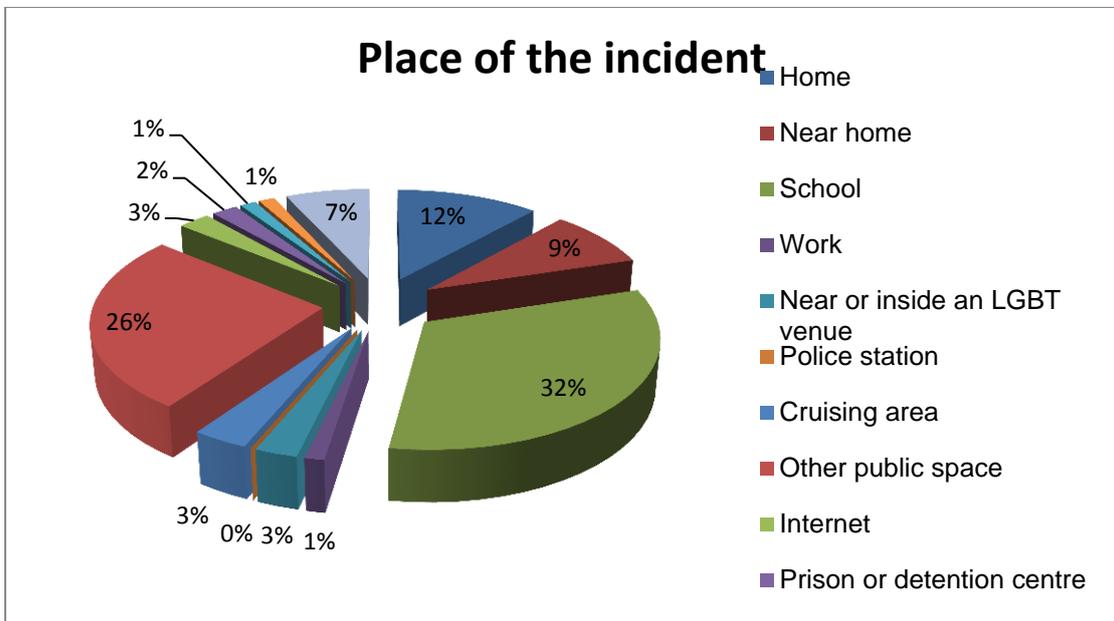
Almost  $\frac{3}{4}$  of the incidents took place in big cities; specifically the majority of them happened in the capital (Athens).

<sup>1</sup> <http://www.osce.org/odihr/108395>.

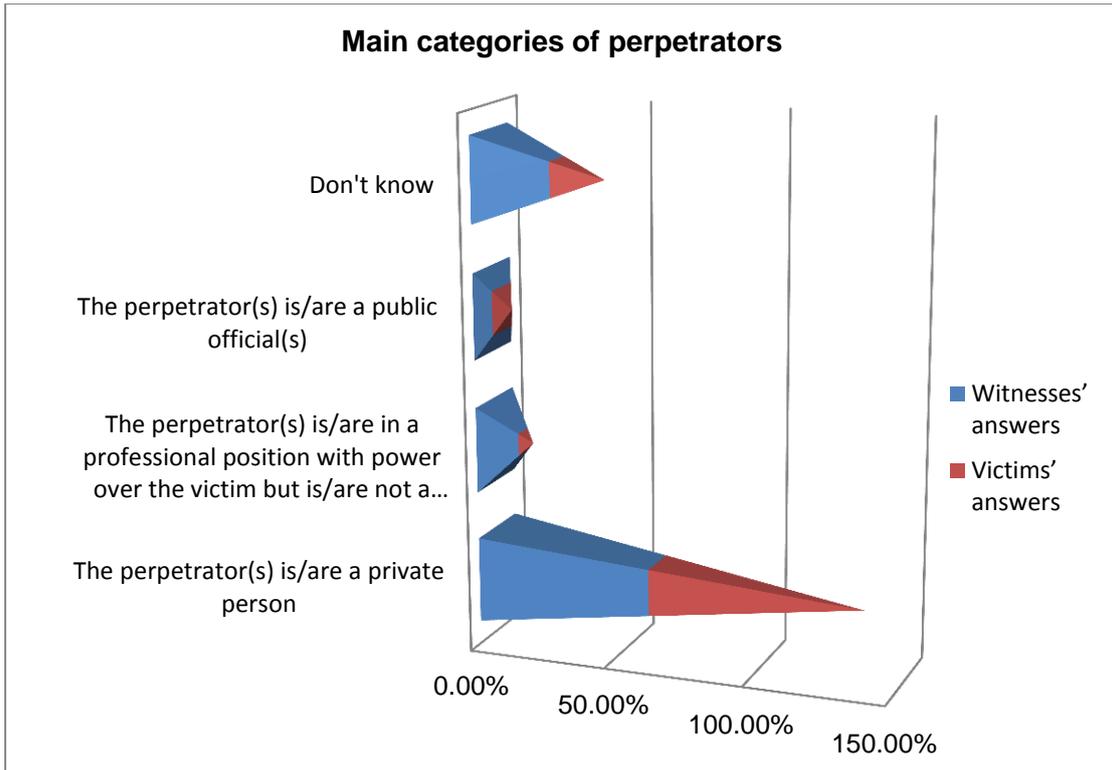
<sup>2</sup> <http://www.ceji.org/facingfacts>.



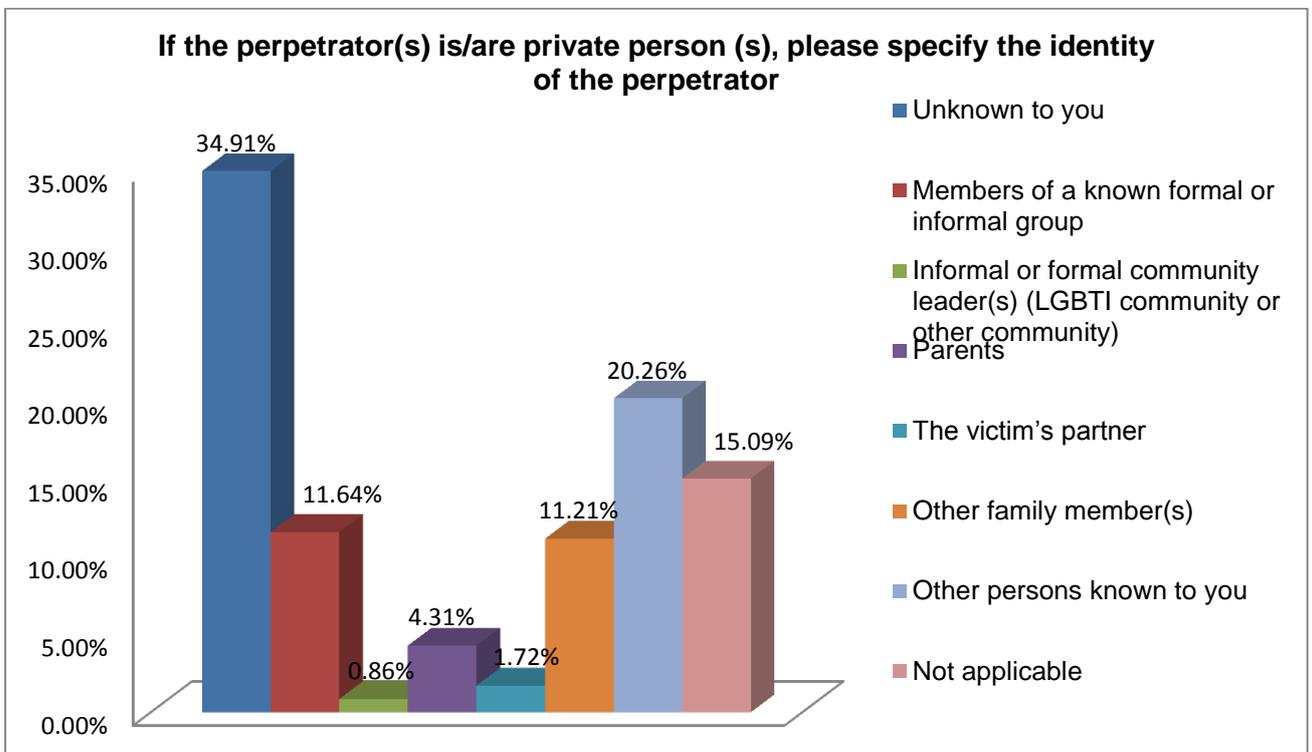
Schools, public spaces and home are the three first places where LGBTI people have been victimised. The majority of the victims of the recorded incidents are out to their friends, the LGBTI and family; this last trend shows how far the Greek society has come and that things are starting to change; Greek mentality is in a trajectory change. It is not an introvert society anymore; people are getting out of their closet and especially young people who feel free to express themselves.



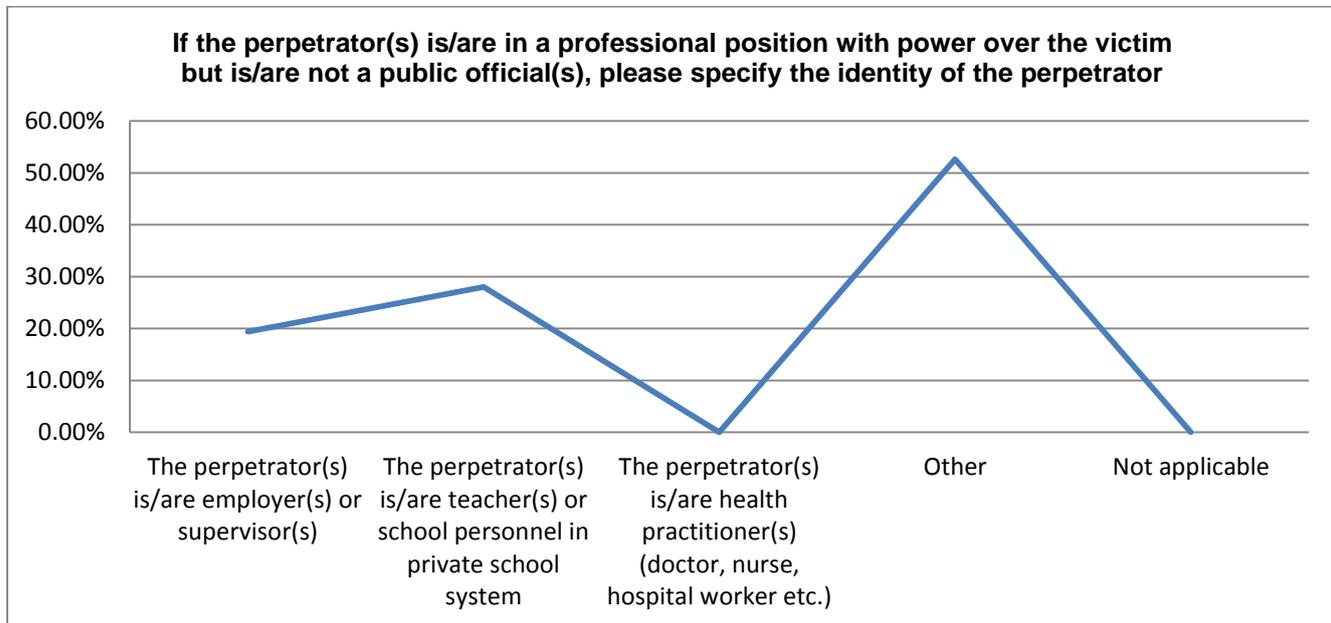
The majority of the perpetrator(s) are private persons and as it is shown from the graph below this is the case both for the incidents reported by the victims and those reported by the witnesses.



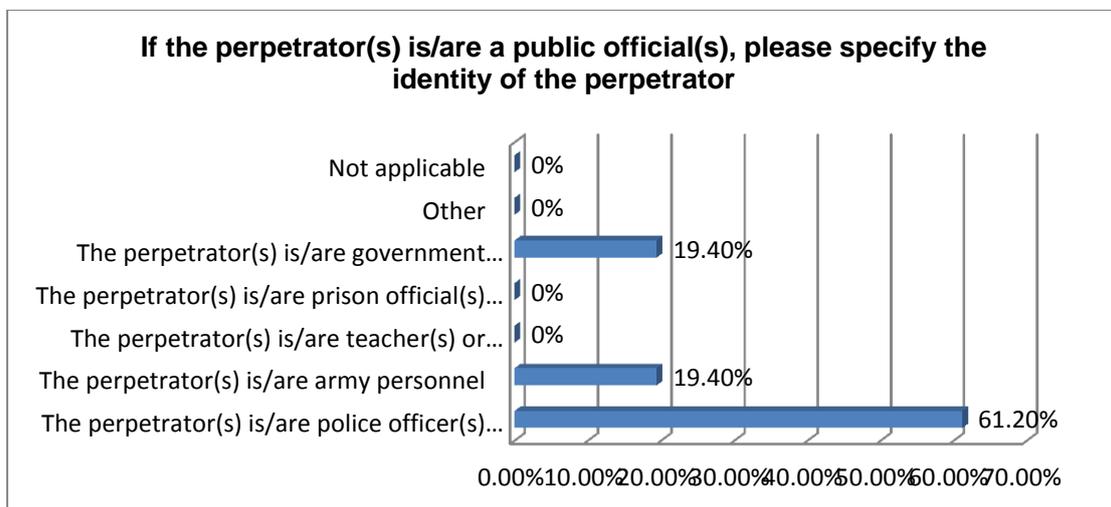
When the perpetrator(s) are private persons, then mostly they also seem to be unknown to the victim.



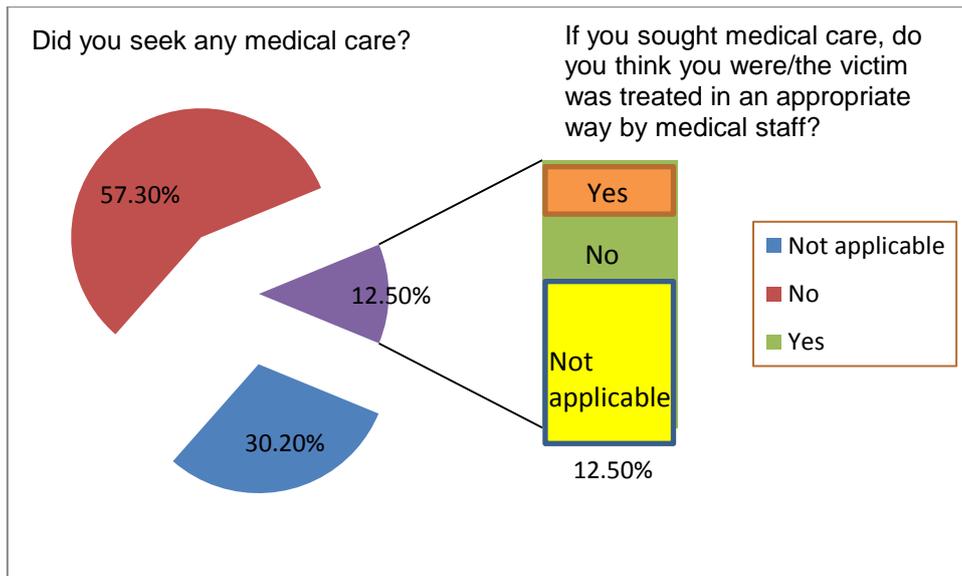
In some cases the perpetrators are in a professional position with power over the victim but are not public officials. The responses to the questionnaire indicate that such perpetrators are mostly lawyers and psychologists (other: 52,6%).



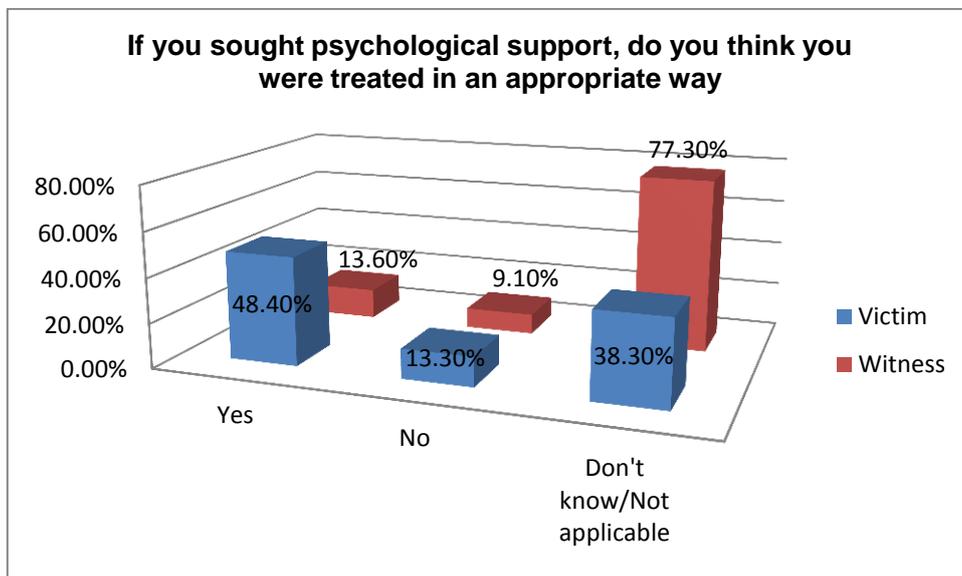
In contrast, when the perpetrators are public officials, then the most prevalent cases are by far those of police officers or police staff.



One of the most interesting findings of the survey is that only 12,5% of the victims sought medical care and when they did marginally 14,7% thought they were treated in an appropriate way.



The mistrust in the wider medical domain is confirmed by the fact that only 17,7% of the victims sought psychological support by specialists and even then they were not satisfied from the quality of the services provided. 38,8% trusted their friends to help them out through the difficult times.



Lastly, a very sad percentage indicates that only 2,2% of victims reported the incidents to equality bodies, ombudsman and/or to administrative authorities by means of a complaint procedure. Unfortunately the same percentage of 2,2% reflects the percentage of cases that were taken to court without having any data on the final outcome of the case.

### **3. Bias motivated violence against LGBTI people**

#### **3.1. The legal situation of homophobic and transphobic hate crime**

In 2008, for the first time in Greece, a new provision was introduced in the Criminal Code. Article 79§3, in its last paragraph, formalised the concept that is internationally known as a "hate crime" and stated that: "The commission of an act of hatred due to nationality, race, religion or hate because of a different sexual orientation against the victim constitutes an aggravating circumstance." In 2013, article 66 of the new law 4139/2013 under the title "Narcotic Acts and other provisions", amended the aforementioned provision as follows: "The commission of an act of hatred caused because of race, colour, religion, descent, national or ethnic origin or sexual orientation or gender identity of the victim constitutes an aggravating circumstance and the sentence is not suspended."

Specifically as regards the issue of sentencing by the court, the judge, before issuing the decision, takes into account the following (article 79) as to the defendant:

1. In sentencing, following the limits the law outlines, the court considers: a) the seriousness of the crime committed and, b) the personality of the criminal.
  2. In assessing the gravity of the crime the court considers seeks to: a) the damage causing the crime or the risk caused, b) the nature, type and object of the crime, as well as to all the circumstances of time, place, manner and means accompanying its preparation or execution, c) the intensity of fault or the degree of negligence of the offender.
  3. In assessing the personality of the criminal, the court weighs in particular the degree of criminal intent that the offender expressed in the act. To accurately diagnose it the court examines: a) the causes which led the criminal to the execution of the crime, the opportunity given to him/her and the purpose sought, b) the nature and degree of the development, c) individual and social circumstances and previous life, d) his conduct during the act and in particular after the repentance and willingness demonstrated to rectify the consequences of his/her act.
- [.....]
4. The decision shall state explicitly the reasons for the court's judgment concerning the sentence imposed.

In addition, it must be noted that in Greece, hate speech against LGBTI people is not considered a criminal offense, but the wording of the law is general and can be used in order to protect them.

No great background information concerning work on hate crimes was available; nevertheless efforts have been made in the past by government, NGOs and civil society. But this report is the first attempt for a detailed monitoring and report of cases of homophobic and transphobic violence. Nevertheless the first effort to record incidents was set off by UNHCR (Network for Recording Incidents of Racist Violence), especially after the national elections in 2012 when the far-rightist party of Golden Dawn (GD) had started the attacks against LGBTI people. In this effort, the reported incidents were not more than ten in 2012.

The second recording was made by the Greek Police (GP). As expected very few incidents ended up in a complaint by the victims. In this case the log files of the GP, stemmed from activists that had been attacked during the period of exacerbation of violence by organised groups. Finally, the Ombudsman and the National Committee for Human Rights (NCHR) made the same effort to record incidents of homophobic and transphobic violence but without success as not even one case has been reported to either cases.

## **3.2. Homophobic and transphobic hate crimes and hate incidents**

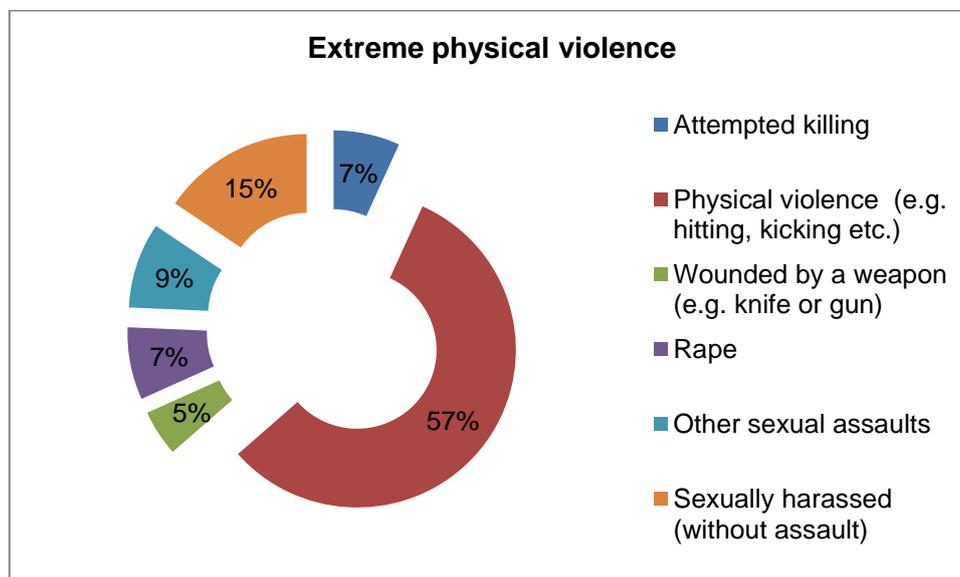
### **3.2.1 Homicide**

Fortunately, no attack on a person that might have cost his/her life has been recorded. Taking into account the rise of the neofascists, represented by the parliamentarian political party of Golden Dawn, the results for this type of hate incident that OLKE monitored throughout 2013 came as a relief for the Greek LGBTI community.

### **3.2.2 Extreme physical violence**

Extreme physical violence is by its prevalence the second type of LGBTI-phobic incident recorded in Greece. One could argue that it is now intertwined with the living standards of the Greeks and their everyday life that has changed immensely without of course justifying the incidents. "Such is the new reality of being a gay in Greece today, where economic turmoil and a rise in national fervour has resulted in a spike in hate crimes against members of the lesbian, gay, bisexual and transgender

community (LGBT)” writes Fragkiska Megaloudi in the Huffington Post in 2012.<sup>3</sup> Mainly the cultural poverty, but also the ethics that are downgraded followed by poverty and crisis, is the main causespringboard for the rise of violence.



It is observed that the majority of the victims are gay. However, trans men, trans women and transgender people appear more often as victims of this category of incident than of the other types of incidents documented in this research. It is also really interesting that, even though Greece is the major gateway of undocumented migrants and asylum seekers from Africa and Asia<sup>4</sup>, religion is the fourth bias factor with a percentage lower than 10%. Race/ ethnicity (2,0%) along with nationality (4,0%) follow while sexual orientation (65,5%) gender expression (28,4%) and identity (15,5%) are the main motives.

As expected, two thirds of the incidents of extreme physical violence take place in national and regional capital cities areas; especially in the capital (Athens) and Thessaloniki. Of course this can be explained because most of the victims are young people (between 20 – 29 years old) and express themselves more freely in the anonymity of the big cities whereas it is natural that in closed societies such as the periphery, people are likely to keep a lower profile. Besides, this is consistent with the fact that most of the victims are out to their friends and the LGBTI community; in some rural areas LGBTI organisations are not even in baby steps.

<sup>3</sup> Megaloudi Fr., “Gay People Living in Fear in Greece”, The Huffington Post, 26/11/2012.

<sup>4</sup> <http://www.iom.int/cms/en/sites/iom/home/where-we-work/europa/european-economic-area/greece.html>.

Unfortunately, most of the incidents happen in schools and public spaces. Pupils reach the second place in incidents of extreme physical violence. Teachers have no education on how to cope with these phenomena or how to succeed acceptance of the diversity in the classroom. The Ministry of Education has a huge responsibility in that respect. The authorities have repeatedly denied to organisations of the LGBTI platform to allow teachers working for LGBTI community to get in schools and educate both teachers and pupils.

In almost 7 out of 10 incidents, the perpetrators are private persons, and in 35% of the cases perpetrators are unknown to the victim. Of high importance is the fact that almost 11% of the perpetrators are members of a known formal or informal group; this percentage is due to the members and followers of the Golden Dawn (GD) party. In the cases when the perpetrators are in a professional position with power over the victim but are not a public officials the second most prevalent case is the case of teachers or school personnel in private school system. Quite intriguing is that almost 50% are lawyers and psychologists as aforementioned in the key findings. It's no surprise that less than 3% of the cases were taken to court as the main professionals who deal with the victims are not supportive. On the other hand, when the victims sought psychological support from psychologists, the victims were treated in an appropriate way for they turned to professionals coming from the LGBTI community. In those incidents when the perpetrators are public officials, they are most often police officers or police staff. In these cases the percentage of victims is very high for trans men, trans women and transgender people.

Most of the times, the victims chose not to seek any medical care and when they did, they were not treated in an appropriate way. Although, in no case the perpetrators were health practitioners (doctor, nurse, hospital worker etc.), the trust is broken towards the medical services offered to the victims because of the high percentage of homophobia and transphobia by health practitioners in general. It is also noted that incidents are reported to LGBTI NGOs 1,5 times out of 10. This may be understood by the fact that victims chose to turn mostly to friends.

### **3.2.3 Assault**

19,4% of the cases documented were considered assaults. A very interesting trend is the high percentage of assault towards heterosexuals comparing to the other incidents. In this type of incident, males and females have been victims of the same number of attacks. What can be observed by the aforementioned is firstly that the perpetrator(s) attempted to attack the victim(s) while in a group of friends for

example. Secondly, the perpetrator(s) could not tell apart the sexual orientation thus it comes as no surprise that actual and perceived characteristics are equally mentioned as the motivation of the attacks.

The incidents have happened in big cities but mostly at school, near home and home which confirms the high percentage (62,0%) of the young age of the victims (16-20 years old). No wonder that the victims of this category are either out to their friends or not out at all. As capping stone, what results from the survey is that the perpetrator(s) are parents, other family member(s) and teachers in private schools.

It's really interesting that the victims to this incident did not wish to state whether they sought medical care or psychological support; most of the given answers were "not applicable". Hence, it's natural that no incident was reported to any other organisations or authorities, and that no case ended up at court.

### **3.2.4 Damage against property**

The right to property in Greece is a fundamental right which is under the protection of the State according to article 17 of the Greek Constitution. Besides the typical law, the Greek society developed a sense of respect for the property as a form of informal customary law over the years. Hence the fact that only 5,60% of the victims suffered property destruction, damage or tags. The long run tradition of the Greek mentality to respect property is reflected in the survey as the incidents were very few. All of them concern gay men and trans women of aged between 30 and 55 years old.

It is observed a rise in the rural areas in this case which is due to sexual orientation, gender identity and nationality that are more represented than in the other types of incidents still leaving the lead to big cities where the activity of the members of the parliamentary party GD was present. Almost 75% of the damages caused against property were caused by attacks of GD members.

The perpetrators of the victims who "were out" were mostly members of a known formal group (GD). Incidents were also recorded in which the perpetrators were unknown. Fortunately there was no need for the victims to seek any medical care. As for psychological support the victims turned equally to friends and to LGBTI NGOs where they were treated in the most appropriate way. Almost 2% of the victims filed an administrative complaint procedure while the same percentage of the cases ended up in court.

### **3.2.5 Arson**

In the survey 4 incidents of arson have been reported and all of them by witnesses. The cases concerned 2 gays; the sexual orientation of the other 2 victims was not identified. All of the victims were between 20 and 29 years old. Gender identity and expression are the only two motives (by 50,0% per each) for the aforementioned incidents which happened in big cities (all of them). Most of the victims are out only to their friends

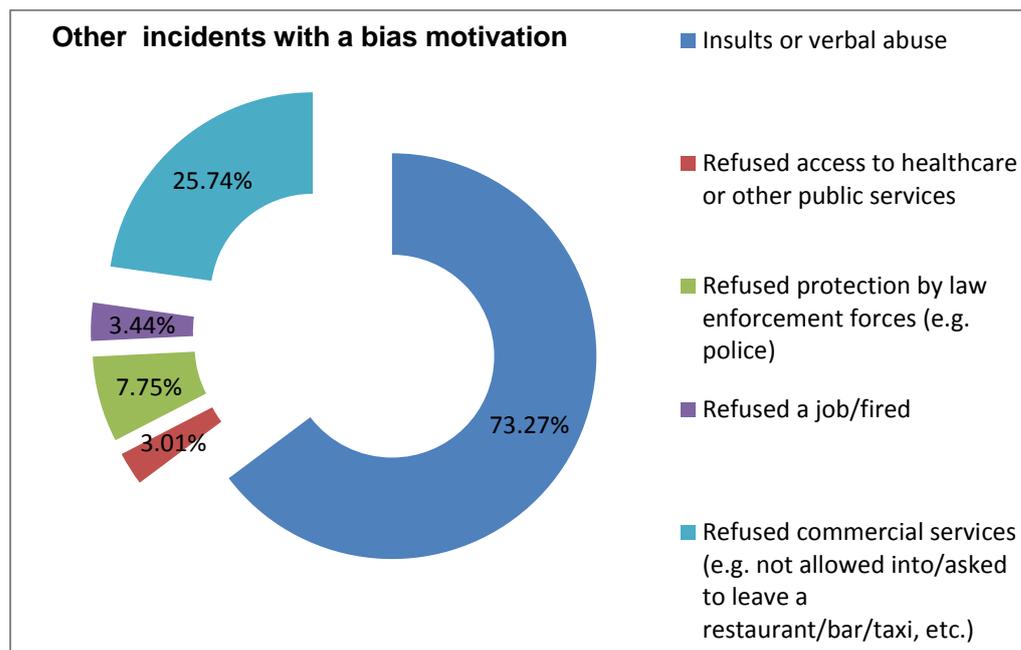
The perpetrators are either unknown or members of the political party GD. No need appeared for the victims to seek medical care. As for the psychological support, it comes as no surprise that it was sought from friends. In one case the victim also contacted a psychologist. None of the incidents was reported to any other organisations or authorities neither any of the attacks was taken to the court.

### **3.2.6 Threats and psychological violence**

46,1% of the victims have been blackmailed, locked up or bullied. Most of the victims were gay but in this type of incidents queers and bigender have also been attacked. Sexual orientation, gender identity, gender expression along with disability were traced as the main motives for the attacks. What is observed in the survey for this type of incident is that the events appear to take place equally between big cities and the periphery while most of the incidents happened at schools or at work (around 60%).

Hence it is natural that the victims, between 25 and 35 years old, were not out by 67,3% to parents, siblings and colleagues. Overall, the perpetrators are other persons known to the victims (almost 47%) and what is worth mentioning is that around 3% of the perpetrators were reported to be the victims' partners. In cases where the perpetrators are public officials, they were most often the employers or supervisors of the victims. In no case medical care was needed; as far as psychological support is concerned the victims turn for the first time to victims support groups (5,60%) and as expected to friends but also to LGBTI NGOs (4,7%) and to psychologists. Victims were quite satisfied by the way they were treated. A specific characteristic of this category is that of the proportion of incidents reported to organisations or authorities reached a relatively high level (32,1%). Very contradictory is the fact that no case was taken to court

### 3.2.7 Other incidents with a bias motivation



According to the data reported all through this survey, hate speech is the most common incident met in times where Greek society is dealing with one of the biggest crisis of the last decades. The majority of the victims as in all previous incidents are gay but what is impressive is the percentage of the bisexuals (9,3%) attacked, which is related to the fact that the perpetrators did not know the victim so as to recognise his/her sexual orientation.

Sexual orientation and gender expression were again the main motives for the attacks while most of the incidents took place in big cities with the majority happening in the capital. It is interesting to note the big range of the victims' age (14 – 55) as well as the settings where the events took place mainly to schools (28,3%) and public spaces (21,8%). Most of the victims are out to family, friends and colleagues hence here we meet the lowest percentage of victims not being out (1,4%).

The percentage of cases where the perpetrators are public officials is particularly high. What is resulted for this type of incident from the survey is that we have incidents where army personnel is involved (19,4%) as well as government official(s) or agent(s) (19,4%). Besides that, family members and teachers also represent 14,5% of the perpetrators.

Neither medical care nor legal support is referred in relation to other incidents with a bias motivation. As for the psychological support, 50,7% of the victims did not seek any while those who did chose to turn mostly to friends. Lastly, only one of the victims reported the incident to any other organisation or authority.

#### 4. Police and other law enforcement authorities

The existing lack of procedures and guidelines on how to deal with hate crimes will continue to create problems of implementation of the legislation in practice.

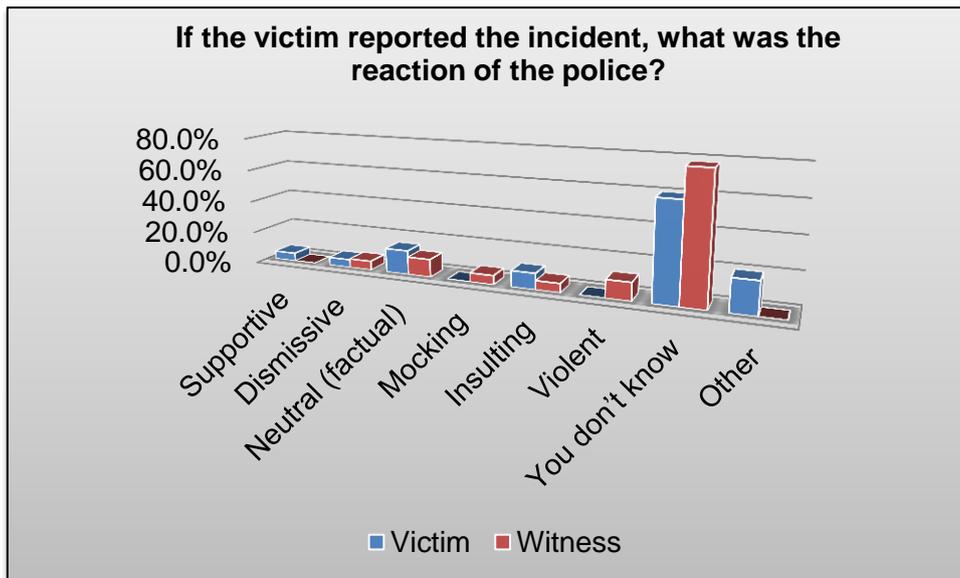
Most of the incidents have not been reported to the police especially by the victims (45,0%) only 13,6% decided to do so. In one case, it was mentioned that the witnesses called the police to record the incident. This can be understood as, in 2013, the Minister of Public Order and Citizen Protection announced the introduction of specialised police stations where victims would be given the opportunity to report incidents even over the phone. But homophobic victims were not included in the mandate of such police stations.

What is realised throughout the survey is that the trust in the police is very low. It is noticed especially by reading the questionnaires of the victims that the distrust reaches 88%. For they strongly believe that if they reported the incident would make no change either because they do not trust that the police would investigate each incident either because many police officers supported the ideas of the Golden Dawn.

Concerning the reaction of the police, it is clearly demonstrated that the police did not have any training on the homophobic incidents and the police reaction has been very negative. The violent reaction is an interesting parameter because it is believed that the violent police response has something to do with the stringent working hours (overtime workload with no extra money). To this it can be added that according to the *Disclosure Findings for Internal Affairs of the Hellenic Police* most of the police officers seconded Golden Dawn.<sup>5</sup> All this changed for the better after the arrest of members of the GD. The fact that LGBT organisations are not aware of the violent reaction of the police is due to the fact that they are not directly informed by the victims in order for activists to denounce those specific officers or police departments in order to change the situation. The victims do not have the same ease as activists to denounce something in public, especially when they have not come out. It is really disappointing how not supportive is the reaction of the police for the victims. In some cases they were neutral in the sense of not sensitive towards the victim. In others, the victims did not know how to describe the reaction of the police.

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<sup>5</sup> "Disclosure findings for Internal Affairs of the Police to investigate police involvement in unlawful acts of the party members' 'People's Association of Golden Dawn', as in racist behaviour and corruption", 30/10/2013 at [http://www.astynomia.gr/index.php?option=ozo\\_content&lang=%27..%27&perform=view&id=33752&Itemid=1179&lang=](http://www.astynomia.gr/index.php?option=ozo_content&lang=%27..%27&perform=view&id=33752&Itemid=1179&lang=)



As previously mentioned, accordingly to the provisions of the Ministry of Public Order and Citizen Protection, homophobic hate incidents or hate speech based on sexual orientation or gender identity, are not categorised as racist hate crimes because there is no legal provision nor instruction by the Ministry of Justice. As a result 56.5% of the police officers did not consider the reported incident as hate crimes or other hate related incidents. This situation is also explained by the fact that probably the police officers do not know what a hate crime is. Unfortunately, the education the police officers receive while in academy is very inadequate in that respect. In the four years curriculum of studies, nothing is included as regards how to document, investigate and react in cases of homophobic and transphobic violence. Secondly, by the fact that until recently the security forces were staffed by people coming from the periphery ie from closed societies hence least open to anything different and who chose this orientation as a stable and secure professional solution for their future. It's really disappointing that family and especially parents play a very negative role on this: they very often discourage them so as not to be hurt or dishonor the family. The second reason is that the victims thought it was vane as the police have good relations and cooperation with extreme right groups and not would the victim not find justice but also he/she would put him/herself in more danger. The victims were afraid to be treated with rejection and taunting. And the third most important reason is the victims' aspiration to be left alone and forget the whole incident because of fear. The LGBT organisations and the group that was set up in 2012 named "Support Group for victims of homophobic incidents" and coordinated by OLKE in order to help LGBTI people cope with the first homophobic attacks by members of the Golden

Dawn, have no previous record or reference to court cases incidents and no such case has been made public. Unfortunately, neither the witnesses nor the victims wrote any comments in answer to the relevant question of the survey. As a result, no conclusions can be drawn (4,5% of the witnesses stated “Yes”).

## 5. Annex: Glossary

### Types of LGBTI-phobic hate incidents and bias indicators

#### Group I: Actions that are crimes according to the national criminal law in most European countries

Category	Subcategory	Description
<b>1. Homicide</b>		<ul style="list-style-type: none"> <li>• Any attack on a person that causes loss of life.</li> </ul>
<b>2. Extreme physical violence</b>		<ul style="list-style-type: none"> <li>• Any attack on a person that potentially causes serious physical harm.</li> <li>• Any attack on property, for example by arson or petrol bombs, where there is the potential for people in the property to be killed, for instance if the building is inhabited or occupied at the time of the attack.</li> <li>• Bombs, including letter bombs. This includes any viable device that either detonates or is defused, and therefore was life threatening. It also includes any device which is assessed to have been intended by its sender to be viable, even if after analysis it is found that it was incorrectly constructed and therefore would not have gone off.</li> <li>• Kidnapping.</li> <li>• Shooting.</li> <li>• Attack by weapon or any other object that can be used to harm.</li> </ul>
	Sexual assault	An act of sexual violence can be

		<p>committed by the victim's partner (married or not), previous partner, family member or co-habitant.</p> <ul style="list-style-type: none"> <li>• Rape<sup>6</sup>.</li> <li>• Sexual assault<sup>7</sup>.</li> <li>• Sexual exploitation by a helping professional, i.e. sexual contact of any kind between a helping professional (doctor, therapist, carers, teacher, priest, professor, police officer, lawyer, etc.) and a client/patient.</li> </ul> <p>Sexual harassment, including unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature.</p>
<b>3. Assault</b>		<ul style="list-style-type: none"> <li>• Any physical attack against a person or people, which does not pose a threat to their life and is not serious. This would include lower level assaults.</li> <li>• Attempted assault which fails, due to self-defence, or if the victim runs away.</li> <li>• Throwing of objects at a person or people, including where the object misses its target.</li> </ul>
<b>4. Damage of property</b>		<ul style="list-style-type: none"> <li>• Any physical attack directed against property, which is not life-threatening. This includes also the daubing of abusive slogans or symbols, or placing stickers or posters on property, including graffiti, or damage caused to property, where it appears that the</li> </ul>

<sup>6</sup> Rape can be defined as forced sexual intercourse, including vaginal, anal, or oral penetration. Penetration may be by a body part or an object. Rape victims may be forced through threats or physical means. Anyone may be a victim of rape: women, men or children, straight or gay.

<sup>7</sup> Sexual assaults can be defined as unwanted sexual contact that stops short of rape or attempted rape. This includes sexual touching and fondling.

		<p>property has been specifically targeted because of the fact that there is a perceived connection between the owner and the LGBTI communities.</p> <ul style="list-style-type: none"> <li>• Damage to cars or other personal property belonging to members of LGBTI communities, where it is apparent that they have been targeted for this reason.</li> </ul>
<b>5. Arson</b>		<ul style="list-style-type: none"> <li>• Arson attacks on property where there is no threat to life, for instance if the building is uninhabited at the time of the attack.</li> <li>• Failed attempts, for instance attempted arson where the fire fails to catch or the arsonist is disturbed</li> </ul>
<b>6. Threats and psychological violence</b>		<ul style="list-style-type: none"> <li>• Any clear and specific threat, whether verbal or written. If the threat is not clear and specific then the incident should be recorded as Abusive Behaviour.</li> <li>• Any 'bomb' which is assessed to be a hoax. This would include something that was designed to look like a real device but not intended to be viable, for instance if it does not contain any explosive material.</li> <li>• Stalking, including repeated undesired contact (phone calls, emails, letters, show up unexpectedly, etc.), following or laying in wait for the individual, making threats to the individual or her/his family.</li> <li>• Blackmailing to divulge publicly, or to family members or at work, that a person belongs to the LGBTI</li> </ul>

		<p>community.</p> <ul style="list-style-type: none"> <li>• Restriction of freedom (e.g. locking up a person).</li> <li>• Defamation, such as outing the LGBTI identity.</li> <li>• Bullying (e.g. at school, at work place).</li> </ul>
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**Group II: Other incidents with a bias motivation (category 7)**

These incidents may or may not qualify as crimes under national law. They are elements of a LGBTI-phobic context and therefore are important to be monitored.

<b>Abusive behaviour</b>	<b>Hate speech</b>	<ul style="list-style-type: none"> <li>• <u>Individually targeted verbal abuse</u>, whether face-to-face or via telephone or answer phone messages. This includes abuse that is mistakenly directed at, or overheard by, people who are not members of the LGBTI communities.</li> <li>• <u>Individually targeted written abuse</u> (including emails, mobile phone text messages, and social media (facebook, twitter, etc.) as well as targeted letters (that is, those written for and sent to or about a specific individual). This includes written abusive comments about LGBTI communities or persons that are sent to individual people, regardless if they are members of the LGBTI communities. This is different from a mass mailing of abusive leaflets, emails or other publications, which is dealt with by the separate Literature category.</li> <li>• <u>Not individually targeted</u> verbal or written abuse (e.g. general homophobic and transphobic comments not addressed to</li> </ul>
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		<p>anyone in particular), including those channelled via the internet and social media.</p> <ul style="list-style-type: none"> <li>• Public hate speech e.g. by politicians.</li> </ul>
	<b>Literature and Music</b>	<ul style="list-style-type: none"> <li>• Mass-produced abusive literature or music that is sent to more than one recipient. This covers mass mailings rather than individual cases of hate mail, which would come under the category of Abusive Behaviour or Threats (depending on content).</li> <li>• Literature that is abusive in itself, irrespective of whether or not the recipient is from the LGBTI communities.</li> </ul>
<b>Discriminatory incidents</b>		<ul style="list-style-type: none"> <li>• Any form of discriminatory incidents which is not considered a crime.</li> </ul>

## 2. Bias indicators

<b>Bias indicators</b>	<b>Questions that can help determine if a bias indicator is present</b>
Victim perception	Does the victim perceive that the incident was motivated by bias? Keep in mind that the victim does not always understand that s/he may have been victimized in a bias-motivated attack. Victims often search for other reasons to explain an attack because their sexual orientation, gender identity or gender expression represents an aspect of themselves that is not generally possible to change.
Witness Perception	Does the witness perceive that the incident was motivated by bias? Victim perception and witness perception may be different. Both need to be considered.

<p>Difference between suspect and victim in terms of racial, religious ethnic/national origin, gender, sexual orientation, etc.</p>	<p>Do the suspect and victim differ in terms of sexual orientation, gender identity or gender expression?</p> <p>Has the victim recently moved to the area in which the incident took place?</p> <p>Was the victim engaged in activities of LGBTI communities at the time of the incident?</p> <p>Is the victim, although not a member of LGBTI communities, a member of an advocacy group that supports members of the LGBTI communities, or was the victim in the company of a member of LGBTI communities?</p> <p>Is the victim associated to a member of the LGBTI communities (e.g. married, or a family member)?</p> <p>Is the victim's sexual orientation, gender identity publicly known?</p>
<p>Location and/or timing</p>	<p>Was the victim in or near an area or place commonly associated with or frequented by members of the LGBTI communities (e.g. an LGBT bar, venue)?</p> <p>Did the incident happen near locations related to the perpetrator's group (e.g. headquarters of extremist organizations) or any hot spots for hate crimes?</p> <p>Did the incident occur on a date of particular significance for the LGBTI communities (e.g. day of LGBT pride march)?</p>
<p>Language and word used, including written statements, gestures, graffiti, visible signs of the suspect</p>	<p>Did the suspect make comments, written statements or gestures regarding the victim's background?</p> <p>Were drawings, markings, symbols or graffiti left at the scene of the incident?</p> <p>Did/does the suspect wear any visible sign (tattoo, clothes, haircut) to deduce his/her membership to a specific group opposed to LGBTI communities?</p>
<p>Organised hate groups</p>	<p>Were objects or items left at the scene that suggest the crime was the work of paramilitary or extreme nationalist organisations?</p> <p>Is there evidence of such a group being active in the neighbourhood?</p> <p>Did any organized hate group claim responsibility for the crime?</p>

History of previous bias crimes/ incidents	<p>Is there a history of similar incidents in the same area?</p> <p>Has the victim received harassing mails or phone calls or experienced verbal abuse based on his/her sexual orientation, gender identity or gender expression?</p> <p>Has the victim been blackmailed that his/her sexual orientation, gender identity or gender expression will be made public (e.g. the victim's identity as LGBTI)?</p>
In case of attacks against property	Is the attacked/damaged property in a structure or location that belongs to LGBTI communities (e.g. LGBTI venue/bar)?
Offender Characteristics	<p>Does the offender have a history of previous incidents/crimes with a similar modus operandi and involving other victims of the same race, religion, ethnicity/national origin, disability or sexual orientation?</p> <p>Does the offender have a prior history involving hate motivated conduct?</p> <p>Is the offender a member of, or associates with members of, an organized/less organized hate group?</p> <p>Does the perpetrator, in post-arrest statements or in the commission of the crime, recognize the victim to be a member of LGBTI communities?</p>
Degree of violence	Was the degree of violence used against the victim particularly intense?