

**Violence against lesbian, gay, bisexual, transgender and
intersex people in the OSCE region**

Country-by-country information

Sources: submissions and reports by ILGA-Europe and its members, 2012
March 2013

OSCE-ODIHR 2012 Hate Crimes Report: submission of information

Dear Madam, Dear Sir,

ILGA-Europe, the European branch of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, is an umbrella organisation with a membership of 391 European, national and local level NGOs in Europe. On the ground of the data and the expertise gathered by our secretariat and by our members, we are hereby sending you the following submission, in preparation of the OSCE/ODIHR 2012 Hate Crimes reports.

A number of our member or partner organisations contributed actively towards the submission, and should be considered as co-submitters: Accept Association (Romania), Arc-en-ciel Wallonie (Belgium), Bilitis Resource Centre (Bulgaria), çavaria (Belgium), Estonian LGBT Association (Estonia), FELGTB (Spain), GayBelarus (Belarus), GenderDoc-M (Moldova), Hatter Support Society for LGBT people (Hungary), Identoba (Georgia), ILGA-Portugal (Portugal), Kaos GL (Turkey), Labris (Serbia), LGBT Forum Progress (Montenegro), LGBT United (Macedonia), Lithuanian Gay League (Lithuania), Macedonian Helsinki Committee/LGBTI Support Centar (Macedonia), Malta Gay Rights Movements (Malta), Mozaika (Latvia), Nash Mir Centre (Ukraine), Pink Embassy (Albania), Public Information and Need of Knowledge – PINK (Armenia), RFSL (Sweden), Sarajevo Open Centre (Bosnia Herzegovina), Seta (Finland), Transgender Network Nederland (the Netherlands). ILGA-Europe is happy to facilitate contacts between the ODIHR and these NGOs, should there be any questions or need of complementary information.

The document below will provide the ODIHR with factual country-by-country data on homophobic and transphobic incidents recorded in 2012 in many countries of the OSCE region. The sources we quote include a variety of reports published by LGBT organisations in 2012 and 2013, as well as some press releases. When relevant, the sources are explicitly mentioned. As is happened in the past years, ILGA-Europe is still expecting additional data to be communicated by some member organisations, who publish their annual reports on hate crime later than early April. We look forward to continue ODIHR cooperation with the ODIHR through a complementary submission.

In addition to the data provided in the following section of this submission, ILGA-Europe would like to highlight the following remarks:

1. Developments at EU level: towards a European legislation on hate crime?

1.1. *Adoption of a new Directive on the rights of victims*

On 25 October 2012, the EU adopted Directive 2012/29/EU of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime. This Directive defines the rights guaranteed to all victims of all crimes in the EU, and contains certain provisions that take into consideration the situation of victims of hate crimes.

More specifically, the Directive provides that an individual assessment will be offered to all victims to identify potential “*specific protection needs*”. This individual assessment takes into account “*the personal characteristics of the victim*”, and “*the type or nature of the crime*” (Article 22). In the same article, the Directive provides that “*particular attention shall be paid to [...] victims who have suffered a crime committed with a bias or discriminatory motive which could, in particular, be related to their personal characteristics*”, and that “*victims of [...] hate crime [...] shall be duly considered.*”

Different types of protection measures can then be made available during the investigation and during courts proceedings. In addition, the Directive also includes provisions on training of professionals (law enforcement, prosecution, judges, victims support services, lawyers), and on the nature of the support services to be made available to all victims, taking their needs into consideration.

1.2. Support from the European Parliament to an EU hate crime legislation

In 2012, the European Parliament confirmed their support to the adoption of a comprehensive hate crime legislation covering all forms of bias violence at EU level. The Parliament, in its resolution of 12 December 2012 on the situation of fundamental rights in the EU (2010-2011) called “*on the Commission to propose a recast of the Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law including other forms of bias crime, including on grounds of sexual orientation, gender identity and gender expression*” (paragraph 90 of the resolution)¹.

2. National hate crime legislations: a trend towards trans-inclusive legislations?

As made obvious by the OSCE/ODIHR’s annual reports of the previous years, a significant proportion of European countries have already adopted hate crime legislations that include homophobic offences in their scope. However, very few countries had adopted legislation recognising a gender identity based bias as a ground justifying the application of hate crime law mechanisms (such as aggravating circumstances for instance).

2012 brought some news in that area, with various countries, more often countries that didn’t recognise homophobic hate crimes, now recognising both homophobic and transphobic hate crimes in their legislation.

- In March, an amendment to the Criminal Code of Georgia was adopted by the Parliament. Homophobic and transphobic motivations are now considered as aggravating factors in sentencing perpetrators of crimes, although ILGA-Europe’s members consider that the government has not taken all the measures that would ensure that this new provision is really being used.
- In June, the Hungarian Parliament adopted a new Criminal Code with new provisions on hate crimes. The legislator retained the principle of an open list of protected characteristics, but included explicitly disability, sexual orientation and gender identity, which was not the case before. This law will enter into force in July 2013.
- In June, the Maltese Parliament extended the scope of the national hate crime legislation from race and creed to also include sexual orientation and gender identity.
- In August, the French Parliament approved a law on sexual harassment which also included amendments to the anti-discrimination, hate speech and hate crime articles of the Criminal Code. As a result, “sexual identity” is now part of the protected characteristics under the hate crime legislation (sexual orientation was already protected before). The government also issued an instruction to clarify that the phrase “sexual identity” was meant to cover all trans people.

¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2012-0500&language=EN&ring=A7-2012-0383>

- In December, the Serbian Parliament approved amendments to the Criminal Code, introducing hatred as an aggravating circumstance in the perpetration of offences. Homophobic and transphobic motivations are clearly mentioned in the new amendments.

3. ILGA-Europe's and civil society's initiatives

Finally, ILGA-Europe would like to mention three initiatives to which it has taken part in 2012.

- ILGA-Europe was proactive, together with a number of other NGOs, in the adoption of a common position of the Platform of European Social NGOs: [Towards EU actions against all forms of bias violence](#). This position will form the base of a better coordinated advocacy at EU and national level, with the support of all platform members (including NGOs specialised in various discrimination and hate crime grounds such as ethnic minorities, disability, religion, gender, etc.).
- From 19 to 23 November 2012, the NGO CEJI organised a train-the-trainer seminar on hate crime reporting and monitoring, as part of the "Facing Facts!" project funded by the European Commission. ILGA-Europe was an associate partner of the project, other partners being Centre Information and Documentation on Israel (CIDI, the Netherlands), COC Nederland, and the Community Security Trust (CST, UK). CEJI finalised a manual on reporting and monitoring hate crime at the end of the year. The project focused mainly on anti-Semitic, homophobic and transphobic crimes but devised tools that could be used to monitor all forms of hate crimes.

• At the end of the year, ILGA-Europe launched a re-granting programme (XIth call for project of ILGA-Europe's Documentation and Advocacy Fund). The aim of this project will be to collect data on hate crime in a comparable and standardised way in 12 pilot European countries, with the proactive participation of member organisations. The end of 2012 was dedicated to the elaboration of a standardised reporting methodology for homophobic and transphobic crimes, which will from now on equip ILGA-Europe's members for similar work.

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Albania

Information coming from the NGO Aleança and from the report Hate Crimes targeted at LGBT people or LGBT organisations in Albania during 2012, compiled by the NGO Pink Embassy

1) Case 1: attack against the “gay ride” organised by LGBT NGOs

LGBT activists in Albania organised a ride on 14 May 2012 with bicycles through the main boulevard “Dëshmorët e Kombit” in Tirana, challenging not only the bad weather and the heavy rain, but above all the mentality and the unjustified phobias.

This was the first event of this kind in Albania, organized by two organizations that promote the LGBT rights: “Pro LGBT” and “The Alliance Against Discrimination of LGBT”. Soon after this event started, a group of youngsters hidden in the columns between the buildings threw explosives towards the participants and disappeared immediately. No big damage was suffered though, also thanks to the protection of the police.

2) Case 2: Physical violence and assaults against a transgender people, publically known as “A” , by two police officers in Tirana (reported by Pink Embassy)

What happened: A transgender person, well-known by the public, was assaulted and physically violated in the centre of the city and within one of the police stations of Tirana where she was transported by force and was held about one hour.

Date, time and location of the incident: 21-st February 2012, around 1 o’ clock in the morning, in the centre of the city, in front of Tirana International Hotel and later on within the police station no.3 in Tirana.

Source of information: The victim

Victim(s) involved: A transgender person, publically known as “A”

Type of the crime(s): Physical violence, assault and offenses

Perpetrator(s): 2 police officers of Police Station No.3 in Tirana/Albania.

Brief description of incident with bias indicators: The incident happened behind the Opera House and on the left side of the Hotel Tirana International, in a public square where most of transgender people exercise prostitution. The victim is publicly known because of cross-dressing and it identifies as a transgender. The victim testified and reported that police officers (2) violated and assaulted her with judgmental words for her appearance and identity, then she was forcibly taken by them to the Police Department (3rd District) where, after being held in custody for more than one hour and being insulted by the two police officers was allowed to leave.

Status of the case: The case was not reported to the police, because the victim has fear and doesn’t believe to this institution as long as her perpetrators were police officers.

Response of local authorities:

Impact on the victim(s) and the community: The victim and especially the transgender community show fear for their safety after the incident and disbelief on public institutions, because although they are the ones supposed to protect citizens, they violated and insulted a member of the local LGBT community.

3) Case 3: Hate speech statement and threats against the LGBT community by Vice Minister of Defense, Mr. Ekrem Spahia (reported by Pink Embassy)

What happened: The vice Minister of Defense, Ekrem Spahia, also Chairman of one of the small right-wing political parties in the country, when asked by a journalist about the eventual organization of a gay pride (Festival of Diversity) in Tirana said: “I have nothing to say about them only that beat them with truncheons” (expressed in the form of dialect word), a declaration which shows that a senior public official and the chairman of a political party calls for violence against LGBT community in Albania. He repeated his declarations more than once in different newspapers.

2

Date, time and location of the incident: his interview on “Gazeta Shqiptare” newspaper of 22-nd March 2012

Source of information: different newspapers and social Media’s articles (there are newspaper articles in Albanian available on the case)

Victim(s) involved: Albanian LGBT community and LGBT organizations that would organize the pride parade.

Type of the crime(s): hate speeches against LGBT community, threats of physical violence against this community and the LGBT NGO which was organized the gay pride in Tirana, violating freedom of assembly.

Perpetrator(s): The vice Minister of Defense and chairman of a political party in Albania, Ekrem Spahia

Brief description of incident with bias indicators: The declaration was clearly targeting the LGBT community in Albania and was a threat against the community and the organizers of the Pride. Albania doesn’t have legislation that prohibits any forms of such manifestations or similar ones. Hate speeches and statements made by a public figure such as a vice minister and chairman of a political party can influence and shape the homophobic behavior of the large public. The perpetrator continued to hold the same position with his homophobic declarations in media even after the reactions of different stakeholders. The case was reported to the Commissioner against Discrimination and the Court of Tirana.

Status of the case: a large number of local and international NGO-s, institutions and governmental bodies and figures reacted in the Media, after the declaration, denied it. LGBT organizations (Pink Embassy) reacted immediately through a press release asking the Prime Minister of Albania, Sali Berisha and his government to take immediate measures and take a position on the vice Minister’s remarks. A few days later, during a cabinet meeting, Albanian Prime Minister Berisha, declared that Mr. Spahia’s remarks are unacceptable.³ Meanwhile Pink Embassy responded to these remarks by participating in media debates and publishing different materials in the media. Also, Pink Embassy organized a round-table with other LGBT NGOs, institutions and human rights activists, which was followed by a publication of recommendations sent to the Albanian government for full respect of the LGBT community. Two other LGBT organization in the country made a common complaint to the institution of Commissioner against Discrimination against the discriminatory declarations of the vice minister. The Commissioner against Discrimination declared that has opened a formal investigation ex UFFICIO for this issue and after some months closed the case on grounds of insufficient evidence. Also both organizations took the matter to the Prosecutor, after the case is a violation of the Constitution and Article 266 of the Penal Code. But the prosecutor of the case did not continue the issue taking the decision that it does not constitute a crime, because it was

² <http://www.shqiptarja.com/aktualitet/2731/dru-gay-ve-spahia-s-nderron-mendje-lgtb-ne-burg-74664.html>
http://www.balkanweb.com/bw_lajme2.php?IDKategoria=2685&IDNotizia=84839&res_start=0
<http://www.lezha.eu/parada-gay-shqiperi-ekrem-spahiu-ti-rrahim/>

³ http://time.ikub.al/a601912153/2892f947ecb1b01dbc818c99622c2272/Lajm_Berisha-Deklarata-e-Spahise-e-papranueshme.aspx

impossible to ascertain whether the social peace was put in danger or not. The issue was not appealed by the organizations because the article 266 of the Penal Code which referred was deficient. The Albania Ombudsman reacted immediately after the declaration asking him for a public apology. Also a lot of other NGO-s and institutions reacted, as Human Rights Watch, Dutch ambassador in Albania, etc. (there are newspaper articles in Albanian available on these reactions)

Response of local authorities: Many public figures condemned the declarations. A large number of local and international NGO-s, institutions and governmental bodies and figures reacted after the declaration, denied it. But it remained only in oral declarations; no concrete measures were taken against the perpetrator by the authorities.

Impact on the victim(s) and the community: the LGBT community was scared, outraged and sad after that, because it shows that the hate declarations and threatens made by a public figure, as a vice minister and chairman of a political party, can influence and shape the homophobic behavior of the large public.

4) Case 4: Perpetual psychological and physical violence against a transgender people, known as “P”, by her older brother (reported by Pink Embassy).

What happened: P, a member of the transgender community reported at Pink Embassy the case of perpetual psychological and physical violence inflicted on her by her older brother. The situation, which according to her has been problematic for up to five months, has escalated when he learned about her sexual orientation. (P does not declare herself as a transgender neither does she dress as such and her brothers’ hostility is related to P’s sexual orientation i.e homosexual). Meanwhile the most recent case of violence had happened one day prior to this report, when the brother after another fight had through all of her clothes out of home threatening her that if she leaves the house she is never to come back. Despite the threats, P did leave the house and spent the night at a friend’s place.

Date, time and location of the incident: 11-th April 2012, around 19.00 o’ clock in the afternoon, in their home, in Tirana.

Source of information: The victim

Victim(s) involved: a transgender people, known as “P”

Type of the crime(s): perpetual psychological and physical violence, isolation, assault and offenses.

Perpetrator(s): her older brother, 40 years old

Brief description of incident with bias indicators: The victim testified and reported that five months of perpetual psychological and physical violence inflicted on her by her older brother, are related with her sexual orientation, because she began to exercise violence upon as learned of “P” sexual orientation, after “P” admitted to him that she couldn’t fall in love with women. P neither declares herself as a transgender nor dresses as such and her brothers’ hostility is related to P’s sexual orientation i.e. homosexual.

Status of the case: The case was not reported to the police by the victim because the victim had fear and did not want to worsen the relationship with his brother.

Response of local authorities:

Impact on the victim(s) and the community: The victim told us that during the quarrel and all the time, she did not have the support of the other family members and that she feels very isolated from relatives and friends. However, this case, as many other cases, shows that the LGBT community in the country continues to be under pressure and violence, mainly from family relatives, with the main request being that they should hide their sexual orientation or gender identity.

5) Case 5: Open and direct discrimination, threats of physical violence, prejudice and homophobia against the LGBT community in the electronic and printed media,

blogosphere, social media from political party representatives, religious groups and leaders and public figures (reported by Pink Embassy)

What happened: During April and May 2012, following the declarations of Pink Embassy that it intends to hold a public outdoor activity during IDAHO, (which the media called Gay Pride) there were a series of open, direct discrimination, prejudice and homophobia against the LGBT community in the electronic and printed media, blogosphere, social media from political party representatives, religious groups and leaders, public figures and the general public. So, a) Mr. Murat Basha, vice chair of the Legality Party (Royalist Party) publicly threatened an LGBT activist during a TV debate, saying “I will cut your throat”, which makes an open threat to this community from public figures.⁴ b) Mr. Ekrem Spahia, Chair of the Legality Party, reacted publicly against the support of the Dutch Ambassador for the LGBT community and his response to Spahia’s homophobic remarks. He asked for the Ambassador to be declared a *persona non-grata*, and considered the May 17th activities as damaging for society’s morals.⁵ c) On May 17th an Islamic group protested against the IDAHO activities with a manifestation called “For family, for morals, for life”⁶.

Date, time and location of the incident: a) TV show ‘Opinion’ on TV KLAN in the evening of 2 April 2012; b) a Press conference on 15 May 2012; c) 17 May 2012 at 11.0’clock near the “National Gallery of Artis” in Tirana.

Source of information: different newspapers, electronic Medias and social Media’s articles (there are newspaper articles in Albanian available on the case).

Victim(s) involved: Albanian LGBT community, activists, supporters and LGBT organizations that would organize the pride parade.

Type of the crime(s): hate speeches against LGBT community, activists and supporters, threats against this community and the LGBT NGO-s which was organised the gay pride in Tirana, violation of the freedom of assembly.

Perpetrator(s): The vice chair of the Legality Party (Royalist Party) Murat Basha; the vice Minister of Defence and chairman of Legality party in Albania, Ekrem Spahia; Muslim community leaders.

Brief description of incident with bias indicators: All the homophobic declarations and actions came after the declarations of Pink Embassy that it intends to hold a public outdoor activity during IDAHO, (which the media called Gay Pride). The words of vice chair of the Legality Party (Royalist Party) “I will cut your throat”, directed publicly to an LGBT activist during a TV debate, is a clear bias indicator against LGBT community. Also the Islamic group protest against the IDAHO activities shows the bias and homophobia against LGBT people and their gathering. All these cases are strong proof of the extensive homophobia in society, which does not exclude high ranking officials and public figures.

Status of the case: A large number of local and international NGO-s, institutions and supporters

⁴ http://www.youtube.com/watch?v=kWUBof_F9rg
<http://www.indeksonline.net/?FaqeID=2&LajmID=17826>
<http://www.mapo.al/2012/04/03/murat-basha-plumb-ballit-djalit-nese-do-behej-gay/>

⁵ <http://noa.al/news/artikull.php?id=186130>
<http://www.gazetatema.net/web/2012/05/15/ekrem-spahia-ambasadori-holandez-te-shpallet-person-i-padeshiruar/>
<http://www.mapo.al/2012/05/16/spahiu-ambasadori-holandez-non-grata-te-bllokohet-parada-gay/>

⁶ <http://www.preshevajone.com/desh-ton-parada-e-homoseksualceve-ne-shesh-vetem-besimtaret-myslimane/>
<http://www.panorama.com.al/2012/05/18/ambasadori-per-paraden-gay-spahia-injorante-ka-gjithandej/>

reacted in the Media, after the declarations, denied them. The Prime Minister of Albania, Sali Berisha made a declaration against the speech of vice minister of defense, saying that is totally unacceptable and that does not express the official position of the Government, but except this declaration there are not taken concrete measures against the member of his government. Also a lot of other NGO-s and international bodies reacted, as diplomatic bodies in Albania, etc. (there are newspaper articles in Albanian available on these reactions).

Response of local authorities: Many public figures condemned the declarations. A large number of local and international NGO-s, institutions and governmental bodies and figures reacted after the declarations, denied them. The Prime Minister of Albania, Sali Berisha made a declaration against the speech of vice minister of defence, saying that it is totally unacceptable and that does not express the official position of the Government, but except this declaration there are not taken concrete measures against the member of his government. The police bodies took all the measures to secure the well-being of the public outdoor activity during IDAHO and none confronting with the Islamic group.

Impact on the victim(s) and the community: the LGBT community was scared after that, because these cases are strong proof of the extensive homophobia in society, which does not exclude high ranking officials and public figures.

6) Case 6: Psychological and physical violence against a gay person from his older brother due to his participation on IDAHO events, holding the LGBT flag (reported by Pink Embassy)

What happened: A.A, 28 years old, reported psychological and physical violence from his older brother due to his participation on IDAHO events, holding the LGBT flag. The same day that these images were broadcast on television (5 TV channels showed him holding the LGBT flag), his brother had psychologically and physically violated and forced him to leave their family's house.

Date, time and location of the incident: 16-th May 2012, around 22.30 o'clock in the evening, in their home, in Tirana

Source of information: The victim

Victim(s) involved: a gay person, 28 years old, who frequents and participates in LGBT organizations and activities

Type of the crime(s): psychological and physical violence, eviction from home.

Perpetrator(s): his older brother, 35 years old.

Brief description of incident with bias indicators: The victim frequents and participates in LGBT organizations and activities. He also participated in one of IDAHO events that appeared in the visual media. His images holding the LGBT flag in this event were broadcast on 5 TV channels. After watching these images his older brother violated him psychologically and physically and forced him to leave home. This shows that bias indicator about sexual orientation of his brother are the cause of the violence.

Status of the case: The case was not reported to the police by the victim because the victim had fear and did not want to worsen the relationship with his brother and his family. Pink Embassy started the procedures for his accommodation at the emergency shelter and assisted him to find a job.⁷

Response of local authorities:

Impact on the victim(s) and the community: This case, as several other unreported ones, shows that the coming out process in the family is followed by long-term psychological pressure which shows that despite the deep respect for the family as an institution many relatives have it hard to

⁷ Application and agreement of accommodation, documents available by PE

continue the same type of relationships with their LGBT relatives.

7) Case 7: Threats (including death threats) against a gay person from his brother after his coming out to the family (reported by Pink Embassy)

What happened: A gay person 21 years old reported continuously threats from his brother after having learned about his sexual orientation. The older brother threatens the gay brother that he will kill him. The brother has also stopped helping him financially, which has caused the boy to quit his studies. For this reason he has been forced also to leave house and stay with a friend. After that the boy shows clear signs of depression telling that has thought to kill him before being killed by his brother.

Date, time and location of the incident: 07-th July 2012, through a phone call.

Source of information: The victim.

Victim(s) involved: a gay person, 21 years old, that has coming out to the family about his sexual orientation.

Type of the crime(s): threat to life.

Perpetrator(s): his older brother that leaves in Italy.

Brief description of incident with bias indicators: The victim reported that continuously threatens had come to him from his brother, after he came out about his sexual orientation in his family. The brother threatens the boy that he will kill him because in his family has no place for gay people.

Status of the case: The case was not reported to the police by the victim because the victim had fear and did not want to worsen the relationship with his brother and his family. Pink Embassy supported psychologically the boy and assisted him finding a job.

Response of local authorities:

Impact on the victim(s) and the community: This case, as several other unreported ones, shows that the coming out process in the family is followed by long-term psychological pressure which shows that despite the deep respect for the family as an institution many relatives have it hard to continue the same type of relationships with their LGBT relatives.

8) Case 8: Assault and death threat against LGBT activists in Tirana (reported by Pink Embassy)

What happened: On October 24-th representatives and activists of three main LGBT organizations in the country, protested peacefully before the Macedonian Embassy to oppose violence against an LGBT activist in Skopje, Macedonia. After the protest, as activists' group was going to sit in a cafe, a man about 25 years old, known for its attempts to prevent LGBT community rallies in Tirana, came near the group attacking verbally with denigrating words, splitting and threaten the activist life (the article of incident in Albanian and the photos of incident)⁸. All the activists come together and stopped the perpetrator to leave, until the police arrived after it was called by one of them. The person was taken in police custody and the LGBT activists also gave their statements. Later on during the day the person was released his case to be followed by the prosecutor's office.

Date, time and location of the incident: 24-th October, 2012, around 12.00 o'clock midday, near the Embassy's street, in Tirana

Source of information: LGBT activists from three organizations, Pink Embassy, Alliance against

⁸ <http://historia-ime.com/en/2011-08-07-02-59-53/item/619-incident-me-aktivistet-lgbt-te-rruga-e-ambasadave-foto.html>

Discrimination and Together pro LGBT Cause.

Victim(s) involved: about 10 LGBT activists, publically known.

Type of the crime(s): threat to life, verbally attack, assault and offenses.

Perpetrator(s): a 25 years old boy, known as Islamic religious.

Brief description of incident with bias indicators: As the LGBT activists, who protested together before the Macedonian embassy to oppose violence against an LGBT activist in Macedonia, are publically known about their activism in LGBT field, it is quite clear that the motivation was homophobia. Also the perpetrator is active with the Muslim community in Albania and is also one of the persons that were engaged to stop the IDAHO LGBT events. This made us believe that the attack against LGBT activists, who were exercising their legitimate right to protest and express their views, was premeditated and this citizen has been actively in pursuit of the work of the organizations.

Status of the case: The perpetrator was taken to the police station where is interviewed and made all the procedures. LGBT activists made their denunciation. After some hours in the police station the perpetrator was released to be judged in the wild.

Response of local authorities: At first the police took the case very easily and slowly. Thanks to the persistence and denunciation of LGBT activists the perpetrator has been taken to the police station but after some hours he was released to be judged in the wild.

Impact on the victim(s) and the community: The LGBT organizations reacted with a joint press release expressing their determination to follow by the end through legal ways that matter, as only responding through law could stop the threatening atmosphere that risks the respect of fundamental human rights. (There are documentations in Albanian available on the case).

9) Case 9: Psychological and physical violence against a gay person from a group of young people (reported by Pink Embassy)

What happened: A 22 years old man reports at PINK Embassy about continuous violence and persecution carried out against him by a group of young people that he doesn't know and is not familiar with. The persecution has stated when the mob saw kissing his partner in a park. In this moment they offended and physically violated him and with a gun they have forced the boy to undress from the waist down. They record him with mobile video and then asked him to leave. It seems also that they have followed him and learned his home location. After that, the group went several times to the entrance of his home, threatening and pushing him on the ground, every time they see him.

Date, time and location of the incident: October-December 2012 in the park of Tirana and in the entrance of his home, the last case 8 December 2012, about 06.00 o' clock p.m. in the entrance of his home, in Kombinati neighborhood.

Source of information: The victim

Victim(s) involved: a gay person, 22 years old, from a southern city of Albania (Kuçova) but that study and leave in Tirana.

Type of the crime(s): psychological and physical violence, offenses, persecution.

Perpetrator(s): 5-6 young boys about 25 years old, unknown for the victim.

Brief description of incident with bias indicators: The continuous violence and persecution to the victim by the perpetrators has begun after they have seen the boy kissing with his partner in a park. In this moment they offended and physically violated him and with a gun they have forced the boy to undress from the waist down record him with mobile video and saying him that if he will continue to frequent boys, to be gay, they will show the video to the wide public. This shows that the incident is related with the sexual orientation of the boy.

Status of the case: The case was reported to the police by the boy but they didn't accept the

denunciation with the clarification that the perpetrators are unknown for the boy and unidentified for the police. After that, the boy has reported the case to the Albanian Commissioner for Protection from Discrimination but even in this institution is mentioned the difficulty to identify the authors as long as they are unknown for the boy.

Response of local authorities:

Impact on the victim(s) and the community: The incidents have made the boy to feel insulted, threatened, scared and unsafe as long as he hasn't had the support from the state institutions.

10) Case 10: Psychological and physical violence against a transgender people, known as "K", by a group of unknown people (reported by Pink Embassy)

What happened: K, a member of the transgender community reported at Pink Embassy the case of psychological and physical violence inflicted on her and her friends by an unknown group of people. In a pub of the capital city, K was together with 2 friends. There a group of boys and girls started to harass and offended her with words that attack her gender identity. The two groups had a quarrel with each-other and the groups of unknown people have beaten K and her friends.

Date, time and location of the incident: 13-th December 2012, around 12.00 o' clock in midnight, in pub 'Flares', in Tirana

Source of information: The victim

Victim(s) involved: A transgender person, publically known as "K" and her two friends.

Type of the crime(s): psychological and physical violence, assault and offenses.

Perpetrator(s): 4 unknown people, 2 boys and 2 girls from 25-30 years old.

Brief description of incident with bias indicators: The victim testified and reported that the cause of the psychological and physical violence against her was her gender identity. The perpetrators at first have directed to her offensive words affecting her gender identity and then have reacted violently. The words used against K during the quarrel and their reaction show the homophobia of the perpetrators.

Status of the case: The Police arrived at the scene 10 minutes after the quarrel and didn't try to divide people who were caught and perform necessary procedures. By the victim, the police have neglected the situation by saying that 'we have many cases as you per day'. The victims are left without complaint or denunciation opportunities because they felt offended by the behavior of the police.

Response of local authorities: The Police arrived at the scene 10 minutes after the quarrel and didn't try to divide people who were caught and perform necessary procedures. According to the victim, the police have neglected the situation.

Impact on the victim(s) and the community: The victim feels insulted, threatened, and unsafe as long as he hasn't had the support from the police whose duty is to protect any citizens.

Armenia

Report compiled by the NGO PINK: Hate Crimes targeted at LGBT people in Armenia 2012

1) Case 1: Torture, inhuman and degrading treatment

What happened: A group of young man, after learning about sexual orientation of a boy living with them in the same district, forcibly took him to the nearest Internet club on regular basis, where he was subjected to physical and psychological violence.

Date, time and location of the incident: March 2012, Yerevan city.

Source of information: the victim

Victim(s) involved: Gay man

Type of the crime(s): Torture

Perpetrator(s): A group of young man

Brief description of incident with bias indicators: This criminal act of physical violence and psychological abuse happened clearly because of his sexual orientation. The victim was directly discriminated and ill-treated only because of the fact of being homosexual. Besides, the victim himself stated that the information about his private life served the basis for such an attitude.

Status of the case: This case was not reported and no proceedings have been initiated as upon the victim's will, he was afraid of the possibility that his status would be publicized.

Response of local authorities: N/A

Impact on the victim(s) and the community: The case had its negative consequences on the victim, as he suffered both physically and psychologically.

2) Case 2: Intentional damage to property

What happened: The club that an LGBT person owned and which was a place where LGBT community used to meet and socialize, was exploded by two young nationalists.

Date, time and location of the incident: May 8 of 2012, Yerevan

Source of information: The victim

Victim(s) involved: Lesbian woman

Type of the crime(s): Intentional damage to property

Perpetrator(s): Two young nationalists

Brief description of incident with bias indicators: This criminal act of injuring damage to property was clearly targeted against the owner of the club, who is a well known LGBT activist in Armenia. The perpetrators themselves confessed that they explored the club, because the owner is lesbian and because she participated in gay pride parade in Istanbul, Turkey. There is no hate crime legislation in Armenia that is why the case was registered as intentional damage to property.

Status of the case: The investigation is over; the case is to be tried at national courts soon.

Response of local authorities: The criminal case was properly instigated by the authorities. But it is worth mentioning that the policemen did not react properly when the victim was threatened several times before the criminal act occurred, as the police forces did not take the alarms of the victim about the possible threats to her health and life seriously.

Impact on the victim(s) and the community: The case had its negative impact both on the victim and on society in general. The victim left the country for safety reasons and now is living in Stockholm, Sweden.

3) Case 3: Beating-up of trans people

What happened: Several transgender (MTF) people were beaten up by a man, because of their appearance and also because of the fact that they usually gather near a cruising park downtown Yerevan, next to Municipality office.

Date, time and location of the incident: June 2012, Yerevan

Source of information: Victims

Victim(s) involved: Several MTF transgender people

Type of the crime(s): physical violence

Perpetrator(s): Not known

Brief description of incident with bias indicators: This criminal act of physical violence was obviously targeted against the fact of feminine appearance of the victims, and that the victims themselves stated that they were beaten because they were dressed in women clothes and were standing on the cruising park area. What is more important is that in Armenian reality it is almost impossible for the transgender person with feminine look not be insulted by others when seen.

Status of the case: The victims decided not to continue with the proceedings.

Response of local authorities: No response available, as the victims themselves decided not to initiate legal proceeding.

Impact on the victim(s) and the community: This incident is a common practice in Yerevan and it is perceived to be a normal phenomenon by the society. It always has its negative effect on transgender people living in Armenia, as it is never safe and secured for them to live in such an environment.

4) Case 4: Attack of a peaceful demonstration, hindrance to hold a peaceful march on World day for Cultural Diversity for Dialogue and Development

What happened: The Public Information and Need of Knowledge and Women's Resource Center Armenia NGOs organized a Diversity March in central Yerevan. The march was organized within the scope of the World Day for Cultural Diversity. Believing it was a gay pride event, nationalist fascists had gathered in Yerevan center and attacked the participants of the event under the pretext of "patriotism".

Date, time and location of the incident: 21 May 2012, Yerevan

Source of information: The organizers and participants of Diversity march

Victim(s) involved: Organizers and participants of the march

Type of the crime(s): Hindrance to hold peaceful march

Perpetrator(s): A group of young nationalist activists, organizations, Armenian Apostolic Church

Brief description of incident with bias indicators: This act of hindering one part of society to realize their constitutional rights clearly had a motivation and discrimination behind: it was obviously targeted against LGBT community. The attackers of the march held posters representing hatred and violence towards LGBT people. Besides, the attackers demonstrated their hatred and intolerance during the march verbally.

Status of the case: No legal proceedings were followed.

Response of local authorities: Police officers tried to prevent the attackers of the march from violent actions and verbal abuses during the event.

Impact on the victim(s) and the community: The attack on the march had its negative consequences on the participants of the march. Many of the participants were afraid to be noticed on public places, as they were afraid of possible attacks and labeling against them.

Belarus

Information received by ILGA-Europe from the LGBT Human Rights Project “GayBelarus”

1) Case 1: attack against LGBT activists during a public demonstration (April 2012)

Activists of the opposition youth organization "Young Front" attacked the LGBT activists at the time of the democratic demonstration “Chernobyl Way”.

Young participants of the "Chernobyl Way" tried to pick up rainbow flags in representatives of the gay community, who joined the convoy and went to the area of Bangalore. Gay activists were forced to leave column and move to the tail, saying that it was provoked by the activists of "Malady Front".

In the photo, one of the leaders of the LGBT Human Rights Project "GayBelarus" Liudmila Volkava protects the rainbow flag, a symbol of worldwide movement for the rights of the LGBT community.

Siarhei Androsenka, a well-known LGBT activists, said: "On the way happened incident, such that the activists of "Young Front", grabbed two flags and attacked our activists. And then approached the organizer of the march and asked us to be in the rear of the column. I think this incident shows that our society is very homophobic. They not take the fact that different people have always been at various developments. We oppose to human irresponsibility. And if now the society will be start the violence against gays and lesbians, it will be a moral Chernobyl. We have experienced a Chernobyl, and now we have to deal with human irresponsibility - ecological and sexual".

Quote from the deputy Chairman of the “Young Front” Mikalay Dzemidzenka: "Speaking theoretically, such an incident could happen, but if speaking practically, it is necessary to clarify the situation - I do not know anything about it. My attitude as I have stated day before the action - we were opposed to their participation, We were all against that Belarusian national opposition movement have something in common with a pervert. I have spoken about this many times and did not see any reason to repeat. I, too appraise participation of this group of "Chernobyl Way" only as a provocation, and it's obvious".

2) Case 2: physical attack against a gay man

In July, a young gay man, coming from the city of Vaukavysk, was physically attacked in Minsk by a group of men. Four of them were identified by the police and acknowledged that they attacked him because he is gay. Only one of the assailants was prosecuted and sentenced to pay a fine in September by the Frunzenski borough court of Minsk. With the support of GayBelarus and the Belarusian Helsinki Committee, the victim initiated criminal proceedings against other suspects identified.

3) Case 3: physical attack against a gay student

In September 2012, a 17 years-old gay student was attacked by classmates in one of the professional schools of Brest. A year prior, the victim had disclosed his sexual orientation to a

female friend. After the incident, the victim was hospitalised and diagnosed with an open fracture of the nose. He did not lodge a complaint as he did not want to disclose his sexual orientation to the police.

Belgium

Reports by çavaria and Arc-en-ciel Wallonie (LGBT NGOs)

1) Case 1: homophobic murder

In May, a 32-year old gay man was found dead close to the city of Liège after his disappearance on 22 April. According to witnesses, the victim had been at a gay bar in Liège on the night he disappeared. He had left the club and entered a car with four other men. The victim is said to have made sexual advances towards the other men, who have then decided to “teach him a lesson” by beating him up and letting him naked in a field in the middle of the night. Later, his body was found in a field off a road leading out of the city. The death is possibly the first one to be classified as a bias motivated murder under the Belgian law, although not the first homophobic murder as such. The four attackers are charged with robbery, forcible confinement and assault causing death with homophobic intent as an aggravating circumstance.

2) Case 2: physical violence

In July, two gay men were subjected to a violent attack while sitting in a bar in an East Flemish town of Aalst. They were attacked by two men, who punched the victims and hit them with snooker cues and bar stools. The victims were taken to a hospital, where one of them remained in a critical condition, but finally recovered. The perpetrators were arrested on grounds of intentional assault motivated by homophobic motives and with result of incapacity to work.

3) Case 3: homophobic murder

In July, a 65-year old gay man was bashed to death with a hammer in the city of Liège, in a park known for encounters among gay men. Police detained a 35-year-old man for the attack. The suspect defended his actions by saying that he was sexually abused in the same park the month before the murder.

4) Case 4: gang rape and robbery

In November a student that was on his way to his college’s initiation evening dressed as a woman was set upon by group of youth, taking him to a car park before robbing him of his mobile and gang raping him. According the news reports, two youths aged 15 and 17 were detained in connection with the incident.

Bosnia and Herzegovina

Hate Crimes targeted at LGBT persons or organisations in BiH, 2012, report by the Sarajevo Open Centre

1) Case 1: Case of Faculty of Philosophy in Sarajevo, assault and threats

What happened: Three students were attacked, insulted and threatened to while they were trying to warn other students and members of the Faculty and Institute for blood donation that questionnaire for potential voluntary blood donors was discriminatory.

Date, time and location of the incident: 19.04.2012., morning, Faculty of Philosophy in Sarajevo, B&H.

Victims involved: three students of the Faculty, all were insulted, one of them was attacked by the technician of the Institute for blood donation, and another student who declared herself openly as a lesbian was threatened by the librarian of their Faculty

Type of crimes: Assault, intimidation, threatening.

Perpetrators: a technician of the Institute for blood donation and the librarian of the Faculty.

Brief description of incident with bias indicator: The crime was targeted at these students because they were trying to warn about the discrimination of the homosexual persons in the questionnaire, and one of the students openly declared herself a lesbian while it was happening

Status of the case: the case was reported to the Institution of ombudsperson for human rights of B&H and to the police, however no person responsible for the incident was yet prosecuted and recently the three students were charged for disturbing the public peace and order during this incident.

Response of the local authorities: This incident was covered by a lot of media and most of them condemned the incident, however none of the politicians, state institution or officials ever publicly addressed the incident.

Impact on the victims: For a period of time after the incident the victims felt upset and were afraid of the reactions of their environment. Luckily they received support from their friends and families which helped them cope with it.

2) Case 2: A phone call threat to Sarajevo Open Centre

What happened: A man called Sarajevo Open Centre demanding to speak to the director who was not in the office at the moment, and after being said so he threatened to the employees of SOC that he will come and deal with them.

Date, time and location of the incident: 15.06.2012, 16:30, office of Sarajevo Open Centre in Sarajevo, B&H.

Victims involved: a member of SOC who answered the phone and the director of Sarajevo Open Centre.

Type of crimes: Intimidation and threatening.

Perpetrators: an anonymous older man

Brief description of incident with bias indicator: the man called asking for the director of SOC because he writes text against the Wahhabis (a religious group) and told the member of SOC who answered that she will not tell him that homophobia is bad.

Status of the case: the case was reported to the police; however they did not do anything because a phone call threat is not predicted as a criminal felony by the Criminal law of Federation of BiH.

Response of the local authorities: Local authorities did nothing to condemn this incident even

though some of them were informed about it.

Impact on the victims: Members of SOC felt disturbed and unsecure in their office after the phone call, and soon after moved into another office space they shared with more NGOs.

3) Case 3: Hate crime in Mostar

What happened: A young man was beaten on the street by two other men because he was gay.

Date, time and location of the incident: 22.12.2012., evening, Mostar B&H.

Victims involved: a young man.

Type of crimes: severe corporal injury.

Perpetrators: two anonymous men.

Brief description of incident with bias indicator: eyewitnesses claim that the perpetrators attacked the young man because they knew he was homosexual.

Status of the case: the case was reported to the police, however none of the perpetrator was yet found or prosecuted.

Response of the local authorities: local authorities did nothing to condemn or address this incident.

Impact on the victims: the victim of the crime ended up in the hospital and his identity was protected which made it impossible to find out the impact this incident had on him.

Bulgaria

Hate crimes targeted at LGBT people or LGBT organisations in Bulgaria 2012, report by Bilitis Resource Centre

1) Case 1: Street Violence against a Participant in Sofia Pride 2012

What happened: one participant was attacked in the centre of Sofia a few hours after the march, on his way home, near a metro station. The attackers pushed him to the ground and began kicking him. The person was suffering from a severe form of diabetes and begging the perpetrators not to be hit in the belly, where he was wearing a pump with insulin, because breaking it would endanger his life. He was kicked on a boulevard with no pedestrians, just cars. Some cars stopped and the drivers began yelling at the perpetrators. This rescued the victim. The Police started prosecution on the incident on its own, although the victim did not file a report.

Date, time and location of the incident: Saturday, 30 June 2012, evening, Sofia, Bulgaria, near Opalchenska metro station.

Source of information: Sofia Pride Organizing Committee (informed about the incident by a friend of the victim).

Victim(s) involved: 1 of the participants of the Sofia Pride march; there were about 1500 in total.

Type of the crime(s): Physical attack.

Perpetrator(s): 3 men.

Brief description of incident with bias indicators: The crime was clearly targeted at the person as a gay man and a participant in the Sofia Pride March. It was not the first time when this person had been attacked because of his sexual orientation and effeminate appearance.

Status of the case: No case was started; the police was unable to investigate the perpetrators, because the victims had no chance to see their faces, and could not testify.

Response of local authorities: No response on behalf of the authorities.

Response in the mass media: Most mass media reported the crime in the same way in which it was reported by the organizing committee of Sofia Pride, and condemned the perpetrators.

General comment: the LGBT organizations in Bulgaria rarely receive signals of committed hate crimes; due to the belief of the victims that reporting will not result in adequate reaction from the police and the court.

Estonia

Hate crimes targeted at LGBT people or LGBT organisations in Estonia in 2012, report prepared by the Estonian LGBT Association

1) Case 1: Assault against a gay person

What happened: A person was assaulted in front of a gay bar

Date, time and location of the incident: Sunday, 20 September 2012 between 1-2 AM, in front of a gay bar X-baar in Tallinn

Source of information: the eyewitness, NGO SEKY (local LGBT organisation in Tallinn)

Victim(s) involved: one gay man

Type of the crime(s): Assault

Perpetrator(s): a group of young men, possibly Russian (Russian words were used).

Brief description of incident with bias indicators: The incident happened in front of a locally well-known gay bar. The group of young men used words in Russian that refer to gay men (insulting words: пидоры).

Status of the case: The case was not reported to the police. Criminal charges were not issued.

Response of local authorities:

Impact on the victim(s) and the community:

2) Case 2: Assault against a gay person

What happened: A person was assaulted near a gay bar

Date, time and location of the incident: Sunday, 20 September 2012 between 2-3 AM, near a gay sauna Sauna 69 in Tallinn

Source of information: the eyewitness, NGO SEKY (local LGBT organisation in Tallinn)

Victim(s) involved: one gay man

Type of the crime(s): Assault

Perpetrator(s): two young men

Brief description of incident with bias indicators: The incident happened in near a gay sauna.

Status of the case: The case was not reported to the police. Criminal charges were not issued.

Response of local authorities:

Impact on the victim(s) and the community:

3) Case 3: Assault against a gay couple

What happened: A group of five Russian-speaking guys attacked a gay couple (one of which is Spanish), saying some homophobic insults meanwhile. They hit one the men with a kind of a stick, the other one was punched in the face, breaking his nose bone.

Date, time, location: in the centre of the Old Town in Tallinn, 30 November, around midnight

Source of information: the victim

Type of crime: assault

Perpetrator: still unknown

Brief description of the incident: After having a beer, a gay couple was walking home. They were holding hands. A group of men started to insult them when they were passing by. The couple didn't pay attention to that and kept walking. They decided to come back to a 24hrs shop to buy some stuff despite the insults incident that had happened. The group of men then followed the couple and waited for them when they are doing the shopping. When they left the shop, the group followed

them until they were alone in the street. Then one of them hit one man from the gay couple with a stick; the other man from the gay couple was trying to calm him down but another guy from the group came to him and hit him, breaking his nose.

Status of the incident: There was no police in the area, later the couple went to the police. In the middle of March 2013 one partner from the gay couple received a notification from the police to testify as a witness of the incident at Tallinn Police Office.

Impact on the victim(s) and to the community: It was the first time in the victim's life that he had been in that kind of a situation. He was scared, he has been from that moment on and he will probably be for a long time. He's scared when he's alone in the street and when he's with his boyfriend. From that moment they have not kissed, nor caressed in public. This incident strongly changed his opinion about Russians and/or Estonians. He will probably leave the country soon and this is one of the main reasons.

4) Case 4: Prejudice and threats (harassment and threats of physical violence) against a lesbian couple

What happened: A lesbian couple is threatened and bullied by a neighbour

Date, time and location of the incident: over a longer period of time, started in June 2012 and has not stopped; in Tallinn

Source of information: the victims

Victim(s) involved: one lesbian couple

Type of the crime(s): threats and bullying

Perpetrator(s): a middle-aged man, well-educated and well-off, Estonian

Brief description of incident with bias indicators: The whole issue supposedly started with regard to the cats that the lesbian couple owns, however, by now the neighbour harasses the couple regularly (also in writing), threatening to take measures if the couple does not do what he wants. However, it is unclear what it is that he wants. According to the couple, the man harasses and threatens and they feel very unsafe at their home. Although no direct reference to their sexual orientation has been made, the couple is sure that their relationship is the main cause of this harassment. One example of the neighbour's behaviour is the loud moving of things from 7-9 in the morning so that the couple living downstairs can hear the noise.

Status of the case: The case was not reported to the police in 2012.

Response of local authorities: The couple has sought help and advice from a variety of people but no one has really been able to help.

Impact on the victim(s) and the community: The victims are considering leaving their home and moving somewhere else.

Finland
Information submitted by Seta, LGBT NGO in Finland

1) Case 1: LGBT parade attacked with eggs

On 30 June 2012, an attack was recorded against the annual Pride Parade of Helsinki. A young man aged under 20 threw eggs at the demonstrators, and hit about 10 of them. One of the participants was hit in the head. Although an accomplice of the perpetrator managed to escape, the perpetrator himself was caught by the police. Before being caught, the perpetrator also kicked a person who was trying to stop him. Later on, the accomplice was also arrested. In total, 16 people declared they had been victims of the attack. The two perpetrators were recognised guilty of assault by a court in early 2013.

2) Case 2: attack against a speaker of the North Pride in Oulu

In July 2012, in an event affiliated with *North Pride* in the city of Oulu, the main speaker Dan Koivulaakso, a politician from the Left Alliance who has written about extreme right wing groups in Finland, was attacked with pepper spray. The attacker managed to flee before the police arrived. The police investigation has been completed in early 2013 and the case is currently being considered for charges by the prosecutor when publishing this publication.

Georgia

Sexual orientation or gender identity hate crimes in Georgia 2012, report submitted by the NGO Identoba, ILGA-Europe's member

1) **Case 1: Violent attack on a peaceful demonstration dedicated to International Day Against Homophobia and Transphobia**

Date, time and location of the incident: May 17, 2012, Tbilisi, Georgia

Source of information: Victims, witnesses, Georgian and International media

Victim(s) involved: Participants of the peaceful demonstration, staff of Identoba, LGBT and human rights activists (all around 40)

Type of the crime(s): Physical assault, death threats, crackdown of demonstration

Perpetrator(s) (if known): Members of the radical Christian organization "Orthodox Parent's Union", Representatives of the Georgian Orthodox Church, police

Brief description of incident with bias indicators: May 17 is annually celebrated by the modern international community as the International Day Against Homophobia and Transphobia (IDAHO). On May 17, 2012 Identoba organized a peaceful march on the main avenue of Tbilisi dedicated to IDAHO. The Georgian police and Tbilisi Mayor's Office have been given a prior written notice from Identoba. Officials from the police contacted Identoba's lawyer and promised to undertake the security arrangements. However, on May 17, 2012 the participants of the assembly were assaulted by extremists, among them the radical Christian group - "Orthodox Parents' Union" and representatives of the Georgian Orthodox Church. Members of the radical religious groups attacked the 5 marchers, tearing up posters and LGBT rainbow flags. Some of the participants of the LGBT demonstration received physical injuries. Police were present and witnessed how extremist groups blocked the road against the march, encircled the participants, shout abuse and threatened the marchers by physical violence. The law enforcement officials ignored the requests for help from the participants. Police intervened only after the fighting had already broken out. Even then, instead of detaining extremist groups, police arrested three peaceful participants of IDAHO assembly. In addition, some of the participants of the march claimed verbal and physical assault from the police officers.

Status of the case:

On May 17 and 18 Identoba's lawyer and the Head of Identoba's board sent letters to the Minister of Interior of Georgia and the General Prosecutor of Georgia, requesting proper investigation of the violence. The Ministry of Interior replied on June 22, 2012 and July 18, 2012 stating that there were no signs of criminal violations; therefore investigation would not be undertaken. However, the letter informed Identoba that three perpetrators were arrested under administrative penalties. The letter disregarded Identoba's violations towards police, stating that the law enforcement representatives present at the incident have not committed any illegal action. Identoba considers, that during the May 17 IDAHO demonstration, police was not able effectively to ensure positive implementation of human rights. The law enforcement officials failed to guarantee participants' fundamental rights of free assembly and manifestation, recognized by the Georgian Constitution. In addition, police failed to protect physical integrity of the participants, while some of the representatives of the law enforcement agencies themselves engaged in verbal and physical assaults on marchers.

On January 2013, Identoba and the participants of the march (Levan Asatiani, Levan Berianidze, Tina Bilekhodze, Beka Buchashvili, Guram Demetrashvili, Gvantsa Dzerkorashvili, Elina Glakhashvili, Natia Gvianishvili, Magda Kalandadze, Mikheil Khalibegashvili, Tamta Melashvili, Ketevan Tsagareishvili and Mariam Tsutsqiridze) filed an application against Georgia to the

European Court of Human Rights. The application claims that Georgia violated several articles of the European Convention by failing to protect May 17 demonstration and by failing to adequately punish the perpetrators.

Response of local authorities:

Georgian National Human Rights Institution – The Office of the Ombudsman condemned the attack and requested the proper investigation from police.

Impact on the victim(s) and the community:

May 17 IDAHO demonstration was the first public assembly in support of LGBT rights in Georgia. Violence and inaction of the police had a chilling effect on the Georgian LGBT community, especially on their ability to exercise their right to freedom of expression and assembly in the future.

2) Case 2: Rape and torture/ill-treatment of a homosexual prisoner

Date, time and location of the incident: July, 2012, Tbilisi, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: A homosexual male prisoner – V.

Type of the crime(s): Rape; Torture/ill-treatment

Perpetrator(s) (if known): Vladimir Bedukidze

Brief description of incident with bias indicators: Identoba undertakes a regular monitoring of the Georgian prisons regarding the rights of LGBT prisoners. During the monitoring of December 2012 one of the prisoners notified the representative of Identoba concerning a hate crime.

According to V. he was raped and tortured several times by Vladimir Bedukidze, the member of the staff of the prison. As the victim stated, Vladimir Bedukidze knew beforehand about his sexual orientation, making him a target for male on male rape. The perpetrator also spread the information in the prison about victim's sexual orientation. This caused severe hatred and bullying towards V. from his inmates.

Status of the case: The case was communicated to police. The investigation is underway. Meanwhile, the victim was released from prison on February 2013.

Response of local authorities: The authorities proceeded with the investigation on October 13, 2012. No further steps have been undertaken since then.

Impact on the victim(s) and the community: The victim stated that he suffered a great degree of insult and disgrace. The victim felt extremely helpless, since he had appealed for help to the higher officials, but was repeatedly ignored.

3) Case 3: Death threats against the LGBT community members

Date, time and location of the incident: May 22, 2012, Tbilisi, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: M.K. – member of the LGBT community

Type of the crime(s): Death and violence threats

Perpetrator(s) (if known): Unknown to Identoba

Brief description of incident with bias indicators: On May 22, 2012 Identoba received information from LGBT community member – M.K. stating that he was receiving the threats of physical violence from a stranger because of his sexual orientation. M.K. sent the screenshots from his Facebook account showing the threat messages to the lawyer of Identoba.

Status of the case: On May 22, 2012 lawyer of Identoba accompanied M.K. to the police station, where M.K. wrote a letter requesting the investigation. On May 26, 2012 Identoba received a letter from the police concerning the case of M.K. According to the police, they have identified the author

of the threats and gave him a verbal warning to discontinue threatening M.K.

Response of local authorities: The police effectively identified the perpetrator and ensured that no further threats would be directed against M.K.

Impact on the victim(s) and the community: M.K. felt defenseless, especially, since the threats against him started days after the crackdown of May 17 IDAHO demonstration, when the vulnerability of the larger LGBT community already had reached a high level.

4) Case 4: Death threats against the Editor of Identoba's online magazine

Date, time and location of the incident: June 2012, Tbilisi, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: Magda Kalandadze, Editor of Identoba's online magazine

Type of the crime(s): Death threats

Perpetrator(s) (if known): Unknown

Brief description of incident with bias indicators: In June 2012 Magda Kalandadze received letters from unidentified person in her Facebook inbox. The letters contained threats of physical violence and death threats. The unknown profile user indicated that he was threatening Magda Kalandadze due to her LGBT activism and her work as an Editor of Identoba's online magazine.

Status of the case: Identoba sent the relevant screenshots from the account of Magda Kalandadze to the General Prosecutor of Georgia and requested proceeding of the investigation. Identoba has not received any official reply concerning its request.

Response of local authorities: No response

Impact on the victim(s) and the community: The threats had a persistent character over several days. This diminished Magda Kalandadze's feelings of security.

5) Case 5: Incitement to violence by anonymous homophobic organisation/Threats against LGBT people

Date, time and location of the incident: June 2012, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: Larger LGBT community in Georgia

Type of the crime(s): Incitement to violence

Perpetrator(s) (if known): Anonymous homophobic organization "Shavrazmelebi"

Brief description of incident with bias indicators: In June 2012 anonymous information was spread in the social media concerning an organization named "Shavrazmelebi". According to the information, the aim of "Shavrazmelebi" was to conduct physical attacks against LGBT community members. Within Facebook, some unidentified individuals on behalf of "Shavrazmelebi" publicly incited for violence against LGBT persons. A photo, showing T-shirts with slogans in the Georgian language - "Kill gays" was uploaded.

Status of the case: On June 26, 2012 Identoba sent a letter to the Prosecutor General of Georgia requesting to start investigation concerning "Shavrazmelebi". Identoba's request did not receive any reply.

Response of local authorities: No response

Impact on the victim(s) and the community: There were no threats directed against specific individuals. However, incitement for violence from "Shavrazmelebi" added up to the already widespread homophobia in the Georgian society and the Georgian LGBT community felt less secure.

6) Case 6: Domestic violence against an underage member of the LGBT community

Date, time and location of the incident: June 17, 2012, Gori, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: An underage member of the LGBT community

Type of the crime(s): Domestic violence

Perpetrator(s) (if known): Parents of the victim

Brief description of incident with bias indicators: On June 17, 2012, Identoba received information on family violence against 14 years old member of LGBT community living in Gori, Georgia. According to the minor, he was faced with consistent psychological and physical violence from his parents because of his sexual orientation.

Status of the case: On August 1, 2012, Identoba referred the case to the Social Service Agency of Georgia. The social worker was sent to the family from the Social Service Agency to study the situation. The minor reported, that after the involvement of the social worker, the violence from his family members discontinued.

Response of local authorities: The Social Service Agency of Georgia got involved in the incident.

Impact on the victim(s) and the community: When interviewed by the representative of Identoba, the victim seemed depressed and frightened. Later, when contacted again, the victim reported that he felt relieved, as the violence had discontinued due to the involvement of the social worker.

7) Case 7: Domestic violence against a lesbian woman

Date, time and location of the incident: October 29, 2012, Tbilisi, Georgia

Source of information: Georgian LGBT organization Identoba

Victim(s) involved: A Lesbian women – T.

Type of the crime(s): Domestic violence

Perpetrator(s) (if known): The Husband of T.

Brief description of incident with bias indicators: On October 29, 2012 LGBT community member – T. who currently lives in Switzerland, contacted Identoba.

According to T., she is a citizen of Georgia seeking a refugee status in Switzerland on the basis of the persecution she undertook because of her sexual orientation. T. claimed, that her husband used physical violence against her, after finding out about T.'s sexual orientation. According to the victim, she was pregnant at that time and due to the enduring conflict with her husband, she experienced miscarriage. She could not receive assistance from her relatives either, since after finding out about her sexual orientation, the relations between them deteriorated.

Status of the case: The case was not reported to law enforcement officials. As the victim explained to the representatives of Identoba, she did not have any trust in the Georgian police.

Response of local authorities: Not reported

Impact on the victim(s) and the community: The victim was under a physiological stress. The stress especially deteriorated after the miscarriage. As the victim stated, due to societal and institutional homophobia, she did not have hope of neither her relatives nor the police, which made the situation even more complicating.

Germany

1) Case 1: Attack on three LGBT women from Sweden (information submitted by RFSL, Swedish LGBT organisation, also visible in the section of this contribution on Sweden).

Two female lgbt-persons were physically attacked outside a gay club in Berlin. The perpetrators were three unknown men who started to abuse them after they said that they are not interested in men. They were both kicked to the ground and after that received kicks all over their bodies. The victims were very motivated to report to the police. A friend of the victims tried to make a report in Germany, but the German police said that the victims had to report the crime themselves in Sweden. The case was then reported to the police in Sweden, but it was closed because it wasn't possible to investigate when the crime was committed abroad. The Swedish National Police Board, as well as the local police and the German Embassy, failed to help the victims with contacting the German police. Finally, the victims themselves contacted the German police again and this time they took a report. An investigation was done. The case was closed because they couldn't identify the perpetrators, but the victims were satisfied with being acknowledged. It was also confirmed that there had been several other homophobic incidents in the area.

Greece

Information made available to ILGA-Europe by the NGO OLKE

1) Case 1: six homophobic attacks in October 2012

In October, the NGO Gay and Lesbian Community of Greece (OLKE) recorded six homophobic attacks perpetrated by extreme-right groups and which were reported to the police. The six incidents were also reported to the police. One of the victims, Peter Sapountzakis, is an LGBT activist working in the area of homophobia and education. It is reported that the number of homophobic attacks is on the rise due to the increasing social presence of extreme-right parties, including the Golden Dawn party, which results in a higher level of hate violence.

2) Case 2: physical assaults against anti-homophobic activists

In November, 12 men physically assaulted a group of volunteers distributing anti-homophobic flyers in Athens. The victims were chased in the street. The Racist Violence Recording Network, an initiative of the National Commission for Human Rights, the Office of the UN High Commissioner for Refugees in Greece, and 18 NGOs, claimed that far right groups such as the Golden Dawn party are spreading hatred against the LGBTI community.

Hungary

Submission by Hatter Support Society for LGBT people in Hungary for the OSCE ODIHR annual report on hate crimes 2012

1) Case 1: death threats and physical violence

Date, time and location of the incident: March 22, 2012, 19:10, Budapest, Hungary

Source of information: interview with the victim, police files

Victim(s) involved: gay male aged 26

Type of the crime(s): death threat, physical violence

Perpetrator(s): two young males

Brief description of incident with bias indicators: G.M. was travelling home on a trolleybus when two young men under the influence of alcohol started calling the victim humiliating names (“little fagot”, “cocksucker”). He got off the trolley at Lövölde tér and whispered to himself: “Come on!”. The two men got off the trolleybus and followed him. They tried to kick him, but spilt beer over themselves instead. One of the guys started assaulting him and threatened to kill him. The victim fell to the ground and was kept being punched in the face. The victim’s nose was broken.

Status of the case: reported to the police, investigated under Article 174/B., investigation suspended – perpetrator unknown

Response of local authorities: The victim reported the case to the police detailing the name calling and the circumstances indicating a hate crime. His concerns about the hate aspect were not included in the written version of his testimony. He contacted the legal aid service of Hättér, and two days later he supplemented his report by specifically calling on the police to investigate the case as a hate crime. On 8 May 2012 the police suspended the investigation qualifying it as bodily harm, disregarding the hate aspect. Hättér submitted a complaint which was rejected by the prosecution claiming that the name calling does not constitute hate motivation, because such swearwords are commonly used by everyday people under alcoholic influence. The case never reached the unit responsible for such investigations, it was investigated by a district police in Budapest.

2) Case 2: physical violence

Date, time and location of the incident: April 17, 2012, 21:23, Söréd, Hungary

Source of information: reported via internet form

Victim(s) involved: gay male aged 35

Type of the crime(s): violent threats, physical violence

Perpetrator(s): 5 men aged 28-45

Brief description of incident with bias indicators: NG is living in a small village in rural Hungary. It is known in the village, that he is gay, he used to live with his partner and his father tells everyone in the village his son is a “fagot”. NG lives close to the local pub, and when passing by the pub going to the bus stop or doing the shopping, he is often harassed by drunk men in the pub. One time he was told “We are going to beat you up, and make a pudding out of you!”. In April 2012 when passing by the pub after sunset, people from the pub started chasing him and pushed him to the ditch. While there were several witnesses, they all cheered for the perpetrators. NG is afraid to report the incident to the police, because he thinks he will be further ostracized and harassed by the villagers.

Status of the case: not reported to the police

3) Case 3: threats of physical violence

Date, time and location of the incident: May 20, 2012, early afternoon, Budapest, Hungary

Source of information: interview with the victim, police files

Victim(s) involved: bisexual male in his early 30s

Type of the crime(s): violent threats

Perpetrator(s): larger group of people belonging to the extreme right

Brief description of incident with bias indicators: IJ is an LGBT and political activist whose photos have been widely circulated in the right wing media. On May 20, 2012 IJ was taking a Sunday afternoon walk when he noticed a larger group of people in front of a bookshop. He went closer to see what is going on, and saw it was a demonstration by the extreme right wing party Jobbik. Since his PhD research topic includes political movements, he stayed to observe the event. Soon he was recognized by some people in the crowd as a “dirty liberal” and a “faggot”. When the possibility was offered for anyone at the event to speak, he was encouraged by these people to also speak. When he took the microphone in his hand, the crowd started shouting “dirty faggot”, and surrounded him in a threatening manner. The police securing the event intervened and rescued him from the crowd. He started walking away, but members of the crowd followed him shouting violent threats such as “an umbrella should be stuck and opened in your ass”.

Status of the case: reported to the police, investigated under Article 174/B., investigation closed – no crime committed

Response of local authorities: After the police noticed that he was still followed by members of the crowd, he was surrounded by the police and asked for an ID. While checking his ID, the police let the perpetrators so close that they had the opportunity to see his personal data in his documents over the shoulder of the police officers. No one of the perpetrators was asked for an ID or apprehended. IJ submitted a complaint to the Independent Police Complaint Board claiming that the police failed to perform their duty to act when they saw criminal activity (violence against a member of a community via intimidating behavior and forcing the victim to not do something via threats) and that the ID check was not professionally done. The Board agreed with the complaint that the police should have acted on the spot against the perpetrators, as the suspicion of criminal activity was obvious, but declared the right violation to be of minor importance thus transferred the case to the Police. Meanwhile, IJ also reported the incident to the Police. The police started the investigation of the incident as a hate crime, but closed it on December 13, 2012 claiming that no crime had been committed. IJ submitted a complaint, but the Prosecution Service agreed with the Police.

4) Case 4: incitement to violence and preparation of violent attacks

Date, time and location of the incident: June 24, 2012

Source of information: police files

Victim(s) involved: 31 persons

Type of the crime(s): preparation for violence

Perpetrator(s): extreme right wing news portal

Brief description of incident with bias indicators: On June 27 – July 1, 2012 Budapest was to host the Eurogames, a European level LGBT sport event bringing several thousand LGBT contestants to Hungary from all around Europe. Prior to the event several news portals affiliated with extreme right wing political groups started publishing articles calling for the banning of the event and creating a hostile environment against the organizers and the participants. On June 24, 2012 the extreme right wing news portal deres.tv carried an article with the title The Hunting Season Starts! List of the organizers of the faggot Olympics in one place, hotels where the queers stay soon to come. The article contained the name and photo of 31 persons downloaded from Facebook, whom

the authors claimed were the organizers of the event. The article called for “using whatever means necessary”, “the highest form of resistance”, the article also claimed that they publish the list of organizers to help “faggot hunters”. The following day a list of hotels where the participants would stay was published referring to the participants as “game to hunt down” (game referring to wild animals).

Status of the case: reported to the police, investigated under Article 174/B., investigation suspended – perpetrator unknown

Response of local authorities: Several people reported the incident to the police and the National Media and Infocommunications Authority, claiming the perpetrators committed the following crimes: incitement to hatred, misuse of personal data, and preparation (conspiracy) to commit violence against a member of the community. While the Police refused to investigate charges of incitement to hatred and misuse of personal data claiming no crime had been committed, an investigation concerning preparation to commit violence against a member of the community was initiated. On August 2, 2012 the Police closed the investigation finding that no crime had been committed as the calls for violence did not result in actual violent attacks. Háttér appealed the decision, and on October 25, 2012 the Prosecution Service ordered the Police to continue the investigation as the crime had been committed, since by calling for violence and providing the personal data of the victims-to-be, the authors of the article facilitated the commitment of future violent acts. On February 1, 2013 the Police suspended the investigation as the operators of the website were not identifiable, as the website was operated from the USA. While the legal basis exists for it, the Police decided not to ask for cooperation from the foreign police. The case was investigated by a district police in Budapest and not the unit responsible for such investigations.

Impact on the victim(s) and the community: This article and similarly hostile statements about the event resulted in several participants cancelling their participation. The organizers decided to take extra security measures: the programs took place “in secrecy”, the venues of the various events were not advertised, and information was provided only after undergoing thorough security check at the main venue. There was strong police presence at each venue where programs related to the event took place. Many member of the local LGBT community decided not to visit the events as a spectator in fear of being subjected to violence.

5) Case 5: physical violence

Date, time and location of the incident: July 7, 2012, 18:00, Budapest, Hungary

Source of information: interview with the victims, police files

Victim(s) involved: mother with a small child, two men in their 20s

Type of the crime(s): criminal damage, harassment, physical violence

Perpetrator(s): 10-12 members of extreme right wing groups protesting against the Pride march

Brief description of incident with bias indicators: Participants of the 2012 Pride March were leaving the end scene of the March via the route suggested by the police. Right outside the police cordons a larger group of anti-gay protesters dressed in clothes usually associated with extreme right wing groups were verbally harassing those leaving the premises. A mother with her small child carrying balloons was also harassed, and the balloons punched. Two brothers were also harassed and one of them kicked by an anti-gay protester.

Status of the case: reported to the police, investigation in progress under Article 174/B., perpetrator identified

Response of local authorities: The two brothers requested help from a police officer present nearby, but he refused to act claiming he was only responsible for guiding the traffic. Soon other police officers arrived, and started questioning the attackers still present. One of the attackers, who kicked the victim, was apprehended. The police started investigating the case as a hate crime, the victims

and several witnesses were questioned. While the perpetrators were identified on the spot, the file was tossed around several police units for months, and is currently investigated by a district police in Budapest and not the unit responsible for such investigations. The investigation is still ongoing.

Impact on the victim(s) and the community: This and several similar incidents following the march shows that the protection of LGBT events by the police is still not up to the standards, while protection during the march is appropriate, the police fails to protect those leaving the march, making the attendance of the march a severe security risk. This risk stops many potential participants from participating at such events.

6) Case 6: threats of violence

Date, time and location of the incident: July 28, 2012, 16:00-16:45, Kisigmánd, Hungary

Source of information: interview with the victim, police files

Victim(s) involved: group of LGBT people

Type of the crime(s): violent threats

Perpetrator(s): 10-15 males affiliated with the extreme right wing party Jobbik

Brief description of incident with bias indicators: On July 25-29, 2012 a summer camp was held for LGBT people in a small village in Hungary. The local chapter of the extreme right wing Jobbik learned about the camp and organized a “press conference” in front of the camp to protest against the event. The “press conference” was more of a demonstration, than a conference as no members of the press came, but 14-15 local Jobbik supporters stayed around the camp and harassed the campers with statements like “my wife allowed me to come here only if I wore a chastity belt”, “fucking faggots”, etc. The “press conference” was secured by the police. After the event was over, everyone including the police left, but about 10 of the same people returned with cars and shouted threatening lines at the campers, one was explicitly referring to the risk of having one’s house burnt down.

Status of the case: reported to the police, investigation refused – no crime committed

Response of local authorities: SL reported the incident to the Police. While he explicitly asked for investigating the case under Article 174/B as violence against a member of a community, the police refused to investigate the case claiming it was not stalking. SL submitted a complaint asking for investigating the case as a hate crime, but the Prosecution Service found that the threats did not amount to antisocial intimidating behavior, and thus no crime was committed.

Impact on the victim(s) and the community: A general sense of fear took over the camp: many were afraid that the protestors would return during the night and attack the campers. Many of the participants decided to leave the camp and return home early.

7) Case 7: physical violence

Date, time and location of the incident: December 16, 2012, 01:00, Budapest, Hungary

Source of information: interview with the victim, police files

Victim(s) involved: gay male in his mid-20s

Type of the crime(s): physical violence

Perpetrator(s): 2 males in their 20s

Brief description of incident with bias indicators: LC was heading to a party with his gay male friends on a night bus at 1:00 when 2 men in their 20s started to make comments about gay people (“faggots”, “it’s really warm in here” (the word used in Hungarian for gays literally translates to “warm”). When getting off from the bus, the two men were right behind LC and said “Hurry up, you faggot!”. LC turned back and was punched in the face. LC used a swearword in return. In response one of the two men pushed him to the ground and he was punched several times. LC

suffered light bruises.

Status of the case: reported to the police, investigation in progress under Article 174/B.

Response of local authorities: LC reported the incident to the Police the following day, accompanied by a member of Háttér legal aid service. While the victim clearly stated even before the interrogation started, that he thinks the incident happened because of his sexual orientation and information related to this aspect of the case made it to the report, the police officer insisted on taking the report as bodily harm, and not a violence against a member of a community (Art. 174/B.). When the legal representative insisted that the case be investigated as a hate crime, the police became quite hostile, but agreed to attach the request to the official report. The victim was questioned once again two months later, by the time the incident was qualified as a 174/B case.

Iceland

Information made available by ILGA-Europe

1) Case 1: physical assault against a trans person

In April 2012, a trans man was attacked by three men at a Reykjavík nightclub in April for using the men's restroom. The victim did not sue over the assault because he did not want to attract public attention to himself or his family. The victim's friend, who is also trans, said prejudice is rife in Icelandic society and that people in their position are frightened. He described the events on his website, saying his friend was lucky to escape with minor injuries. Samtökin 78, the National Queer Organization, called for tolerance and support for transgender individuals the following week. The organisation also urged Alþingi, the Icelandic parliament, to complete amendments to the penal code in order to improve the legal situation of trans people. Trans people do not enjoy any legal protection under current legislation.

Ireland

Information made available by the NGO TENI, ILGA-Europe

1) Case 1: physical assault against 3 participants of a trans conference

On Saturday September 8th, three delegates of the fourth European Transgender Council were verbally harassed and physically attacked in the streets of Dublin when they were on their way to the conference party. One of the victims was Lauri Sivonen, Advisor to the Commissioner of Human Rights of the Council of Europe. “This incidence is shocking for the whole conference” said just reelected co-chair of TGEU (TransGender Europe) Wiktor Dynarski, “it leaves a bitter taste and again shows that there is no safe space for Transgender People in Europe.”

Italy

Source: Osservatorio omofobia, Rete Agatergon

1) Case 1: Damage to property

In the night of 24 to 25 January, sexist and homophobic insults have been painted on the doors and the walls of the headquarters of the feminist and lesbian NGO “22 via dei Volsci” in Rome. More specifically, the walls, which were initially covered with women’s portraits, were then covered with homophobic and sexist insults and symbols representing penises. This follows other attacks perpetrated between 24 December 2011 and 3 January 2012, which included 5 attempted bombings of the NGO’s local.

2) Case 2: physical violence

On 14 February 2012, in Catania (Sicily), a 22 years old trans woman was attacked and beaten by 10 young men. The victim suffered skull trauma and a broken vertebra. The attack was reported to the police.

3) Case 3: transphobic murder

On 29 February 2012, a 31 years old trans person was killed in his car in Novara. He was shot in the chest by two men (31 and 36 years old) who confessed the murder to the police after being arrested.

4) Case 4: Domestic violence from a father on his son

On 8 March 2012, a 29 years old man was verbally attacked and then physically beaten by his father. This happened soon after he had come out as gay to his family. The incident happened in the city of Catania (Sicily). The victims chose not to report the incident to the police, because he didn’t want to cause trouble to his father.

5) Case 5: physical violence

On 18 March 2012, in Varese, 7 young men were attacked and beaten up in a disco club where they were dancing together. Among the 7 victims was a well-known activist from a neighbouring city. After having been beaten, the victims were also forced to leave the club. The police was called by the victims, who also benefited from medical assistance.

6) Case 6: attack against the local of an LGBT NGO, physical violence

On 25 March 2012, ten young men attacked a group of LGBT activists during a meeting at the headquarters of Arcigay (NGO) in Andria. The attack happened at around 8 pm, and the perpetrators were aged between 16 and 18. They used a piece of wood with metal spikes as a weapon.

7) Case 7: 2 attacks on a gay man, and on a gay couple and a witness, physical violence

On 24 and 26 March in Rome, a gay man, and two days later a young gay couple were threatened

and beaten with wood and iron sticks. In the first case, the victim was also robbed under the threat of further beating. In the second case, some witnesses intervened and the victims could escape after the attackers fled. However, the attackers returned after a while, and did beat one of the witnesses who had helped the couple. This witness, a 62 years old man, was beaten and had to be helped in hospital – he had his wrist broken. In both attacks, the perpetrators were described as a gang of young men between 16 and 18 years old

8) Case 8: threats and attacks against two gay men

On 4 April 2012 in Turin, two young men were chased and threatened after having been found hugging in the centre of the city. The attackers were 4 young men who threatened them and followed them while the two attacked men tried to leave the place.

9) Case 9: homophobic beating followed by insults at the hospital

On 13 April 2012 in Reggio Calabria, a young man was verbally attacked in front of a well-known LGBT friendly place by a group of young men passing by in a car. Some men left the car and physically attacked the victim (who had his nose broken). Later at the hospital, a nurse proposed to “cure” the victim by introducing him to “a nice girl”.

10) Case 10: vandalism against the premises of an LGBT association

On 14 May 2012, the premises of the NGO Arcigay Bat (in Andria) was vandalised with a big firecracker being thrown on its door, resulting in the posters prepared for IDAHO catching fire. As a result, the damage was real even if relatively limited.

11) Case 11: domestic violence from a father against his son

On 23 May 2012 in Rome, a young gay man contacted the NGO GayLib to tell the story that had just happened to him. Following his coming out, his father had immediately started insulting him, and then forced him to stop studying. The father has also threatened his son with scissors, and thrown his son out of the house, forcing him to live for some time in an old car. The other family members were intimidated into not seeing the victim anymore. The association GayLib reported that the victim had scars on his abdomen, following the violence he had suffered.

12) Case 12: physical attack

On 3 June 2012 in Chieti, a group of people wearing extreme-right (including nazi) symbols attacked a bar where a gay friendly aperitif was organised. The attack was initially a verbal one, but then the attackers started throwing bottles at the gay participants of the evening. One of the targeted gay men was reported to be injured.

13) Case 13: physical aggression

On 7 June 2012, a 23 years old man was attacked in the area of Campo Dei Fiori in Rome. The attackers were a group of young men of the same age. The attack started with verbal abused, and then developed into threats with a knife and then beating up. The victim needed to be transferred to a hospital. Witnesses declared they were ready to testify in support of the victim.

14) Case 14: physical attack

In Rome, on 13 June 2013, a well-known activist (Guido Allegrizza, the organiser of the “Rainbow Week” festival) was badly beaten with stones in the area of E.U.R. The injuries included injuries on his head and broken ribs. The attackers were 5 young men.

15) Case 15: physical violence and rape

On 14 June 2012 in Rome, a young gay man was threatened with a broken glass bottle (the threat was to cut the victim’s throat) and forced to practice oral sex by a 34 years old man. The victim managed to call the police who managed to arrest the perpetrator.

16) Case 16: physical assault against a gay man

On 29 June in Rome, a 28 year old gay man was attacked at 5.30 in the morning by two men. The two attackers first insulted their victim, and then threatened him. The one grabbed him by the wrists, pinning him down, while the other took advantage and punched him in the face. The victim was injured by the ring that the second aggressor wore.

Kosovo

Information made public by the Centre for Social Emancipation (QESh) and the NGO Libertas

1) Case 1: attack against a safe space for the LGBT community

The Centre for Social Emancipation (QESh) and Libertas strongly condemn the attack that occurred on Sunday 16th December 2012, against their office, a safe space for the Lesbian Gay Bisexual and Transgender community (LGBT). On Sunday Libertas organized a meeting to discuss the happenings that took place two days ago at the Kosovo 2.0 event.

At the office there were around 17 people from the LGBT community. Two of the LGBT community members went out to buy something. When they left the office, a group of 7 men were waiting outside and attacked these two individuals with violence. One of the LGBT community members was severely beaten up by 3 or 4 of the men. The other member of the LGBT community went up to the office to warn the people there. Meanwhile one of the staff of Libertas opened the window to see what was happening. The attackers used this opportunity to throw some kind of gas into the office. While they were chasing the member of the community that had warned the others, they managed to get in the building and created fear and panic.

During this attack the police was contacted and arrived at the office quickly and took control of the situation. The police helped to evacuate the office and the attacked victim was taken to the police station to give a statement. The police decided to press charges against unknown persons for the attack of the community and for the act of bodily harm.

Latvia

Hate Crimes targeted at LGBT people in Latvia 2012 Report compiled by Kaspars Zalitis, Board member of the Association Mozaika

1. Case 1: Assault against a gay couple

What happened: Gay male couple was assaulted when leaving gay bar.

Date, time and location of the incident: Sunday, 11th of March 2012, early morning, near gay bar Golden in Riga, city center of Riga, Latvia.

Source of information: Friend of the victim

Victims(s) involved: young gay male couple

Type of the crime(s): Assault

Perpetrator(s): Several male persons (number was unknown). Age between 20 -30?

Brief description of the incident: Incident happened when young gay male couple left the gay bar Golden that is well know place as LGBT meeting point. Not far from the bar several young male persons started to shout abusive slogans like “fagots” (Latvian – “zilie”) and “pederasts” (Latvian – “pirdari”). Perpetrators were clearly aggressive but young couple escaped and was not physically attacked.

Status of the case: Case was not reported to the police.

Impact on the victim(s) and the community: Unknown

2. Case 2: Egg throwing during the Baltic Pride 2012

What happened: Pride protestor threw eggs at the participants of the Baltic Pride 2012. Participants were not hurt.

Date, time and location of the incident: Saturday, 2nd of June 2012, afternoon, Baltic Pride 2012 in Riga, Tērbatas iela, city center of Riga, Latvia

Source of information: Association of LGBT and their friends MOZAIKA

Victims(s) involved: No victims

Type of the crime(s): minor hooliganism, attempt for the assault, violating freedom of assembly

Perpetrator(s): Male, born in 1961, who was under influence of alcohol.

Brief description of the incident: The crime was clearly targeted at the Pride march. Eggs were thrown to the side of the representatives of United States Embassy in Riga and other official representatives. One egg landed at the feet of one participant. Perpetrator was immediately stopped and arrested by the riot police.

Status of the case: Administrative proceedings were started against the perpetrator according to Latvian Administrative Violations Code Section 167. - Petty Hooliganism. MOZAIKA has no information about the decision of the court.

Response of local authorities: Perpetrator was immediately stopped and arrested by the riot police. No public announcements from politicians or local authorities were made. There was a lot of media coverage.

3. Case 3: Threats of violence after the Lady Gaga concert in Riga

What happened: Gay male person was assaulted near the concert venue of the Lady Gaga concert in Riga.

Date, time and location of the incident: Thursday, 23rd of August, 2012, from 22.00 – 24.00, near the concert venue in Mežaparks, outskirts of Riga, Latvia

Source of information: The victim

Victims(s) involved: A gay male person, age 33

Type of the crime(s): Threat

Perpetrator(s): group (4 persons) of young male persons, age around 20?

Brief description of the incident: The victim left the Lady Gaga concert venue. Near the venue there was young male group (4 persons) that looked very suspicious – baldheads, wearing sports wear and “hoodies”. Group of young persons shouted abusive slogans like “fagots” (Latvian – “zilie”) and “pederasts” (Latvian – “pirdari”), which flowed by threats like “people like you should be beaten up!” (Latvian – “tāds kā tevi vajag atspārdīt!”).

Status of the case: Case was not reported to the police.

Impact on the victim(s) and the community: Unknown

4. Case 4: Threats, including implicit death threats to the Board member of the Association of LGBT and their friends MOZAIKA

What happened: Threat to the Board member of MOZAIKA after announcing that Riga will be hosting EuroPride 2015

Date, time and location of the incident: Sunday, 30th of September 2012; Sunday, 7th of October 2012; Sunday, 14th of October 2012 in the social media platforms facebook.com and draugiem.lv

Source of information: The victim

Victims(s) involved: Local LGBT human rights activist who is publicly known as member of the organization and perceived to be lesbian.

Type of the crime(s): Threat

Perpetrator(s): Male person, in the age over 45?

Brief description of the incident: While after announcing that Riga will be hosting EuroPride 2015, Board member of LGBT organization received threat in the social media platforms facebook.com and draugiem.lv (equivalent of facebook.com only targeted to Latvian audience).

Threats: ““You, lesbian slut, after the activities with the children's books you reached the limits, lick pussies and fuck ass at home, but if you will try to take it out, with the big gay pride, Higher forces will prevail. And, walking down the street look back you Lesbian, soon icicles will fall from the roof, and maybe more ... ” (Latvian - “Tu, lezbiskā mauka, nu pēc aktivitātēm par bērnu grāmatām, mērs ir pilns, laizi pežas un pisaties dirsās savās mājās, bet, ja centīsies to iznest ārā, kā piemēram lielo praidu, iedarbosies Augstāki spēki. Un vispār, ejot pa ielu atskaties, lezbe, drīz no jumtiem kritīs lāstekas un varbūt ne tikai ...”)

"Hi, I have a friend who was sitting (in jail) in 1978 as he had a sexual intercourse with heifers. He is old now, but when he has a drink, he says that he is a sexual minority. He also knows a former employee of the morgue from Stradins (hospital). Are they allowed to join, as where is pedophilia, there's also zoophilia and necrophilia??? It would be cool, because old men feel left out? " (Latvian - “Sveika, man ir draugs, kurš 1978. gadā sedēja par dzimumsakariem ar telēm. Viņš nu ir vecs, bet kad iedropē, saka, ka ir seksuālā minoritāte. Viņš arī pazīst vienu bijušo morga darbinieku no Stradiņiem. Vai drīkst jums pievienoties, jo kur pedofīlija, tur arī zoofīlija un nekrofīlija??? Būtu forši, jo vecuki jūtās apbīžoti?”)

".... Why are you not answering, are you still alive, lezzy" (Latvian - “...., kāpēc neatbildi, vai esi vēl dzīve, lezbenīt”)

"Lesbian whore, have you licked the pussy today? Hands off from our children. If you'll go out in public, with that big gay pride, **then order yourself a coffin. Your place is Rumbula** (execution place in WWII). " (Latvian - “Lezbu mauka, vai pežu jau izlaizīji šodien? Rokas nost nost no mūsu

bērnēm. Ja izlīdīsī publiski, ar lielo praidu, tad pasūti zārku. Tava vieta ir Rumbulā.”)

Status of the case: The case was reported to the police according to Criminal Law Section 132. Threatening to Commit Murder and to Inflict Serious Bodily Injury. State Police Riga Centre Unit refused to start criminal proceedings. The victim made appeal. Riga Centre Region Prosecutor made a decision to send back the case for further investigation.

Impact on the victim(s) and the community: None

Lithuania

Hate Crimes targeted at LGBT people or LGBT organisations in Lithuania 2012, report compiled by the Lithuanian Gay League

1) Case 1: insult and death threats on mainstream media website

On 15 January 2012, two internet comments under an article in the mainstream media were reported to Prosecutor's Service by LGL. One of the persons commented insulting message in which homosexuals were called degenerates and there was a suggestion to "keep them all in one certain place". Another person commented suggesting that "the problem would be solved by hanging them".

2) Case 2: threats on the website of mainstream media

On 6 January 2012, a person posted a similar comment which suggested to "isolate faggots in camps". LGL submitted a complaint.

3) Case 3: violence and death threats on Facebook pages

On 30 January 2012, LGL turned to Prosecutors Service with a complaint on 7 comments from different people in Facebook. All the comments were insulting and suggesting to take action against "faggots": to exterminate them, to burn them, beat them, shoot them, kill them and similar.

4) Case 4: death threats on mainstream media website

On 7 August 2012, similar comment appeared under article in mainstream media suggesting to "to arrest faggots, put them in the gas chambers and poison those degenerates with toxic gas".

Macedonia

Report by the Macedonian Helsinki Committee/LGBTI support Centar: Hate crimes targeted at LGBT people or LGBT organisations in Republic of Macedonia 2012

Report by the NGO LGBT United: Hate crimes targeted at LGBT people or LGBT organisations in Macedonia 2012

1) Case 1: Physical Assault/domestic violence by a father against his son

What happened: One of the activists and founders of LGBT United was assaulted by his father when he found out he was gay and a LGBT activist

Date, place and time of the incident: 16 June 2012, in the afternoon in Tetovo.

Source of information: The victim himself and his mother as a witness of the crime. The victim informed the organisation of the crime via internet and in person.

Victim involved: One young student and activist of LGBT United Macedonia.

Type of crime: Assault by the father of the victim.

Perpetrator: the father of the victim.

Short Description of the case: The father of the victim upon being informed from other people on his son's activities in the LGBT organisation and of his sexual orientation has verbally and physically attacked his son inside their home. When the victim managed to escape from further violence, his father burnt all his clothes and tore his ID card. After the incident, the victim lived at his friends' for 3 months, afraid of going back home.

Status of the case: The victim lives now at his uncle's place under constant psychological torture from his father as he lives in the same house.

Response of local authorities: The victim didn't want to report the case to the police as the perpetrator is his father.

Impact on the victim(s) and the community: The case is only one example of the numerous acts of domestic violence against LGBT people that are not reported to the authorities. There is a lack of citizens' trust to the police and the courts, especially when it comes to acts of violence against LGBT people. After the incident, the victim became more involved in the LGBT activism and is now working on a project of another NGO addressing the problems of the LGBT population.

2) Case 2: Violence against a homosexual belonging to an ethnic minority

What happened: The victim has on numerous occasions in 2012 been physically attacked in his own home.

Date, time and location of the incident: Several dates in 2012, in Tetovo, usually at night.

Source of information: The victim himself.

Victim(s) involved: One victim – a postgraduate student of German language and literature.

Type of the crime(s): Physical attacks, with body injuries, and consistent threats to his personal safety. On few occasions the entrance door of his place has been broken. After replacing the door with a new, metal one, stones have been thrown at the windows of the victim's home.

Perpetrator(s): A group of young men age between 20 and 24.

Short Description of the case: Several physical attacks inside the yard of the victim's home causing considerable injuries of the victim's body. The victim lives alone in the town, separately from his parents who live in a village where the villagers mock their son and his sexual orientation.

Status of the case: The victim lives in constant fear of other assaults, without any protection in

his home as he lives alone and he has not reported the cases to the responsible authorities.

Response of local authorities: The case have not been reported to the authorities as the victim does not trust the police, the court or the responsible bodies at the local unit of self-government.

Impact on the victim(s) and the community: The homosexuals belonging to an ethnic minority in Macedonia are a subject of double discrimination – on the grounds of sexual orientation and of their ethnic origin. The victim lives in constant fear for his personal safety in lack of protection.

3) Case 3: Assault on a gay couple

What happened: A gay couple in Skopje was subject to a physical attack.

Date, time and location of the incident: September 2012, in the evening in the City Park in Skopje.

Source of information: The victim themselves.

Victim(s) involved: Two young gay men, 25 years old Albanian and his 23 years old Macedonian boyfriend.

Type of the crime(s): Physical attack to both men with several body injuries.

Perpetrator(s): Three men at the age of 25-30.

Short Description of the case: After seeing the two gay men hugging while walking in the city park, one of the perpetrators has verbally offended them and has asked them to leave the park stating that it is not for gays. Paying no attention to the remarks, the couple has continued walking which incited anger and revolt among the three men. This led to the physical attack later on which the gay men managed to escape with only light injuries.

Status of the case: After being assaulted, the victims are afraid to show affection in public and live extremely hidden lives.

Response of local authorities: The victims did not report the case to the police due to lack of trust in the authorities and due to fear of being outed. They have not declared their sexual orientation even to their parents and siblings.

Impact on the victim(s) and the community: This is another example of violence against LGBT people in Macedonia that has not been reported to the authorities. There is a great deal of people – victims that do not trust the police, the courts and the responsible State bodies (State commission for preventing and protection against discrimination, ombudsman, etc.).

4) Case 4: Attack on the LGBTI Support Centre (damage to property, threats)

What happened: After the opening of the LGBTI Support Centre, in the Old Bazaar Skopje, a place where LGBTI people can express and transmit information, the building was damaged by unknown perpetrators i.e. the glass at the entrance of the Centre was broken

Date, time and location of the incident: Tuesday, 23 October 2012, around 3 hours and 30 minutes after midnight, the Old Bazaar in Skopje

Source of information: Macedonian Helsinki Committee/LGBTI Support Centre

Victim(s) involved: The target was the LGBTI Support Centre

Type of the crime(s): Damaging of property, illegal threat

Perpetrator(s): There is no information whatsoever on the perpetrator(s)

Brief description of incident with bias indicators: The crime was clearly targeted on the LGBTI Support Center, that in the public was promoted as a place where LGBTI people can express and transmit information. This kind of crime is very rare in Macedonia and it can in no way be a coincident, especially because it was committed after the opening of the Centar

Status of the case: The incident was reported to the police. The police conducted an investigation but as there is no trace of any suspects the investigation hasn't proceeded.

Response of local authorities: While the police is cooperative and working with the LGBTI

Support Center on calming the situation with the local community, this violence was not condemned by the public officials. There was a lot of media coverage.

Impact on the victim(s) and the community: The attack against the LGBTI Support Centre of course shook the feelings of security of the employee and activists of the organisation, as well as LGBT people in general. This happened only after few hours from the opening of the Centar and there was a lot of media attention, that send the message for tolerance and an information that the Centar will not stop working.

There are newspaper articles and photos available on the incident if needed

5) Case 5: Attack on two activists on the March for tolerance

What happened: On the occasion of the International Day for Tolerance, Macedonian Helsinki Committee and the LGBTI Support Centre, organized March for tolerance in Skopje. The slogan of the march was "Stop women phobia, homophobia and transphobia". This march was supported by several NGOs that work on LGBT rights, sexual rights and gender equality. The cooperation with the police was on a good level and the safety of the participants was ensured. But, on the city square, where they were setting up booths with materials, 15 minutes before the start of the March, two people were attacked and injured. First was attacked Kocho Andonovski, Program Director of the LGBTI Support Center and organizer of the March for Tolerance and known for making the first public coming out as a gay person. When another activist wanted to help, he was also injured. Also, all of the materials and booths were broken and the perpetrator threatened all of the activists to leave the place.

Date, time and location of the incident: Saturday 17th November 2012, around 12 hours and 45 minutes, the City Square in Skopje

Source of information: Macedonian Helsinki Committee/LGBTI Support Centre

Victim(s) involved: Two activists were directly attacked and injured, but indirectly victims were all of the activists and citizens that supported the March

Type of the crime(s): violence, disturbance of a public meeting, violation of the equality of citizens

Perpetrator(s): The perpetrator was found by the police right after the attack and will be prosecuted for violence

Brief description of incident with bias indicators: The crime was clearly targeted to disturb the March and a violence to be committed on LGBTI people and activists, because it happened 15 minutes before the start of the March and one of the attacked persons was Kocho Andonovski, Program Director of the LGBTI Support Center and organizer of the March for Tolerance and known for making the first public coming out as a gay person. Also, the perpetrator threatened all of the activists to leave the place.

Status of the case: The police caught the perpetrator right after the attack and submitted a criminal charges to the public prosecutor for violence. Macedonian Helsinki Committee and the two activists submitted a criminal charges for disturbing a public meetings and violation of the citizens equality to the public prosecutor. The proceeding is on going and we still have not got any answer from the public prosecutor.

Response of local authorities: Macedonian Helsinki Committee and the Coalition "Sexual and Health Rights of Marginalized Communities" for the attack on the march for tolerance sent a request through the media for the public officials to condemn this behavior and to stop the negative campaign for LGBT people, but except the Minister for Internal Affairs and the party Democratic Renewal of Macedonia, which is part of the ruling coalition⁹, no one else condemned this attack. There was a lot of media coverage.

Impact on the victim(s) and the community: The attack was not stressful only for the attacked activists, but for all of the participants and the whole LGBTI community. It showed that, because of the hostile environment, the LGBT community is still not visible enough and strengthened to organize this type of events

There are newspaper articles and photos available on the incident if needed

6) Case 6: Attack on the LGBTI Support Centre (second time)

What happened: Also, there was another attack on the LGBT center, when unknown perpetrators tried to burn the Center. On the shutter of the Center the perpetrators had drawn swastikas and left a message “Tremiti” - Isole Tremiti is archipelago were Benito Mussolini during the fascist regime had deported hundreds of homosexuals.

Date, time and location of the incident: Monday, 17th of December 2012, in the Old Bazaar in Skopje

Source of information: Macedonian Helsinki Committee/LGBTI Support Centre

Victim(s) involved: The target was the LGBTI Support Centre

Type of the crime(s): Damaging of property, illegal threat, causing general danger

Perpetrator(s): There is no information about the perpetrators, but they are recorded by the security camera and the tapes are handed on the police, who still have not informed us about the identity of the perpetrators

Brief description of incident with bias indicators: This was the second attack of the LGBT Centre, but this time it was more extreme because there was a try the Center to be burned. Also, the nazi symbol and the word Tremitie refer to right wing extremist action and it refers to an organized attack from an organized group.

Status of the case: The incident was reported to the police and investigation was proceeded. Also, the recordings from the security camera of the Center, where the perpetrators can be seen were given to the police. We are waiting for the perpetrators identities and criminal charges to be submitted to the public prosecutor

Response of local authorities: While the police is cooperative and working with the LGBTI Support Center on calming the situation with the local community, the whole violence about the Center was not condemned by the public officials.

Impact on the victim(s) and the community: The second attack against the LGBTI Support Centre scared the employee and activists of the organisation. Also, it scared the local community.

Malta

Information made available by the NGO MGRM to ILGA-Europe

1) Case 1 : physical lesbophobic attack

In January, two lesbian girls were assaulted in Hamrun. At a court hearing organised in April on the case, a witness explained in court today that one of the victims had been head-butted by one of the aggressors as he declared that he would not shirk from assaulting women.

A similar description was given by the mother of one of the victims, who said she had taken her daughter to hospital with a bleeding nose and mouth following the head-butt. Two teenage brothers and a 35-year-old woman are accused of having attacked the girls because of their sexual orientation. The girls are charged with slightly injuring the brothers.

Diandra Sue Vella, 16, said that she was in a gazebo with a friend, Chantelle Baldacchino, 14. They were dancing to music from a mobile phone while the lesbian couple sat opposite. The boys and the woman were in a balcony overlooking the garden. She heard one of the boys insult one of the girls and calling her a lesbian and the girl replied in kind. The boys then came down and an argument, followed by a brawl ensued.

Chantelle Baldacchino corroborated her friend's evidence and said the older boy head-butted one of the girls as he said he did not shirk from hitting a woman. The mother of one of the alleged victims said her daughter called her on the phone saying she had been head-butted by a man. She went to the scene and found her daughter crying. She had a bloodied nose and mouth. She took her to Mater Dei because of a suspected broken nose and they there up to 4 a.m.

2) Case 2: attack of two lesbians by a bus driver

In February, an off-duty bus driver attacked two lesbian passengers on a city bus. He was charged of causing injury and disrupting public order. The bus company Arriva dismissed the driver after the incident and emphasised that they have a zero tolerance policy on violence on any grounds. [GayMalta NewService - Gay victims urged to come forward]

Quote from a press release of the bus company: “Arriva Malta would like to clarify some information regarding a video being circulated over the Internet involving an incident on one of its buses. Contrary to what has been reported earlier, the incident did not take place yesterday (05/02/2012) but rather occurred last Friday (03/02/2012) and has already been investigated by the Police, following a report made by a third-party. Arriva would also like to point out that the employee involved was not a Dispatcher but rather a Driver who at the time of the incident was off-duty and on his way home after work, that is, he was using the bus as a passenger. Indeed, any action taken by this driver was taken on his own initiative. This driver is no longer employed with Arriva. Arriva has a zero tolerance policy when it comes to violence of any sort and would like to make it very clear that it condemns categorically and without reserve not only this incident but indeed any bullish, violent and other such reproachable and anti-social behaviour. Moreover, the Bus Operator wants to make it absolutely clear that it has a very clear and open diversity policy which all employees are bound to respect.

3) Case 3: attack against a trans woman

There was also a call on the National Gay Helpline from a trans woman who was attacked outside her place of work. She was made to take off her clothes and humiliated. She found it difficult to feel safe leaving her house after that. She chose not to report to the police fearing they might use the incident against her. I think she means that they might accuse her of loitering.

4) Case 4: Violence in family after coming out

Another call on the National Gay Helpline involved a 16 year old who was thrown out of his parent's house in his pyjamas, with nothing but his cell phone, by the father who also beat him. The father had recently found out that his son was gay.

Moldova

Hate crimes committed against LGBT people in Moldova in 2012, report by the NGO GenderDoc-M

1) Case 1: Premeditated robbery and attempted murder of a gay person

What happened: A gay man was robbed and beaten almost to death in his apartment

Date, time and location of the incident: 15 March 2012, at 21.00 o'clock, in the victim's apartment.

Source of information: the victim.

Victim(s) involved: gay man, beneficiary of GENDERDOC-M Information Centre

Type of the crime(s): Extreme physical violence, attempted murder and robbery

Perpetrator(s): two men (31 and 30 years old, respectively)

Brief description of incident with bias indicators: The victim had got acquainted with the two perpetrators men on an on-line dating website for gay men a couple of days prior to the incident. Then the victim invited them to visit his apartment under the pretext of sexual relationship. When arrived to his home, perpetrators bound victim's hands and legs with an electric wire and beat him with their fists and feet over his head. They also threatened him with the kitchen knife. One of the perpetrators thought of stabbing the victim but was dissuaded by the other perpetrator. When the victim lost consciousness, they stole a laptop, mobile phone, wallet with money, and a backpack (with victim's ID, international passport, and medical insurance).

Status of the case: The case was reported to the police. An official criminal investigation was initiated. Perpetrators were identified, charged and sentenced. The perpetrators had known the victim was gay and decided to rob him because the victim wouldn't have allegedly dared to report the incident. Examples of similar incidents are more frequent in Russia. Although the crime was motivated by perpetrators' homophobia, the case wasn't investigated as bias-motivated incident.

Response of local authorities: A criminal investigation was initiated by the General Prosecutor's Office. After perpetrators were identified and detained, the case was transferred to court. The perpetrators were found guilty of robbery committed by two or more persons with the use of weapons or other objects with causing a considerable damage. They were sentenced to eight (8) years in prison and compensation of material damage to the victim. In the conclusion of the judgment the case is not viewed under the aspect of the hate crime.

Impact on the victim(s) and the community: Victim was caused psychological, physical and material damage.

Evidence: Victim's complaint to the police, pictures of bodily injuries, forensic medical examination and court judgment.

2) Case 2: Assault against two gay men followed by ill-treatment by law-enforcement bodies

What happened: Two gay men were beaten by two military servicemen next to a military unit. The police didn't meet their obligations.

Date, time and location of the incident: 27 June 2012, at half past midnight. In front of the military unit on Vasile Lupu Street, Chisinau.

Source of information: The victims.

Victim(s) involved: two gay men, beneficiaries of GENDERDOC-M Information Centre

Type of the crime(s): assault and ill-treatment by authorities

Perpetrator(s): two servicemen, both around 20 years old

Brief description of incident with bias indicators: One of the servicemen had proposed the two gay men, who were passing by the military unit, to engage in sexual intercourse in exchange of a food set, beer and cigarettes. After having forcefully taken away the purchased items from the two men, servicemen beat the two men insulting them for their sexual orientation. As a result of the attack, one of the men's upper lip was torn, and the other man endured minor bodily injuries.

Status of the case: The case was reported to the police immediately. Victims called the police, but their complaint was rejected. After a GENDERDOC-M representative had called the police and insisted on the call's registration, an on-duty police crew was sent to the crime scene. Having arrived to the scene, the police men approached the soldiers asking them questions about the incident and ignored the victims. They laughed at derogatory words which the two servicemen said to the victims. The GENDERDOC-M representative had to interfere via a phone call again and insisted that the police perform their duties and call an ambulance for one of the victims. After this phone conversation, policemen changed their attitude, called an ambulance for him and took the second victim to the police department for testimonies.

Response of local authorities: The reported case fell under the competence of the Military Prosecutor's Office. Both victims were summoned to the Military Prosecutor's Office for testimonies. One of the victims was summoned on 16 August 2012; the other one was summoned on 20 August 2012, respectively. The prosecutor was very rude and acted discourteously. He asked personal questions regarding victims' sexual preferences and stated, using an obscene language, that if he had been in soldiers' shoes, he would have also beat the men for their sexual orientation. The military prosecutor refused initiation of criminal investigation. It was decided that the victims would submit a civil case to court against the perpetrators and GENDERDOC-M would file an official complaint against the prosecutor's office to the UN Human Rights Committee.

Impact on the victim(s) and the community: The assault affected victims psychologically and caused physical injuries.

Evidence: Victims' complaints to the police, official letters from the Military Prosecutor's Office, victims' psychological examination.

3) Case 3: Threats and psychological violence against a gay person

What happened: A 17-year-old gay man was subject to psychological violence and threats by his parents because of his sexual orientation

Date, time and location of the incident: January 2012, in the victim's home

Source of information: a letter from the victim received by Lobby and Advocacy Program Coordinator through e-mail.

Victim(s) involved: 17-year-old gay man

Type of the crime(s): Threats and psychological violence (restriction of freedom).

Perpetrator(s): Victim's parents

Brief description of incident with bias indicators: When victim's parents learned about his sexual orientation, they began persecuting him. They threatened their son that they would tie and beat him if he didn't change. They also threatened victim's 29-year-old boyfriend that they would accuse him of pedophilia (the age of consent in Moldova is 16) and he would go to jail. Victim's parents took away his ID, mobile phone and were watching him. They even threatened him with death if he wouldn't change.

Status of the case: GENDERDOC-M maintained contact with the victim only via e-mail. The Lobby and Advocacy Coordinator appointed a meeting with him to discuss further actions and provide legal aid. The victim never came to the meeting and didn't reply to the subsequent letter. There was no possibility to get in touch with the victim; there were no accurate data on his

residence or full name.

Response of local authorities: No local authorities were involved.

Impact on the victim(s) and the community: The victim reported he was terrified, afraid of going home from school because parents would immediately lock him in the house. The victim contemplated suicide.

Evidence: Letter dispatched to the email frolova_anjelika@yahoo.com

Montenegro

Hate crimes targeted at LGBT people or LGBT organisations in Montenegro 2012, a report by LGBT Forum Progress (ILGA-Europe's member)

1) Case 1: Violent threats (including death threats) towards the participants of the Pride march in Podgorica

What happened: The group called “Stop the holding of the Parade of faggots in Montenegro” was created on the social network “Facebook”. The members of this group made open threats of violently attacking the participants of the march, and made organized mailing lists for all of those who are interested in participation in the attacks to the march.

Date, time and location of the incident: The group was active between February 2012 and May 2012. During this period the administrators of the group made numerous threats. Montenegro.

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Type of the crime(s): Threats of taking lives of the participants, hate speech, violation of the freedom of political action, violation of the freedom of assembly

Perpetrator(s): LGBT Forum Progress reported 6 persons, according to the information gathered from their private “Facebook” profiles. The perpetrators are mostly from the capital city Podgorica, one being from Niksic and one from Montenegrin Diaspora.

Brief description of incident with bias indicators: The crime was clearly targeted at the Pride march that is very clearly a march for the equal rights of LGBT people. This kind of crime happens very often in Montenegro, and they are also one of the causes Montenegro had to cancel its first attempt of the Pride march. Also the bias indicator is the use of hate speech language and open threats towards the LGBT population of Montenegro.

Status of the case: The case is, after almost one year, still being processed and there are no signs of whether the perpetrators will be prosecuted.

Response of local authorities: There was a lack of response of the local authorities in this case.

2) Case 2: Violent threats (including death threats) to the organizers of the Pride march in Podgorica

What happened: Two men made a “Facebook” group called “Stop the parade of shame on the 31st of May” through which made severe threats to the organizers and spread homophobia through hate speech. They also created the e-mail address to make the sharing of the proposed activities for the attack on the Pride easier. The email address is as follows: smrtpederima@groups.facebook.com (translation: deathtofaggots@ groups.facebook.com). The two administrators were brought in by the police on an informative interview which caused them to make even more severe threats.

Date, time and location of the incident: The group was active between February 2012 and April 2012. During this period the administrators of the group made numerous threats. Montenegro.

Victim(s) involved: The organizers of the Pride march, the activists of the LGBT Forum Progress and the LGBT community.

Type of the crime(s): Threats of taking lives of the participants, hate speech, violation of the freedom of political action, violation of the freedom of assembly

Perpetrator(s): LGBT Forum Progress reported two men, the citizens **B.K.** and **D.L.**

Brief description of incident with bias indicators: The crime was clearly targeted at the Pride march that is very clearly a march for the equal rights of LGBT people. This kind of crime happens very often in Montenegro, and they are also one of the causes Montenegro had to cancel its first

attempt of the Pride march. Also the bias indicator is the use of hate speech language and open threats towards the LGBT population of Montenegro.

Status of the case: The case is, after almost one year, still being processed and there are no signs of whether the perpetrators will be processed since Montenegrin laws still don't recognize hate speech as a criminal act.

Response of local authorities: The police interviewed the perpetrators but they have not been prosecuted.

3) Case 3: Verbal abuse/hate speech and threats towards the actor of the first video of support to the LGBT community

What happened: Report against an individual which addressed a threatening message towards the actor of the first Montenegrin video for the promotion of LGBT rights. The message was full of hate speech language and it was offensive. The messages were highly offensive towards gay community.

Date, time and location of the incident: January 2012, shortly after the premiere of the video of the promotion of LGBT rights. Podgorica, Montenegro,

Victim(s) involved: T.V. actor in the aforementioned video.

Type of the crime(s): Verbal abuse, threats, hate speech

Perpetrator(s): The police identified M.S. as the person who sent the message

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community.

Status of the case: Ongoing. No closure.

Response of local authorities: The police authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

4) Case 4: Threats/incitement to violence against the LGBT community via "Facebook" group

What happened: Teams for monitoring of the online bullying and discrimination of LGBT population, registered posts of hate speech on the posted by a homophobic individual on the Facebook group "Center for civic education" after the administrators of the group published the post on the premiere of the first video in Montenegro which stands for respecting of LGBT rights. The homophobic individual B. Z. posted the comment "All of them should be killed" referring to the gay population.

Date, time and location of the incident: The incident occurred after the premiere of the video of the promotion of LGBT rights. Podgorica, Montenegro,

Victim(s) involved: LGBT community, since it was addressed to all of its members.

Type of the crime(s): Hate speech, verbal assault

Perpetrator(s): Citizen B.Z.

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: Members of the regional unit of the Montenegrin police appointed the case to the deputy of the Primary State Prosecutor which concluded that there are no elements of criminal act. After this, the regional unit of the Montenegrin police, filed a request for the starting of the procedure of the misdemeanor procedure.

Response of local authorities: The reaction of the police was prompt but the judiciary system didn't provide information on the final income of the case.

5) Case 5: threats and unpermitted photographing of the executive director of LGBT Forum Progress , the only publicly out gay in Montenegro, by a person V.R. who attacked him several times before

What happened: Citizen V.R. who previously attacked Mr. Zdravko Cimbalevic the only publicly declared homosexual in Montenegro and the executive director of LGBT Forum Progress the only LGBT rights organization in the country, took photos of Mr. Cimbalevic without permission, while making comments such as : "I will give you what you deserve". We must emphasize here that the citizen V.R. physically attacked Mr. Cimbalevic 3 times during 2011 which is why Mr. Cimbalevic reported this case to the police.

Date, time and location of the incident: 11th February 2012, Podgorica, Montenegro

Victim(s) involved: Zdravko Cimbalevic

Type of the crime(s): Threats, invading the right to privacy by taking unpermitted photos of the victim.

Perpetrator(s): Citizen V.R.

Brief description of incident with bias indicators: Citizen V.R. attacked Mr. Cimbalevic three times during 2011 which made Mr. Cimbalevic fear for his own safety in this case. The previous cases were filed and reported to the police, and are still citizen V.R. was previously convicted because one of the attacks. This, and the usage of threats and hate speech, make it clear that this was a crime motivated by hatred.

Status of the case: The case is still in the procedure, after more than one year. The court trial is to happen in the upcoming months.

Response of local authorities: This case attracted massive media attention due to the fact that the previous attacks of the citizen V.R. were the reason Mr. Cimbalevic publicly declared himself as homosexual. Since Montenegro is a highly homophobic country, LGBT cases draw this kind of attention.

6) Case 6: Hate speech and threatening comments on the "Facebook" page "E-Balkan Net"

What happened: Teams for monitoring of the online bullying and discrimination of LGBT population, registered posts of hate speech on the posted by a homophobic individual on the Facebook group "E-Balkan Net". The comment was posted on the post of one the members of the group, who posted the link titled : " Did you know that almost 60% of the Montenegrin population considers homosexuality to be an illness". The comments below the text are continued in the direction of how to medically treat the illness of homosexuality, to which the citizen A.S. responded "With a shovel" referring to that violence should be used to treat people from homosexuality. Another answer to the question of the medical treatment posted by the citizen D.B. was "A bullet" should be used referring to the fact that all the gays should be killed.

Date, time and location of the incident: End of February 2012, social network "Facebook", Podgorica, Montenegro.

Victim(s) involved: Members of the LGBT community

Type of the crime(s): Hate speech, Verbal assault, Threats

Perpetrator(s): Citizen A.S. (which is identified as a person living in Bosnia and Herzegovina) and the citizen D.B. (which hasn't been identifies due to the lack of data taken from his personal "Facebook" profile.

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: Ongoing.

Response of local authorities: The reaction of the police was prompt but the judiciary system didn't provide information on the current status or activities undertaken on this case.

7) **Case 7: Death threat message sent to the executive of the only LGBT organization in the country**

What happened: Citizen R.C. from Niksic, addressed a threatening message to Zdravko Cimbalevic, the executive director of LGBT Forum Progress the only LGBT rights organization in the country. The message was sent from a fake "Facebook" profile and it stated: "You faggot, you should be beaten as animals, no, you should be burnt and tied down naked, you scumbag, motherfucker, filth of the earth. I shit in your mouth!"

Date, time and location of the incident: 08.04.2012, Podgorica, Montenegro

Victim(s) involved: Zdravko Cimbalevic the executive director of LGBT Forum Progress the only LGBT rights organization in the country.

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): R.C. from Niksic, Montenegro

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards LGBT population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: The police located the perpetrator, and the Regional organ for misdemeanors started a misdemeanor procedure on this case. Citizen R.C. was declared guilty, and punished to pay 700 Euros to the state, according to the Law.

Response of local authorities: The reaction of the police was prompt and the court decision on this particular case has shown the judiciary system is ready to defend the LGBT community from crimes motivated by hatred.

8) **Case 8: Citizen L.G. addresses death threat message to the executive of the only LGBT organization in the country**

What happened: Citizen L.G. from Niksic, addressed a threatening message to Zdravko Cimbalevic, the executive director of LGBT Forum Progress the only LGBT rights organization in the country. The message was sent as a response to the article in the daily newspaper, was titled: "A person from Niksic threatened Cimbalevic and the LGBT population over Facebook". The message was sent from a private profile and it stated: "You fucking fag I hate you. You ugly Cimbalevic. You do not deserve to live you fag asshole!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!"

Date, time and location of the incident: 8th of April 2012, Podgorica, Montenegro.

Victim(s) involved: Zdravko Cimbalevic the executive director of LGBT Forum Progress the only LGBT rights organization in the country.

Type of the crime(s): Hate speech, threats, verbal assault.

Perpetrator(s): The underage citizen L.G.

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards LGBT population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: The case is still ongoing. The police submitted the case to the Primary State Prosecutor which declared that there are no elements of criminal act within this case. The police forwarded the case to the National Center for Security Interpol, in order to acquire the IP address for the user of Facebook profile of the user L.G. for the day 8th of April 2012. Police was not informed on the further actions undertaken in this case.

Response of local authorities: The reaction of the police was prompt but the judiciary system didn't provide information on the current status or activities undertaken on this case.

9) Case 9: Physical attack of the first protest held in Montenegro to defend the rights of trans people

What happened: LGBT Forum Progress organized on the 16th of May 2012, a protest for the trans community of Turkey in front of the Turkish Embassy in Podgorica, Montenegro. The protest was held to address the problem of the increase in the killings of trans persons in Turkey, and it was in practice the first ever to be held LGBT protest in Montenegro. The 15 participants of the protest were guarded by 50 members of the police. The citizen G.G. tried to breach the security circle formed by the police, while yelling: "Get away from here, you pieces of shit. You think you can gather here freely, you filth!? You filthy assholes!" The citizen was stopped by the police, and taken in the police station.

Date, time and location of the incident: 16th of May 2012, Podgorica, Montenegro.

Victim(s) involved: The members of the LGBT community which gathered for the protest.

Type of the crime(s): Intended physical attack, hate speech, verbal assault and threats, violation of the freedom of political action, violation of the freedom of assembly

Perpetrator(s): Citizen G.G.

Brief description of incident with bias indicators: The attack was clearly a hate crime, since there was more than 70 witnesses, including the media and the police. Besides the usage of hate speech, offensive language and threats towards LGBT population which gathered on the protest, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: The citizen G.G. was prosecuted and found guilty and after taking into consideration of all the relevant data, he was punished to pay only 50 Euros to the State according to the Law.

Response of local authorities: The reaction of the police was prompt and the court decision on this particular case has shown the judiciary system is ready to defend the LGBT community from crimes motivated by hatred. There was a lot of media coverage of this event.

10) Case 10: burning of the first rainbow flag ever put in front of a state institution

What happened: The rainbow flag, which represents the universal mark of LGBT community and all of the LGBT movements in the world, was set in front of the headquarters of the institution of the Ombudsman (the Protector of Human Rights and freedoms of Montenegro). The flag was a way of marking the Pride month. It was burnt during the first night it was set.

Date, time and location of the incident: The night between 17th and 18th of June, 2012

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Vandalism

Perpetrator(s): Perpetrators were not found in this case, the police searched for the security cameras but the cameras angle did not cover the crime scene.

Brief description of incident with bias indicators: Since the target of the attack was the first

rainbow flag ever set in Montenegro, and this event was followed by a lot of media coverage, it is clear that this attack was addressed to the LGBT community, making it a hate crime.

Status of the case: The police conducted full investigation, but the perpetrators were never found.

Response of local authorities: The police reacted in a prompt way, but unfortunately it was not enough. The flag had to be set in the interior of the building because of security reasons. This event had a massive amount of media coverage.

11) Case 11: Threats to a member of the LGBT community via SMS messages.

What happened: The member of the LGBT community F.M. asked for advice from the activists of the LGBT Forum Progress because he constantly got threatening messages via his mobile phone from an unknown individual. The messages were highly offensive and contained several threats. The member of the community, with the help of the activist, pressed charges against the individual.

Date, time and location of the incident: The end of June 2012, Podgorica, Montenegro

Victim(s) involved: The member of the LGBT community F.M.

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Type of the crime(s): Hate speech, threats

Perpetrator(s): The police identified the owner of the number from which the threats were sent, as the citizen D.K. from Podgorica.

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: The police appointed the case to the deputy of the Primary State Prosecutor, who determined that there are no elements of crime in this case.

Response of local authorities: The reaction of the police was prompt. The identity of the perpetrator was found in a relatively short period of time. Unfortunately, Montenegrin judiciary system does not recognize the hate speech as a crime, so the perpetrator was not punished.

12) Case 12: The case of brutal attack on the actor and director of the first Montenegrin video for the promotion of LGBT rights

What happened: The group of local sport fans attacked the director and the actor of the first Montenegrin video for the promotion of LGBT rights and the acceptance of LGBT people. The director and the actor, accompanied by their friend, a journalist of the national television, were returning home after the “Main Art Street” festival, which they visited to support their friends. During the concert earlier that night, a group of “Varvari” (the Barbarians), a local sport fan group, started to verbally abuse and offend the aforementioned actor and director. The actor and the director on the other had remained calm, trying not to cause conflict. After the concert, on their way home, the director and the actor were attacked by the same group of the “Barbarians”. They were outnumbered and severely beaten. After they managed to escape, they called the police and reported the case.

Date, time and location of the incident: The night between 9th and 10th of September of 2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: The director D.M. the actor T.V. and their journalist friend M.B.

Type of the crime(s): Hate speech, verbal abuse, physical attack, violation of public order and peace.

Perpetrator(s): The police successfully identified two out of five perpetrators, D.M. and N.R.

Brief description of incident with bias indicators: Since the premiere of the video “We are part of the team” directed by the victim in this case D.M. and in which the other victim T.V. acted, this group of people was exposed to the enormous amount of public hatred. Taking into consideration the usage of language in which the perpetrators were calling the victims “Faggots”, it is clear that this crime is motivated by hatred.

Status of the case: The case is still ongoing.

Response of local authorities: The case produced large amount of media attention. Some of the other NGOs such as the “Center for civic education” also participated in the development of this case. Namely the “Center for civic education” filed a complaint to the Council for civil control of the work of the police, pointing out the fact that the measures taken during the face recognition procedure were not according the Law.

13) Case 13: Death threats by a member of the Facebook group “Podgoricke Legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, made death threats to the Montenegrin LGBT community trough the posts he made on the aforementioned Facebook group.

Date, time and location of the incident: 11.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Since it was a threat to the overall LGBT population of Montenegro, we must say the potential victims are all of the LGBT persons.

Type of the crime(s): Hate speech, verbal abuse, threats

Perpetrator(s): citizen A.B. from Podgorica

Brief description of incident with bias indicators: The Facebook group has been closely monitored by LGBT Forum Progress, because it is common that the members of this group post offensive comments and threats to the LGBT community. Considering the usage of hate speech, offensive language and threats towards the members of the LGBT population, it is clear that the intention of the perpetrators was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred.

Status of the case: The case is still ongoing.

Response of local authorities: The police reaction was prompt, and the case was addressed to the deputy of the Primary State prosecutor, which declared that there are no elements of crime in this particular case. The police members of the Regional unit of Podgorica are working on the identification of the perpetrator and filing of a misdemeanor report.

14) Case 14: Verbal assault (including death threats) addressed to the LGBT community trough the Facebook page “Podgoricke legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, made death threats and offended the Montenegrin LGBT community trough the posts she made on the aforementioned Facebook group. The citizen A.R. stated: “The dogs should fuck their mothers! All the faggots should be burned on a stake!”. She also addressed her support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Pogorica, Montenegro.

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizen A.R.(female) from Podgorica

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrator and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

15) Case 15: Another verbal assault (including death threats) addressed to the LGBT community through the Facebook page “Podgoricke legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, made death threats and offended the Montenegrin LGBT community through the posts he made on the aforementioned Facebook group. The citizen A.B. stated : “I will not allow to see faggots on our streets!” He also stated homosexuals are “retards” and he said that homosexuality is the same thing as “pedophilia”.He also addressed her support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizen A.B. from Podgorica

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrator and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

16) Case 16: Another verbal assault (including death threats) addressed to the LGBT community through the Facebook page “Podgoricke legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, made death threats and offended the Montenegrin LGBT community through the posts he made on the aforementioned Facebook group. The citizen L.I. stated: “the faggots now look much better, after they got beaten by the “Varvari” , and they should be thankful because of it because they got what they deserve!” He also addressed her support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the

LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizen L.I. from Podgorica

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrator and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

17) Case 17: Another verbal assault (including death threats) addressed to the LGBT community through the Facebook page “Podgoricke legende”

What happened: The two members of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, used their joint Facebook profile, to make death threats and offend the Montenegrin LGBT community through the posts he made on the aforementioned Facebook group. The citizens D.V. and the citizen A.V. stated: “The “Varvari” should continue cleansing the city, like they clean the snow!” They also added that the sick people, referring to the homosexuals should be cleaned out. They also addressed their support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizens D.V. and A.V. from Podgorica

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, and the police started the misdemeanor prosecution of the case.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

18) Case 18: Another verbal assault (including death threats) addressed to the LGBT community through the Facebook page “Podgoricke legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a

group which gathers homophobes, made death threats and offended the Montenegrin LGBT community through the posts he made on the aforementioned Facebook group. The citizen M.R. stated: “the faggots need to be deported and banished from the state” He also addressed her support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizen M.R. from Zabljak

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrator and it will consider prosecuting the case as a misdemeanor report. They addressed the case to the Police unit of Zabljak for further actions.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system. LGBT Forum Progress, was not notified on the “further actions” undertaken by the Police unit of Zabljak.

19) Case 19: Another verbal assault (including death threats) addressed to the LGBT community through the Facebook page “Podgoricke legende”

What happened: The member of the Facebook group “Podgoricke Legende” now recognized as a group which gathers homophobes, made death threats and offended the Montenegrin LGBT community through the posts he made on the aforementioned Facebook group. The citizen N.Z. stated: “It is ashamed that they have beaten the actor and the director of the LGBT video with their fists, they should have used batons instead.” He also addressed her support to the perpetrators who assaulted the actor and the director of the first Montenegrin video of support to the LGBT community and their friend.

Date, time and location of the incident: 13.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: LGBT community of Montenegro

Type of the crime(s): Hate speech, verbal assault, threats.

Perpetrator(s): Citizen N.Z. from Podgorica

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, and the police started the misdemeanor prosecution of the case.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

20) Case 20: Threats to the LGBT community through the Facebook group “Crnogorska navijacka scena”(Montenegrin sports fans scene)

What happened: The administrators of the Facebook group “Montenegrin sports fans scene” published the online article about the beatings of the actor and the director of the first LGBT support video in the country, and the members of the group made comments and threats to the LGBT community on that post. Citizen F.P. stated that this beating is just the beginning and that more violence is yet to come. The citizen J.D. from Kotor also supported the beatings through her posts and comments.

Date, time and location of the incident: 16.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Montenegrin LGBT community.

Type of the crime(s): Hate speech, verbal assault, threats

Perpetrator(s): F.P. from Podgorica and J.D. from Kotor

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrators and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

21) Case 21: Threats to the LGBT community through the Facebook group “Crnogorska navijacka scena”(Montenegrin sports fans scene)

What happened: The administrators of the Facebook group “Montenegrin sports fans scene” published the online article about the beatings of the actor and the director of the first LGBT support video in the country, and the members of the group made comments and threats to the LGBT community on that post. Citizen G.R. along with the cursing of the LGBT population in Montenegro, stated they should have been beaten with with crowbars and bricks.

Date, time and location of the incident: 16.09.2012, Bijelo Polje, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Montenegrin LGBT community.

Type of the crime(s): Hate speech, verbal assault, threats

Perpetrator(s): G.R.. from Bijelo Polje

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrators and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate

speech is still not recognized within Montenegrin judiciary system.

22) Case 22: Threats to the LGBT community through the Facebook group “Crnogorska navijačka scena”(Montenegrin sports fans scene)

What happened: The administrators of the Facebook group “Montenegrin sports fans scene” published the online article about the beatings of the actor and the director of the first LGBT support video in the country, and the members of the group made comments and threats to the LGBT community on that post. The underage citizen stated: “The blood will flow on the streets of Podgorica, Gay Parade will not happen”. Seven other members of the group supported his comment.

Date, time and location of the incident: 16.09.2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Montenegrin LGBT community.

Type of the crime(s): Hate speech, verbal assault, threats

Perpetrator(s): An underage citizen

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrators and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

23) Case 23: Threats to the LGBT community through the Facebook group “Crnogorska navijačka scena”(Montenegrin sports fans scene)

What happened: The administrators of the Facebook group “Montenegrin sports fans scene” published the online article about the beatings of the actor and the director of the first LGBT support video in the country, and the members of the group made comments and threats to the LGBT community on that post. The citizen R.N. stated: “No one from the Montenegrin sports movement wants the faggots in the country!”

Date, time and location of the incident: 16.09.2012, Bijelo Polje, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Montenegrin LGBT community.

Type of the crime(s): Hate speech, verbal assault, threats

Perpetrator(s): An underage citizen

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language and threats towards the member of the LGBT population it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community which makes it a crime motivated by hatred. The perpetrator also made threats to the LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrators and it will consider prosecuting the case as a misdemeanor report.

Response of local authorities: The police reaction was prompt, but the judiciary authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

24) Case 24: New threats to the T.V. the actor in the first Montenegrin LGBT support video

What happened: Report against an individual which addressed a threatening message towards the actor of the first Montenegrin video for the promotion of LGBT rights. The citizen Z.L. from Budva stated in the message that T.V. should stop with the making of the videos of support for the LGBT community, and he finished the message with the words: “We want a clean nation! Death to all the faggots!”

Date, time and location of the incident: 13.09.201, the message was sent from Budva, Montenegro

Victim(s) involved: T.V. actor in the aforementioned video.

Type of the crime(s): Verbal abuse, threats, hate speech

Perpetrator(s): The police identified Z.L. as the person who sent the message

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community.

Status of the case: The deputy of the Primary State prosecutor stated that there are no elements of crime in this case, so it cannot be criminally prosecuted, but the police stated that it will continue with the identification of the perpetrators and it will consider prosecuting the case as a misdemeanor report.

The case was forwarded to the Regional police unit of Budva, for further actions.

Response of local authorities: The police authorities considered that there are no legal conditions for the prosecution of this case, due to the fact that hate speech is still not recognized within Montenegrin judiciary system.

LGBT Forum Progress, as the submitter of the report, was never informed on the “further action” undertaken by the police.

25) Case 25: Another physical attack on T.V. the actor in the first LGBT support video in Montenegro

What happened: The actor in the video, T.V. was returning home after a night out and from the taxi he noticed a group of individuals waiting for him in front of his building entrance. After he exited the taxi, he ran towards his entrance, hoping he will manage to avoid conflict. After they saw him, the group of men started to chase him while yelling: “Come you faggot cunt, we will fuck your mother”! He managed to get into the building and he immediately called the police. After the police came, the perpetrators ran away.

Date, time and location of the incident: 13th of October 2012, Podgorica, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Citizen T.V.

Type of the crime(s): Verbal assault, threats

Perpetrator(s): Group of 15 individuals, only one identified : citizen R.R.

Brief description of incident with bias indicators: : Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend, verbally physically abuse the LGBT community or those who support the LGBT community.

Status of the case: Citizen R.R. was criminally prosecuted and sentenced to a three months of jail.

Response of local authorities: The reaction of the police was prompt and the court decision on this particular case has shown the judiciary system is ready to defend the LGBT community from crimes motivated by hatred. There was a lot of media coverage of this event.

26) Case 26: Threatening message to the executive director of LGBT Forum Progress.

What happened: The citizen M.P. sent a threatening and offensive message to the executive director of the only LGBT organization in the country, LGBT Forum Progress. The message is as follows: “You slimy faggot, represent a shame for Montenegro and its people. I will kidnap you, and i will cut of that dick of yours. Shame on you, you human piece of shit. Ask your father how it is to make love with a woman. Go treat yourself or shoot yourself in the head. That’s all you Satan! Stop to the Parade of the sinners!

Date, time and location of the incident: 2nd of October, 2012, Bar, Montenegro

Source of information: LGBT Forum Progress (the only LGBT organization in Montenegro).

Victim(s) involved: Zdravko Cimbalevic.

Type of the crime(s): Verbal assault, Hate speech, Threat

Perpetrator(s): M.P. from Bar

Brief description of incident with bias indicators: Considering the usage of hate speech, offensive language towards gay population, it is clear that the intention of the perpetrator was to offend and verbally abuse LGBT community.

Status of the case: The Primary Court of Bar started the criminal prosecution of the perpetrator. The hearing was scheduled for the 12th of December, but it was rescheduled at the request of the defendant.

Response of local authorities: The reaction of the police was prompt and the court decision on this particular case has shown the judiciary system is ready to defend the LGBT community from crimes motivated by hatred. There was a lot of media coverage of this event.

The Netherlands

Report by Transgender Netwerk Nederland: Hate crimes targeted at transgender people in the Netherlands

1) Case 1: Neighbour harassing transgender couple in Nijmegen

Date: early 2012

Location: Nijmegen (neighbourhood unknown)

Victims: two adult transgender women, they are a couple

Type of crimes: Verbal harassment and threats, damaging of private property

Perpetrator: adult woman, neighbour of the couple and unknown

Description of the incidents: This is a case of a neighbour harassing two transgender women. These women are a couple and live together. The neighbour has verbally insulted and threatened the couple for a length of time. An incident which the victims put in relation to this harassment is the graffiti put on their mailbox, which was a swastika to be specific. The couple had contacted the housing association to complain about their neighbour, but the response was inadequate. No effort to resolve the issue was undertaken until the local anti-discrimination office started assisting the couple.

Action taken by the victims: The victims complained about their neighbour at the housing association. Both the couple and the neighbour lived in social housing managed by the housing association. After this turned out effortless they contacted the local anti-discrimination office. The couple did not go to the police.

Response by authorities: At first the housing association responded inadequate and did not resolve the issue, prejudice about the victims gender identity and sexuality are thought to be reasons for the inadequate response, according to the victims. After mediation by the anti-discrimination office the housing association at first tried to arrange other housing for the neighbour and if that was not possible in short notice than the couple would agree to move to housing in another neighbourhood offered by the housing association. This was also the preferred choice of the couple. The couple accepted the housing the association offered after it wasn't possible to let the neighbour move in short notice. This resolved the problems experienced by the couple.

Impact on the victims: unknown

2) Case 2: Homophobic attack – physical violence

In February, the police of Tilburg arrested the alleged perpetrator of a homophobic attack on a group of three young men. One of the victims was severely bodily harmed after being pushed down the stairs.

3) Case 3: Robbery and abuse against gay men

In April, the Gaykrant reported that five men from the cities of Kampen, Steenwijk and Zwolle had become victims of robbery after meeting partners in a chat room on an internet dating site. The perpetrator first asked the victims for money and then threatened them with violence in the event that they do not abide. In one of the cases the perpetrator physically abused the victim. The police started a criminal investigation and called upon witnesses to provide evidence.

4) Case 4: Homophobic physical violence

In September, a 24-year-old man was beaten in The Hague after having received homophobic comments from two perpetrators. The victim, who reported the incident to the police, was left with a concussion and broken lip.

Portugal

Hate crimes targeted at LGBT persons and/or organisations in Portugal during 2011 – from a report compiled by ILGA-Portugal (ILGA-Europe's member)

1) Case 1: Death threats and Psychological Violence

Date: 18 February.

Location: Barreiro.

Source of information: email sent to ILGA Portugal.

Victim: unknown male couple.

Perpetrator: neighbour known to the victims

Type of crime: stalking, individually targeted verbal homophobic hate speech, death threats.

Brief description of the case: The victims are constantly harassed by the perpetrator and have already reported the case to the local PSP (security force).

Status of the crime: Unknown. ILGA Portugal encouraged the victims to report these incidents to the police again and to assure that the report mentioned the homophobic motivation.

2) Case 2: Carcavelos1 (extreme physical violence and damage to property)

Date: 11 March.

Location: Carcavelos.

Source of information: media report.¹⁰

Victim: unknown man.

Perpetrators: a group of 5 young men.

Type of crime: extreme physical violence, individually targeted hate speech, damage to property.

Brief description of case: according to this witness report, a man was lying down and screaming for help in a known gay cruising area while the perpetrators were beating him and shouting "fagot." The witness entered his/her car and started honking to cause distraction and one of the perpetrators threw a rock into the car's window.

Status of the case: unknown.

3) Case 3: Carcavelos 3 (extreme physical violence and robbery)

Date: 12 April, evening.

Location: Carcavelos.

Source of information: media report.¹¹

Victim: unknown man, 50 years old.

Perpetrator: group of men.

Type of crime: extreme physical violence, robbery, individually targeted hate speech.

Brief description of case: according to the witness' report the victim was kicked during 5 minutes, was robbed and insulted by the perpetrators. One of the perpetrators stole the victim's car key and robbed his vehicle while the others were kicking the victim.

¹⁰ This media article actually refers to three different events that have occurred in the same place, it is available, in Portuguese, at: <http://dezanove.pt/422164.html> (last consulted on 14 March 2013). ILGA Portugal contacted the local authorities, including the security forces and the public prosecutor, and the municipality, and is still working on these types of incidents in this cruising area.

¹¹ See footnote 8.

Status of the case: the police and emergency services came to the crime scene and the victim received medical treatment.¹²

4) Case 4: Discrimination reaching the level of harassment and stalking in Sports

Date: 17 August.

Location: Lisboa.

Source of information: email sent to ILGA Portugal.

Victims: a lesbian couple.

Perpetrator: Sporting Clube de Portugal (a sports club), other unknown persons

Type of crime: discriminatory incident, individually targeted hate speech.

Brief description of case: a lesbian couple practice boxing at SCP and as of September 2011 started being treated differently by SCP's staff because of quarrels with their trainer. Furthermore the victims manage a Facebook page entitled "Boxe Sporting" and have been harassed by people who they not know in person but by their comments and messages it is obvious that they also practice sports at SCP. As an example, one of the messages sent on Facebook said something like "are the dykes still there?" The sports director of SCP refused to discuss with the victims without the presence of one of the perpetrators and refused any allegation of discrimination, while the harassment continued.

Status of the case: ILGA Portugal collaborated in the contact with national authorities (Commission for Citizenship and Gender Equality and the Ombudsman for Sports and Ethics) and contacted SCP but the harassment was not possible to prove. SCP stated that the victims were in fact accusing the sports club and might risk a law process for defamation and the Commission for Citizenship and Gender Equality also unsuccessfully inquired SCP. The victims did not file a complaint with security forces.

5) Case 5: Carcavelos4 (extreme physical violence, humiliation)

Date: September.

Location: Carcavelos.

Source of information: media report.¹³

Victim: unknown.

Perpetrator: unknown group of men.

Type of crime: extreme physical violence, humiliation.

Brief description of case: according to the witness' report this time the security forces found one of the perpetrators in action after having submitted the victim to physical violence and force him to stand in humiliating positions.

Status of the case: the perpetrator found was arrested but the crime was considered as robbery and the perpetrator was released.¹⁴

6) Case 6: Hate speech and threatening behaviour (gay couple followed by homophobes)

Date: 18 September, evening.

Location: unknown.

¹² Please see footnote 8.

¹³ Please see footnote 8.

¹⁴ *Idem*.

Source of information: email sent to ILGA Portugal.

Victims: young gay couple.

Perpetrator: group of young men, known to the victims.

Type of crime: individually targeted hate speech, intimidation.

Brief description of case: the couple was with a female cousin in a cafe, in the next table a group of two men were telling homophobic jokes. These men were joined by a third one who is known to be homophobic. The couple was afraid to leave the cafe and only when the three men left did they also leave. Behind the cafe building, in the parking lot where there is no public lighting, the third man's car was on but the lights were switched off. Given that the couple was not alone, the car eventually left and did not follow them (but it is known to have happen in the past).

Status of the case: unknown. ILGA Portugal encouraged the victims to present a formal complaint for the incident and to denounce the lack of public lighting to the local municipality.

7) Case 7: Assault in a nightclub (extreme physical violence)

Date: 21 September, evening.

Location: Lisboa.

Source of information: media report.¹⁵

Victim: Ana, unknown lesbian girl.

Perpetrator: unknown man.

Type of crime: extreme physical violence.

Brief description of case: the victim and her girlfriend were dancing together at Plateau (a known nightclub in Lisbon) and the perpetrator approached one of the girls. Given her despise the man hit her in the face and since she practices martial arts she replied with a kick in the brow. According to witness reports, the victim was dragged by the hair outside of the club and beaten by three men; she had bruises on her face, in particular in the nose and chin. According to the witness, the man responsible for this violence stated that he was a member of a security force and that she was going to get arrested and her life was over.

Status of the case: unknown. The victim was taken to the hospital for treatment.

¹⁵ News and video available, in Portuguese, at:

<http://www.cmjornal.xl.pt/detalhe/noticias/nacional/portugal/agridem-jovem-junto-ao-plateau-com-video> (last consulted on 14 March 2013).

Romania

Report compiled by Accept: Hate Crimes targeted at LGBT people in Romania in 2012

1. Case 1: Assault against a group of young people at the National School of Political and Administrative Studies

What happened: 7 young women and men have been physically assaulted by a group of persons after attending an academic debate about the history of homosexuality in Romania

Date, time and location of the incident: On the evening of November 6th, 2012, outside National School of Political and Administrative Studies, in Bucharest.

Source of information: The alleged victims

Victim(s) involved: 7 young persons

Type of the crime(s): Assault/abuse

Perpetrator(s): 10 men

Brief description of incident with bias indicators: Seven young women and men have been physically assaulted by a group of ten people wearing hoods, in downtown Bucharest, after attending an academic debate about the history of homosexuality in Romania. The incident occurred right outside one of the most important academic institutions in the country. Two of them were injured and were transported to the Emergency Unit of a hospital nearby. One of them was admitted in the plastics surgery ward, the other one was able to leave the hospital that night. During the assault, the attackers claimed they were opposing the “organization of gay events”.

Status of the case: Some people from the group lodge a complaint with the police. There is no update from the police.

Response of local authorities: One of the victims called the emergency number, but the police arrived very late. When asked about the fact that they have arrived very late, the police argued that they have investigated the area where the incident happened in order to look for the agresors.

Impact on the victim(s) and the community: The victims felt scared and threatened and iniatially, asked for help from the local LGBT organization – ACCEPT, but then change their minds. The community was angry and outraged by the incident, especially because the incident happened just outside one of the most important academic institutions in the country. The next day, students from the National School of Political and Administrative Studies organized a protest in the yard of the faculty against homophobia. Also, the incident was presented extensively in the media.

2. Case 2: A student from Sweden was assaulted by a nightclub bouncer

What happened: A Swedish student declared that she was beaten up by a nightclub bouncer

Date, time and location of the incident: On the morning of Sunday April 1th, 2012, at 05.00 am, in the nighthclub Player in Bucharest.

Source of information: The victim herself

Victim(s) involved: A female student from Sweden

Type of the crime(s): Assault

Perpetrator(s): 1 man, who was a nightclub bouncer

Brief description of incident with bias indicators: A woman from Sweden, who was studying medicine in Romania, was assaulted by a nightclub bouncer after she did not answer to his advances and told him that she is a lesbian. The injuries were serious, including a broken leg, but she did not filed a complaint to the police, because she was too scared.

Status of the case: The case was not reported to the police, because the victim was too scared.

Response of local authorities: -

Impact on the victim(s) and the community: The victim felt scared and threatened and asked for help from the local LGBT organization – ACCEPT.

Russian Federation

Report on The Situation of Lesbian, Gay, Bisexual and Transgender People in the Russian Federation (Last three Months 2011 – First Half 2012) by the Russian LGBT Network, other information collected by ILGA-Europe

1) Case 1: physical violence against gay people

On 8 January 2012, Alfred-Ruslan was walking down a St. Petersburg street towards a metro station (around 5 or 6AM) after an early morning stroll. Outside SPB bar on the Marata Street he witnessed a situation that seemed curious to him. “I gathered that there was a gay person (judging from his manners and the way of talking) who was being bullied by two drunken street thugs. I approached them to ask if he was ok and needed help. I did not receive any answer. One of the street thugs asked me if I was gay, to which I said, yes. The other one responded in split second and hit me thrice on the head. I fought back and we left. I had a laceration and a dislocated jaw, but I visited a doctor only one week later,” the young man recounted.

2) Case 2: homophobic murder

On 1 January 2012, a 52-y-o man was murdered in St. Petersburg; 25 stab wounds were found in his body. The killed person was wearing lingerie. The man, who was an open gay, had been having drinks with three of his acquaintances, who then murdered him.

3) Case 3: physical violence against a gay man

On 12 March 2012, in Samara, Mikhail was spending time with his friend and his friend’s girlfriend at their common friends’ place, where he admitted he was gay. Later in the evening, when Mikhail was going to go home, his friend volunteered to see him off. When they entered the lift, he started hitting Mikhail on the head. Mikhail was hospitalized; soft tissue bruises and a head injury (concussion) were recorded. The medical report was referred to the police. Upon his discharge from the hospital, Mikhail visited a police station to file a report; however, they started trying to talk him out of it, suggesting that he invited the attacker to the police station to “talk this over and settle the dispute”. After Mikhail refused, they were reluctant to write out a document confirming the report was accepted and gave it only after a telephone conversation with a lawyer from the Russian LGBT Network took place.

4) Case 4: Case of transphobic physical violence

On 29 March 2012, the Russian LGBT Network’s hotline received a call from the wife of MtF Aleksandr-Anzhela from St. Petersburg, who told that her husband was beaten up by his relatives because Aleksandr-Anzhela went out into the corridor wearing woman’s clothes. She was severely beaten, with tufts of her hair torn out in several places. “Somebody called in the police; both were in a state of shock, mixing words and very scared,” an operator at the Hotline explained. The incident was referred to a lawyer of the Russian LGBT Network to provide advice to the victim on how to deal with the situation. However, during her meeting with the lawyer, the victim withdrew her report and decided instead of protecting herself and her rights to resolve the issue in an amicable way.

5) Case 5: case of intra-familial transphobic violence

On 4 May 2012, a 17-y-o FtM person approached Coming Out, an LGBT group, to report that he was beaten up by his mother and relatives at their place. Vitaly lives in St. Petersburg together with his mother at their relatives' place. He had a conflict with his relatives over Vitaly's gender identity, accompanied by insulting remarks. His mother bit and hit him and then locked him up in his room. Earlier, the mother had taken him to a psychiatrist in an attempt to establish some mental disorders. Vitaly ran away from home through the window and did not want to go back as was afraid he would be taken away from St. Petersburg and placed in a mental clinic.

6) Case 6: assault against LGBT activists

On 17 May 2012, a group of activists in Novosibirsk was heading towards a park to release rainbow coloured balloons into the air and then join the "Rainbow flash mob" event taking place in cities and towns across Russia. Even before they reached a meeting point to join the bulk of the activist group, the guys were faced by a group of five young men, who approached them and asked what they were doing there. They started insulting the activists, referring to their alleged sexual orientation, and snatching the balloons and bursting them, injuring the arm of Nataliya, Russian LGBT Network activist. After that they left. A police woman was strolling nearby but took no action to help the victims.

7) Case 7: Threats and physical attack against LGBT activists

On 17 May 2012, Coming Out, an LGBT group, held "A Rainbow Flash Mob" in St. Petersburg's Petrovsky Park to mark the International Day against Homophobia and Transphobia. The event was agreed upon with the authorities and was guarded by police officers and OMON riot police. "Orthodox Christian activists" protesting public demonstrations by the LGBT community gathered nearby, including two young men holding one-person pickets against an LGBT event in the immediate vicinity. One of them held a placard reading "Perverts, repent! The heavenly kingdom is closed for sodomites". The young man gave an interview to PiterTV Internet channel, in which he said, "These brazen sodomites are used to breaking the law; they seek to recruit the youth to indulge in perversions and corrupt them. They are agents of dark forces; they are agents of fallen angels; it is clear when you start talking to them. They simply cannot control themselves. Forces of hell talk through them." At that moment, one of the "Orthodox Christian activists" attacked participants of the flash mob, firing Udar gas gun into Boris Romanov's face. The victim was driven in an ambulance to the Pokrovskaya Hospital after giving a statement to the police. From there he went to Diagnostic Clinic No. 7, to record his injury (a mild eye burn). The attacker was arrested.

Another young man was holding a one-person picket wearing an Orthodox Christian cross and shouting: "Sodomites, get out of Peter!", "There will be no Sodom in Russia", "Faggots are freaks", "Yabloko are shitheads, Yabloko are faggots, faggots are shitheads". After a police officer remarked that such swearwords were unacceptable and he would be arrested if continued, the man confined himself to just one phrase, "Sodomites, get out of Peter!" Journalists of the above-mentioned media took an interview, asking him to introduce himself and present his case. The young man identified himself as "Konstantin, the Russian Orthodox Church, St. Petersburg Eparchy, a parishioner, a student at a state university's history department". In his interview, he said he protested events like that and justified the attack on the flash mob participant, saying the attacker might have been defending himself and the flash mob participants might be extremists.

Aggressive looking young men were gathering nearby, supposedly football fans of ultraright

ideology. On the other side of the embankment another group of young people was approaching, with the faces of most of them covered with medical masks or scarves. When in the immediate vicinity of the protesters, they started chanting “We will hang and bury you” and raising their arms in a Nazi salute. After they were pushed out by the OMON riot police, they started chanting “Trash cops are dumb morons!”, a well-known team fight song of FC Zenit St. Petersburg football fans referred to as Zenit Ultras. After the end of the LGBT event, all its participants were seated in police vans and the vans provided by the organisers and taken to a metro station. The same young men at that time attacked two buses with foreign immigrant workers, shouting “Faggots!”. They broke windows, beat up the people in the buses and caused a traffic jam. Police officers were idly standing by. After that Konstantin was interviewed by journalists: “It’s a shame such events have been authorized; those guys have been provoked; one can understand them – it was their reaction to the event. They shouldn’t have provoked them.”

Charges of hooliganism were brought against the attacker on Boris Romanov and the attackers on the buses; however, according to PiterTV, the latter case might be reclassified.

8) Case 8: homophobic murder

On 14 March 2012, the Tverskoy District Police Department in Moscow was approached by a man who said he decided to visit his friend from whom he had not heard for quite a long time and saw him dead in his apartment. A criminal case under Article 105 of the Russian Criminal Code (murder) was opened into the killing on Tverskaya-Yamskaya Street. It took field investigators less than a week to capture the alleged perpetrators, police officials at the Moscow City Police Chief Directorate pointed out. The suspects, two men, aged 22 and 25, were apprehended at 35/1 Bolshaya Yakimanka Street, where they were renting an apartment. It emerged after the arrest that the suspects had carried out dozens of attacks on gays.

They always used one and the same technique. According to the investigators, the criminals found their victims in the social media. “The criminals might have thought that members of sexual minorities would shy away from reporting the assault and robbery to the police,” Gazeta.Ru was told by Aleksey Bakhromeyev, a spokesman for Criminal Investigations Department at the Moscow City Police Chief Directorate. The criminals made arrangements to meet at the prospective victim’s place, after the meeting they attacked their host and stole valuables. Assaults rarely resulted in murders.

More often they tied up the victims and after that they cleared the apartment of valuable things – cell phones, tablet PCs, expensive equipment, cash and jewelry. Several cell phones seized from the suspects were recorded as evidence. “The arrested persons confessed to 30 robberies,” Aleksey Bakhromeyev said. In the last three robberies they strangled their victims.

9) Case 9: threats and physical violence against a trans person

In March 2012, in an Omsk shopping mall, V., a 29-y-o MtF person, was spending time in a karaoke café, singing with her male friend. A group of young men (aged 18 to 23) at the table next to them started shouting offences at them and making a video. They were shown the middle finger in response, after which threats of physical violence followed. After V. and her friend left the café these same people (six persons in total) started harassing them. Before the first blow was made V. managed to call the police, after which they ran back to the café to wait out; however, the attackers explained they will not leave the mall unnoticed as they would wait for them on the ground floor.

V. and her friend still ventured to go downstairs as they knew the police would arrive soon. They turned to the local security for help. The security guards were passively keeping the assaulters out, who were shouting “You are not a human being!”, “We’ll kill you now”, “You are criminals against the nation”. V. responded shouting phrases like “Leave us alone!”, “Live and let others live!” and “It’s not a crime to be yourself!” While standing near the security guards she made two more call to the police asking how soon they would arrive. It took 40 to 50 minutes for the police to arrive at the scene. The patrol car pulled over at the entrance to the café; however, the police stayed in the vehicle. Meanwhile, the attackers seeing the police arrive pulled the victims into the glass revolving door area where they started beating them, including with knuckle-dusters, aiming mostly at the head. V. shouted “Police!” when they was an opening to the street and only after that did the officers interfere and stopped the beating. The attackers left running; however, only two of them were caught. The person who was beating V. escaped. The victims were taken to a police station. V. repeatedly asked the police to call an ambulance and they reluctantly did it. When the ambulance arrived, the medics said V. had no serious injuries and left. After her statement was recorded, the police let everyone go home.

The following day, V. visited a forensic centre, which recorded “multiple bruises”. She brought the examination report to the police station she was taken to from the assault scene. Two days later, V. received a letter with a decision not to institute criminal proceedings for lack of sufficient evidence and contacts of the magistrate’s court and prosecutor’s office to file subsequent complaints. Approximately one week after the assault, V. started feeling pain in the chest and decided to visit a local clinic to get assistance. After she was X-rayed (something not performed by the forensic centre), it was established that her 8th left rib was broken. V. decided to have the case reopened and turned to the prosecutor’s office. Ten days later, the prosecutor’s office informed her that the criminal case was reopened as fresh evidence emerged.

10) Case 10: Assault against an LGBT related exhibition

On 11 March 2012, at the inaugural exhibition of LGBT artists in St. Petersburg four young men pushed their way into the club, sprayed a gas into the face of the exhibition supervisor, Alisa Makarova, hit her, threw in a smoke flare and left running. No damage was done to paintings by LGBT artists. The guests left the room to allow for air change and then the event was carried on. Some were scared and hurried to get their clothes at the cloak room, others did not notice anything whatsoever as they were out in the street smoking when the incident happened. “A group of unsmiling young men in sports wear started pushing through into the club. Must have been athletes. When I opened the door to let in the quests to see this wonderful display, these athletes hit me on the head, kicked me off, sprayed pepper spray in my face and started behaving in a very ungentlemanly way. The athletes threw in a smoke grenade and hitting me once again at parting went jogging to their training session,” Alisa Makarova recounted.

11) Case 11: Threats of physical violence and physical assault against a LGBT film festival in Kemerovo

On 1 June, 2012 human rights Side by Side LGBT film festival, was scheduled to open in the Siberian town of Kemerovo. In the run up to the start of the festival, however, organizers began to receive **threats of physical violence** and attack from a far-right group, the Russian Patriot Club, who are based in a nearby town Novokuznetsk. The group, having already threatened festival visitors at a Side by Side event in March earlier in the year, were reported and made known to the police. The police however failed to act on the information given, taking no measures at all against the group

following the March incident.

In the days before the start of the festival, fresh threats were sent by the group and organizers lodged new complaints with the police. Organizers met with both law enforcement agencies and the city administration. The authorities indicated their unwillingness to provide protection for festival visitors and did everything in their power to make it impossible for the festival to take place. At the meeting a letter from the city's Mayor Vladimir Mikhailov was handed to Side by Side's local coordinator. It reads: "This event causes a negative reaction from residents and community organizations. In their letters of address they state that the opening of the festival would violate their rights and lawful interests. With this in mind, we believe that the organization of the Side by Side Film Festival in the city of Kemerovo is undesirable." Shortly after venues received letters and telephone calls from the administration "recommending" them not to hold the festival on their premises. Fear of the repercussions both venues pulled out two days prior to the festival start.

Only then, once the possibility of holding the festival had been brought to a halt, did the administration and police begin to show interest in the safety of the visitors and organizers. Telephone calls were received from a certain inspector A. A Balmaeva responsible for public order at the Office of Ministry of Internal Affairs affirming that: "We will ensure order during your festival so that no one is injured", coupled with heated enquiries as to if we had found an alternative. An alternative venue had been found, however, once made known to the authorities within a matter of hours the new venue pulled out.

The authorities have taken no action against the Russian Patriot Club instead choosing to target peaceful and law abiding citizens. The inaction of the police and the administration has only but emboldened far-right elements giving them free reign to terrorize, **making death threats** and inciting hatred towards both festival organizers and visitors.

In an attempt not to succumb to these forces Side by Side in these extreme conditions managed to hold on Sunday 3rd June a day of screenings and discussions. This however did not go without incident as **the local Side by Side coordinator was physically attacked** by two members of the Russian Patriot Club in the city centre. The attack took place outside the local theatre where people had gathered in order to be taken by bus to an undisclosed location where screenings had been planned. Complaint of the attack was lodged with the police.

12) Case 12: Lynch mob, attack against an LGBT film festival in Novosibirsk

On the second day of the Side by Side LGBT Film Festival in Novosibirsk organizers and audience came under serious threat from a homophobic mob of aggressive youths. The youths, numbering around 30 or so in total, had surrounded the shopping centre where the screening was taking place in a multiplex on the fourth floor of the building. Prior to the start, during and at the end of the event the youths gathered around the screening hall, shouting insults and it was clear from their discussions with each other and behavior that they were intent on violence.

Organizers of the festival complained multiple times to the police, who were in force but outside the building overseeing a picket in support of the homophobic law that has its second reading in the local Novosibirsk parliament today, 7th June, 2012. The youths, eventually on the request of the police, left the multiplex only to return however within minutes and again begin hassling organizers. This pattern was repeated throughout the entire period of the event. Failing entirely in their duties and the attempt to maintain effective public order and safety the threat of violence and

danger to both audience members, volunteers and organizers was imminent.

At 21.00 when the screening came to end the mob of youths had gathered outside the building. Transportation was organized for both audience members and organizers. Security guards escorted visitors of the festival to their awaiting cars and taken away safely. Last to leave were the festival organizers. An attempt was made to smash the rear passenger window of the taxi. The youths had organized cars and a motorcycle to follow the organizers and police took no measures to stop their pursuit. It was only the high speed driving skills of the taxi driver that the organizers were able to escape without being followed.

In a conversation with festival director Gulya Sultanova, one of the police heads stated: “Why have you circulated information about your festival? I don’t plan to be here tomorrow and protect you.” Police indifference and their lack of concern to protect peaceful, law abiding citizens from violent thugs has forced the festival organizers to cancel today’s screening out of reasons of safety.

13) Case 3: attack and death threats against a gay activist, in Togliatti

On August 14, 2012, at about half past nine in the evening in the central Togliatti Park 8 unknown individuals did beat an LGBT activist, member of the Samara Socio-Ecological Union, a coordinator for the SEU Togliatti Golavu Constantine. According to the victim, the criminals called him "fagot" and threatened with death for him and his family if he would "not have to meddle," and if you dare to go to the police.

The victim Golava Constantine suggests that the attack may have three concerns: bullying is associated with the banal, or with its professional and public environmental activities, or with human rights work as a LGBT activist. Constantine himself was more inclined to the latest version. Despite the threats, he applied to law enforcement.

We contacted by telephone by Constantine. According to him, he feels better already. The victim said the incident lit broadcaster Terra (www.trkterra.ru), Internet portal TLT - Times (www.tlftimes.ru) and several other regional media. We asked whether he heard about the opening in the region branch of the public organization "Russian LGBT Network." "It is not only heard, but also took an active part! - Said Konstantin - We are creating a coalition with the Commissioner for Human Rights in Samara Oblast Irina Skupovoy to be able to legally protect LGBT people."

When asked whether the establishment of the branch will continue to protect itself from such incidents of Constantine, he replied that this has both positive and negative side. "Of course it would be nice to know that my rights as a representative of the LGBT community will continue to be protected as well as the right of any citizen. However, I would not want to position one-sided, just as the LGBT activist, because my priority activities related to the environment."

14) Case 14: Attack of a gay nightclub with gun

In October, an attack has been reported against a LGBT-friendly venue in central Moscow. On 12 October, the police confirmed that an investigation had been launched on that case. About 20 masked attackers had burst into the 7freedays club, where people were celebrating a “coming out day”. The attackers carried guns and injured several people hitting them in the head with bottles.

Serbia

Hate Crimes targeted at LGBT people in Serbia 2012, Report provided by Labris; cases reported by the Gay Straight Alliance (GSA). GSA and Labris are ILGA-Europe's members

1) Case 1: Brutal attack on LGBT activist

What happened: D.K. was attacked by two or more unknown attackers who ran out of the car, paralyzed by pepper-spray and got several heavy facial injuries and fractures and a lot of light wounds just two blocks from his home. The attack stopped when some random people passed by and interrupted the attackers.

Date, time and location of the incident: November 21st, 2012, 6 p.m., Zemun (Belgrade municipality), Karlovacka street

Source of information: victim himself

Victim(s) involved: D.K.

Type of the crime(s): inflicted severe facial injuries and fractures and a lot of light wounds, assault, keeping illegal weapons (the gas/pepperspray)

Perpetrator(s): The suspects were two or three men in their 20's

Brief description of incident with bias indicators: When the attackers saw D.K. they ran out of the car, they started

to shout: Faggot! Faggot! and immediately started to beat him with their fists and feet. They put the pepper spray in his eyes just to disable him to see them properly and to see the license plate number. D.K. was involved in the organizational process of the Pride 2010 and 2011. In May 2012, he reported for the first time the threats he received on the mobile phone, saying that "he will be beaten and that his jaw will be broken in the name of revenge".

Status of the case: Case is reported to the police. Earlier when he reported the threats, police told him that "they cannot do anything based on my statements that I am scared, unless something actually happens". Case is still running without any update.

Response of local authorities: The case is reported to the UNHCR who helped us connect with the international mechanism. No media coverage, case is not announced to the media.

Impact on the victim(s) and the community: There is no impact on the larger community as just LGBT activists are informed about the case. There is no doubt that there is a fear among activists.

1) Case 2: A young gay man was brutally attacked and beaten on the street

What happened: Two men were verbally assaulted and physically attacked by several attackers, while one of the victims, V.D.(23), managed to escape quickly and to call the police, the other victim V.M.(25) got several severe bodily injuries, head contusion, neck sprain, cracks on the lower jaw teeth, several bruises, hematoma, face abrasions, etc.

Date, time location: Night between September 7 and 8, 2012, around 1.30 a.m., Fruškogorska street, Belgrade

Source of information: The Gay Straight Alliance (GSA; Alliance)

Victim(s) involved: V.M. diagnosed with several severe bodily injuries, head contusion, neck sprain, cracks on the lower jaw teeth, several bruises, hematoma, face abrasions, etc. V.D. who was together with V.M. attacked but was able to escape.

Type of the crime(s): Assault, Severe body injuries inflicted

Perpetrator(s): Six unknown boys, between 16 and 20

Brief description of incident with bias indicators: Night between September 7 and 8, 2012 V.M and V.D. where crossing through the park going to the gay club when they heard assaults: Fagots!fagots! In that moment they saw 6 guys aged between 16-20 that run after them, one of them were holding a meat hammer. V.D. manage to escape and to call the police who arrived to the place of the attack after several minutes but did not find the attackers (most probably they run when they heard police coming).The beaten man, who police found in a semiconscious state, was transported by ambulance to the Emergency Center, where he stayed until 7a.m.

Status: Legal service of Gay straight alliance is following the case; expecting the first trial

Response of local authorities: Commissioner for protection of Equality condemned the attack. There was a lot of media coverage.

Impact on the victim(s) and the community: This attack took place in the period before banned Pride parade. In that time of the year violence was constantly increased.

2) Case 3: Two young men attacked, attackers thought they are gays

What happened: Five young men from city of Smederevo, M.M.(23), N.M (20), S.S (23), L.R.(19) A.J (22) after short arguing, attacked two guys because of the perceived homosexual orientation; They inflicted to N.K. (22) severe body injuries and light body injuries to S.M. (23).

Date, time and location of the incident: Night between September 3 and 4, 2012 City of Smedervo, Serbia.

Source of information: Police forces of Smedervo

Victim(s) involved: N.K (22) severe body injuries, SM (23) light body injuries

Type of crimes: Assault, Light and severe body injuries

Perpetrator(s): M.M.(23), N.M (20), S.S (23), L.R.(19) A.J (22) from the city of Smederevo, all of them arrested eight days after the attack.

Brief description of incident with bias indicators: Five young men M.M.(23), N.M (20), S.S (23), L.R.(19) A.J (22) all of them from the city of Smederevo, after short arguing with two guys, one from Belgrade other from Kraljevo, attacked them because of the perceived homosexual orientation; They inflicted to N.K. (22) severe body injuries and light body injuries to S.M. (23).

Status of the case: After legal custody time limit, the perpetrators have been proceed to inquisitor of the first Smederevo Municipality Court

Response of local authorities: Police work was efficient

Impact on the victim(s) and the community: There was lot of media coverage, the attack produced additional fear between persons of LGBT population in Smedervo and wide the country

4) Case 4: lesbophobic violence in a family

On Mid March 2012 one girl from Belgrade has contacted Labris and shared that she suffered a terrible violence from his elder brother when he found out that she is a lesbian.He beat her up several times and after that she reported the case to the police. The incident happened at her place. Brother is a football fan.

Slovakia
Information collected by ILGA-Europe

1) Case 1: smoke shell attack against an LGBT gathering

In June, during Bratislava Pride, a very small group protesting against the event held up a banner saying “We do not want homosexual extremists in Bratislava” and other similar banners. Also the symbolic same-sex wedding was briefly interrupted by a smoke shell thrown into the assembly. Nobody was hurt and the event went on without further disturbance. The police investigated the incident and after a few months they caught the invader.

Slovenia

Report by Legebitra, ILGA-Europe's member

1) Case 1: damage caused to LGBT venue

In June 2012, the day after the Pride march which took place peacefully, unknown persons draw extensive anti-gay graffiti on the walls of Café Open, an LGBT bar, and on the surrounding buildings. The incident was reported to the police.

Spain
Information provided by FELGTB, ILGA-Europe's member

1) Case 1, physical violence, Madrid, November 9th, 2012

A group of “skin heads” hit some latinamerican and homosexual people they find in the streets of the district of Moncloa, in the center of Madrid. The victims say they have been attacked with knives and “American fists”. Four people were arrested.

<http://www.dosmanzanas.com/2012/12/detenidos-cuatro-jovenes-ultras-por-agredir-a-gitanos-y-homosexuales-en-madrid.html>

2) Case 2, bullying at school, Córdoba, November 2012

A boy of 13 years old denounces a catholic school because of the gay slurs and bullying he has been suffering for more than one and a half year. He has written 2 suicide notes because of the homophobic pressure. The school despises the facts.

<http://www.dosmanzanas.com/2012/11/maricon-nina-te-vamos-a-hacer-acoso-a-un-menor-de-13-anos-en-un-colegio-religioso-concertado-de-cordoba.html>

3) Case 3, transphobic violence, Tenerife (Canary Islands) April 2012

A group of 7 boys attacked a transgender boy in Santa Cruz de Tenerife. The boy has denounced to the police.

<http://www.dosmanzanas.com/2012/05/denuncian-agresion-a-un-chico-transexual-en-tenerife-y-piden-medidas-para-combatir-la-transfobia.html>

4) Case 4, transphobic attack, Zaragoza, April 4th 2012

A transgender woman was taken out of a night club and when she was outside she suffered the attack and trans slurs of staff from the night club. Some organisations have denounced it to the police.

<http://www.dosmanzanas.com/2012/04/denuncian-agresion-a-una-mujer-transexual-en-zaragoza.html>

5) Case 5, lesbophobic attack at school, including physical threats, Madrid February 24th 2012

Two lesbian girls denounce to Arcópoli, LGBT association in university that they has been attacked in class. They have received gay slurs and one of them has been physically menaced.

<http://www.dosmanzanas.com/2012/02/arcopoli-denuncia-agresion-lesbofoba-en-las-aulas-de-la-universidad-complutense.html>

6) Case 6, beating of a lesbian girl in her family, Mengíbar (Jaén, Andalusia) January 2012

A father is accused of hitting his daughter when he caught her up with a girl. He attacked her in the middle of the street with a cane. She run away. He was denounced for maltreatment.

<http://www.europapress.es/andalucia/noticia-juzgados-penal-acogeran-juicio-contr-padre-acusado-golpear-hija-ser-lesbiana-20120118161344.html>

7) Case 7, transphobic attack, Puerto del Rosario (Fuerteventura, Canary Islands) 14 January 2012

A Big Brother transgender contestant, Amor, was attacked in a night club in Puerto del Rosario and she had to abandon the disco. She was stabbed, but fortunately the hurt was not very deep. She has denounced.

www.dosmanzanas.com/category/homofobia/page/71

Sweden

From the report Homophobic, biphobic and transphobic hate crimes in Sweden, prepared by the NGO RFSL for ILGA-Europe

1) Official statistics

The official statistics on hate crimes in Sweden are compiled by the Swedish National Council for Crime Prevention (Brottsförebyggande Rådet – Brå), which is the government body of expertise within the judicial system. The latest statistics are from 2011. There are no big differences in the number of reported hate crimes from year to year, which indicates that the number of reported hate crimes based on sexual orientation or gender identity during 2012 will approximately be about as many as reported during 2011. The number of identified reported hate crimes with a homophobic or biphobic motive during 2011 was 850 (16 per cent of all reported hate crimes). The number of identified reported hate crimes with a transphobic motive during 2011 was 52 (1 per cent of all reported hate crimes). The numbers are based on reports of crimes made to the police. A conclusion you can make when looking at the National Safety Survey (Nationella Trygghetsundersökningen) made in 2011, and also referred to by Brå, is that the reported hate crimes that makes it into the statistics only make up the top of the iceberg when it comes to the number of hate crimes actually perpetrated. The survey estimates that around 19 000 individuals in Sweden were victims of a homophobic hate crime during 2010. According to the same survey around 40 percent of the victims of homophobic or biphobic hate crimes reported the incident to the police. Due to often lack in the crime descriptions by the police it's believed that many of these crimes never get identified as hate crimes in the statistics.

The most common type of reported homophobic or biphobic hate crime during 2011 was unlawful threat or molestation (47 per cent of the reported hate crimes), followed by different kinds of violence crimes - deadly violence, assault, robbery, rape etc. (22 per cent). The third most common hate crime in the category was defamation (17 per cent). In 53 per cent of the cases the perpetrators were unknown for the victim. In 24 percent of the cases the perpetrator(s) and the victim were distantly acquainted to one another. In 11 percent of the cases the perpetrator was a relative of the victim, which is a bit more common for this type of hate crime than for the other types.

The number of homophobic or biphobic hate crimes reported during 2010 that was solved during the period Jan 2010 until March 2012 was, according to Brå, 8 percent (crimes that led to prosecution, a fine or decision not to prosecute). 57 percent of the cases were technically solved (suspect under 15 years of age, crime couldn't be proved, act didn't constitute a crime etc.) 36 percent of the cases remained unsolved.

2) Cases from 2012

RFSL has a national crime's victims helpline for lgbt persons, with two Hate Crime Coordinators employed. During 2012 the helpline was contacted by 204 individuals. Of these a majority were victims of homophobic, biphobic or transphobic hate crimes. Three different cases the helpline have come into contact with during 2012 is described in the following. The cases have been anonymized to keep information safe regarding the individual cases.

2.1) Case of rape of trans woman

A woman, transsexual, was raped by an unknown man outside a nightclub. The rape was related to her transgender identity. She reported the incident to the police, which closed the case after no further investigation. There was no specific hate crime expertise within the police authority. They did not take her to hospital. There were both much emotional and physical consequences in this case.

2.2) Unlawful threat of male homosexual

A homosexual man was seriously threatened at his work place. Somebody at his work place had anonymously left letters in his mailbox. He was threatened to death and the perpetrator also tried to scare the victim by describing how the perpetrator had control over and watched the victim outside the work place. The threats kept on going until March 2013 (at the moment this report is written). The incidents have been reported to the police and is investigated by the hate crime unit. The investigation has been going on for ten months. It has been criticized for being delayed and not been carried out correctly and that the police have a lack of communication with the victim. The victim has support from a lawyer, the union and from the head at his work place.

2.3) Severe case of lesbophobic bullying at school

A school in southern Sweden told a female student to "tone down" her homosexuality as a remedy to bullying from other students for being gay, prompting the girl to report the school for discrimination. The victim's report, which has filed with the Swedish Equality Ombudsman (Diskrimineringsombudsmannen, DO), explains how the teen had to quit her studies at the Munkgård high school after severely mistreatment from other students. Teachers at the school were unhelpful when she raised the matter with them, telling the girl to "tone down" her sexuality as other students were "confused and scared" by it. According to the girl's report, the incidents, which have only been reported in 2012, began when she was assaulted in 2010 by a fellow student who had hit her in the head, causing a minor head fracture.

“She threatened to shove pliers into my eyes and then she took hold of the pliers and delivered three hefty hits against my temples and the area close to my eyes,” the girl wrote in the report. When she later consulted the school about the incident, teachers told her it was all her own fault. According to the report, the school told her: “You’re the one to blame. It was your own fault. You provoked her,” adding that she should have “just hit back.” After online research, the girl discovered that the school must report any mistreatment that occurs during school hours, and confronted the school, only to be told that it was up to her to make a report.

The case is now being handled by the DO, but before any compensation decisions are made, the school will be given the chance to comment, according to DO case officer Sara Stenberg. “We have made a request for the principal of the school to comment on the case. This is standard procedure. They have until July 6th to make a comment,” she told The Local.

2.4) Assault on two females in Germany (note: this case is also reported in the section on Germany within ILGA-Europe’s comprehensive submission)

Two female lgbt-persons were physically attacked outside a gay club in Berlin. The perpetrators were three unknown men who started to abuse them after they said that they are not interested in men. They were both kicked to the ground and after that received kicks all over their bodies. The victims were very motivated to report to the police. A friend of the victims tried to make a report in

Germany, but the German police said that the victims had to report the crime themselves in Sweden. The case was then reported to the police in Sweden, but it was closed because it wasn't possible to investigate when the crime was committed abroad. The Swedish National Police Board, as well as the local police and the German Embassy, failed to help the victims with contacting the German police. Finally, the victims themselves contacted the German police again and this time they took a report. An investigation was done. The case was closed because they couldn't identify the perpetrators, but the victims were satisfied with being acknowledged. It was also confirmed that there had been several other homophobic incidents in the area.

Turkey

Including data from the report 2012 Human Rights Report for LGBT People,
by KaosGL

1) Case 1: Hate Crime in Beylikdüzü, Istanbul, 17 December 2012

Source: Kaos GL

19-year-old transgender woman Günce Hatun was shot to death in Bizimkent Bridge in Beylikdüzü two days ago. The police had a suspect who was following the activities around the crime scene. Detecting that the right front glass broken, police took İlker Karataş, aged 34, into custody. The murder suspect admitted that he had committed the murder.

2) Case 2 : Transphobic Attack on Esat Bağlar Street, Ankara, 23 November 2012

Source: Kaos GL

A transgender woman was attacked by 5 people on Esat Bağlar Street two days ago.

Pink Life Association rapporteur Çelik said the victim went to Esat Police Station after the attack. However, the police said the situation can't be helped because the victim could not detect the perpetrators' car and that they did not witness the crime.

3) Case 3 : Transgenders beaten in front of Police Station, 14 November 2012

Source: Kaos GL

Sex workers, Görkem Ç. and two of her friends, were attacked in front of the police station by two unidentified men. The attack was made before the eyes of the police. The sex workers said they would sue the attackers for the violence.

4) Case 4 : Hate Crime in Antalya, 24 October 2012

Source: Kaos GL

25-year-old transgender woman Serap whose throat was cut by two people in Antalya bled to death.

It is reported that the citizens living in Kışla neighborhood on street 47, Muratpaşa called the police upon hearing someone crying for help. The police broke into the house and saw a person drowned in blood. Ambulance was called for help.

5) Case 5 : Hate Crime in Bursa, 17 October 2012

Source: Kaos GL

The murderer of Nazir Dalkılıç turned out to be 26-year-old Ersin Köroğlu with whom the victim had had a sexual contact. Ersin Köroğlu was arrasted upon the accusations of stabbing 35-year-old Nazir Dalkılıç to death in Osmangazi, Bursa.

Admitting the crime, Ersin Köroğlu said they both went to Paşaçiftliği via Bursaray and Dalkılıç

gave him an oral sex and demanded one for himself. After the rejection of the perpetrator, they had a fight and Ersin K rođlu stabbed him and ran away.

6) Case 6 : “A Kurdish Homosexual? Out of Question!” 30 August 2012

Source: Kaos GL

The killing of 17-year-old R.A. by his father and uncle in Diyarbakır turned out to be a hate crime. According to the news on Fem nKurd.Net, the local press did not pay attention on his killing and mainstream media ignored the backstage of the murder.

The parents were aware that their son was gay. The killing of R.A. was appeared in the press only as a “judicial murder”. According to Fem nKurd.Net, upon learning his sexual identity, his male relatives killed R.A.

7) Case 7 : LGBTs Face Lynch Attempt, Local Police Ignore, 17 August 2012

Source: Kaos GL

12 members of Black Pink Triangle Association in İzmir saved themselves from a lynching at last minute in Dikili. Having planned to make meetings in town, members of the association went to police but police said they could not help.

Demet Yanardađ said 3-4 people were following them; they multiplied and, all of a sudden, they figured out that they would attack them. She added “We decided to go back to our houses but then the aggressors separated into two groups. We called the local police and they asked if there was violence; otherwise, they could do nothing. After a while, the two groups scattered. However, one person was still forcing us to tell him where we accomodated”. The aggressors later escaped.

8) Case 8 : A Transgender Woman Killed in Antalya, 11 July 2012

Source: Kaos GL

Hate did its job and killed a transgendered woman in Antalya. NeŐe DilŐeker, born in 1966 and known as SeŐil Anne for about 15 years in Antalya, was murdered last night at around 11pm. Her throat was cut.

Her friends have not heard from her for a while. They called the police and her body was found dead.

9) Case 9 : Whistling Wounds – Beating and stabbing

Source: Kaos GL

A man battered and stabbed a person who whistled at him. The perpetrator claimed the whistling man was a homosexual.

Habervitrini.com stated that the crime took event in KurtuluŐ Neighbourhood, Seyhan, Adana. While 28-year-old Mustafa M. was walking around, 44-year-old Mehmet  . approached and whistled at him. Mustafa M. got angry and attacked Mehmet  . and started to batter him in front of a store. Then, Mustafa M. took his knife from his pocket, stabbed Mehmet  . in the leg. Those who saw it called the police. The police arrested Mustafa M. and took to the police station.

Mehmet Ö. was sent to Adana State Hospital and discharged, then. Mustafa M. appeared before court and was released by the court pending a trial.

10) Case 10 : The Murder in Adana no longer a secret! 21 May 2012

Source: Kaos GL

21-year-old Tamer Uzun, a freshman student of Veterinary Faculty at Adnan Menderes University, was found naked and dead in his house in Aydın. His friend, Murat Çelikel, found the dead body at noon of 18 May.

11) Case 11 : Two Transgenders Attacked with Choppers in Ankara, 27 April 2012

Source: Kaos GL

Two men with snow masks and choppers in their hands raped and stole the money and phones of two transgender sex workerwomen in Ankara. Police apprehended the aggressors Şükrü Ç. and Fatih A. Brother of Şükrü Ç.. The 14-year-old İ.Ç. helpful in the crime was released.

According to Milliyet, the two transgender women A.C. and Y.D. were raped and robbed two times in March and April.

12) Case 12 : Transphobic attack in Istanbul, 25 April 2012

Source: Kaos GL

LGBT Activist Michelle Demishevich was attacked by seven unknown people in Şişli, İstanbul at around 12pm last night. According to Pink Life, the perpetrators used violence against the activist and ran away with a car. The law enforcement officers said the aggressors were not identified.

13) Case 13 : Hate Crime in Kuşadası, 05 April 2012

Source: Kaos GL

Transgender Nükhet Kızılkaya was found dead in her house in Kuşadası, Aydın. The victim's friends said they had not heard from her for five days. They went to her house and found her dead body. The criminal(s) are still unknown.

14) Case 14 : Rape in Army Demands 15-years Sentence, 3 April 2012

Source: Kaos GL

4 soldiers are sued for 15-years sentence because they raped a soldier with forced oral sex, in the 7th Corps Command in Diyarbakır.

The soldiers were accused of forcing T.A. into a barrack, threatening and forcing him to perform oral sex. T.A., who was diagnosed with depression, was released from his military service.

15) Case 15 : Hate Crime in İzmir, 30 March 2012

Source: Kaos GL

A transgender woman shot in head was found in a car in front of a construction site in Karabağlar, İzmir.

Having found the 35 AL 9656 licence plated car and the dead body, the construction workers

informed the police. The police found out that the victim was Tuğçe Şahin, 23, and before being shot to death, she had been beaten beyond recognition.

16) Case 16 : Violence in front of a Police Station, 28 March 2012

Source: Kaos GL

Having told that he was being followed in Taksim and sought protection in police station, Yasin Keskin claimed that he was exposed to physical violence by the police and the follower.

Making a complaint about the police and the follower, Keskin was told that the station was responsible for juvenile delinquencies and he had to call Police Help 155. He said, “As I was grumbling over this, they beat me in front of the station and the follower came and attacked me. I have made a complaint about the police and the aggressor.”

17) Case 17 : “I felt bad as he touched my backside”, 7 March 2012

Source: Kaos GL

33-year-old İsa U. was put to trial for a life long imprisonment because he shot his friend, 49-year-old Osman Salih Savaşoğlu, in head and cut his throat in Adana.

Accused Uçak said that the victim touched his backside and expressed his sexual desire to the perpetrator. “I felt really bad” said the criminal and admitted the murder.

18) Case 18 : Hate Crime in İzmit, 13 February 2012

Source: Kaos GL

A murder took place in Çukurbağ, İzmit. 26-year-old Melda Yüksel was killed by her brother, Murat Yüksel. Melda Yüksel’s parents were having a house built for her. They had not met up with her for she was transgender. The house was ready and the siblings decided to meet at her new home. They began to fight and her brother murdered her.

19) Case 19 : Transphobic Attacks in Maltepe to be Protested, 15 February 2012

Source: Kaos GL

Upon the second attack to the transgender people with a sword in Istanbul, Istanbul LGBTT and Lambdaistanbul LGBTT made a press release in front of Cumhuriyet Police Station.

Attacks were made against the transgenders along Maltepe coast road in Istanbul in December 2011. The aggressors were seized by the police. Swords and döner knives were found in the baggage.

20) Case 20 : 17-year-old male body waring tights found, 31 January 2012

Source: Kaos GL

17-year-old Ali Girgin went missing on 12 August 2010. 2 days later, his body was found hanged on an oak tree 2 km away from his house. His body was naked; his mouth and jaw were tied with women stockings. The body had a green tight on. His feet had been tied with a wire and 8 kg weight.

Forensics-expert Prof.Dr. Şevki Sözen said that autopsy report demonstrated it was not a suicide but

murder.

21) Case 21 : « Transgender Collection Vehicle” 26 January 2012

Source: pambahayat.org

Undercover cops started violence against transgender women on Beyoğlu Street, İstanbul. The Balyoz (“Hammer” in English) Team collected transgenders and put them in a transit vehicle. The police used violence, battered with sticks and forced them into the vehicle.

22) Case 22 : Knife Attack in Izmir, 13 January 2012

Source: Kaos GL

31-year-old transgender S.T. was stabbed 14 times by unknown people in Karabağlar District, İzmir.

The crime took place on 11 Jan. at 11.30 pm. A car with an unidentified plate came closer to the victim and 4 people came out of the car. They stabbed S.T. in left-side stomach 2 times, in left arm 7 times, in back 2 times, in right-side calf 1 time and in left hand 2 times.

23) Case 23 : Lynch Attempt Against Transgenders in Avcılar, 07 October 2012

Source: Kaos GL

The protests against transgenders in Avcılar, İstanbul turned out to be lynch attempts. On 4 October, Kaos GL asked if Avcılar is transforming into a new lynch region.

50-person group gathered in front of Meis building complex, started a fire and undertook a lynch attempt against transgenders. Upon these protests, the police raided three houses of transgenders and sealed them, claiming that prostitution was being done in the houses. So the right to housing and privacy under constitutional protection were violated.

24) Case 24 : Threats of beating - A Transphobic Demonstration in Antalya, 06 June 2012

Source: Kaos GL

A group of people held a demonstration against sex worker transgenders in Antalya. The group complained of transgenders performing sex work in the Altındağ neighborhood. The group said that they would keep an eye on the street with sticks in their hands.

The group claimed that they could not go outside their homes when it gets dark due to the transgender sex workers.

Ukraine

Information collected by ILGA-Europe's members

1) Case 1: Violence by a stepfather against his gay son after coming out

Date, time and place: 23.01.2012, about 6 p.m., Kremenchuk (Poltava Oblast). The house of the victim's mother.

Source of information: An activist of Nash Mir Centre from Poltava.

Victim(s): A bisexual man, 24 year old.

Type of crime: Physical violence.

Perpetrator(s): The victim's stepfather, an unemployed alcoholic.

Brief description of the incident with bias indicators: When visiting his mother, the victim was subjected to insults and then physically abused by his stepfather, who was in a state of alcohol intoxication, because of his "non-standard" sexual orientation.

Status of the case: The victim's mother called the police. There was instituted a criminal case, and the court sentenced the stepfather under Art. 125 of the Criminal Code of Ukraine "Intentional minor injury" to fine of 51 Ukrainian hryvnias and 40 hours of community service. However, the investigation and the sentence did not touch sexual orientation of the victim as the motive of the crime.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got a craniocerebral injury of medium severity and felt mentally depressed.

2) Case 2: Physical violence in the family, Kryvyi Rih

Date, time and place: 05.03.2012, about 3 a.m., Kryvyi Rih (Dnipropetrovsk Oblast). The apartment of the victim's grandmother.

Source of information: An activist of Nash Mir Centre from Kryvyi Rih.

Victim(s): A gay man, 32 year old.

Type of crime: Physical violence.

Perpetrator(s): The stepbrother of the victim (23 year old, a security guard, an alcoholic) and his friends.

Brief description of the incident with bias indicators: The perpetrators, being in a state of alcohol intoxication, at night came in the apartment, where the victim lived with his grandmother, and began to extort money from the grandmother. The victim was trying to protect his grandmother. Then attention of the perpetrators shifted to the victim. Being aware of his homosexuality, the stepbrother and his friends dragged the victim into the staircase and began beating, abusing and threatening to kill him because of his sexual orientation. Only the intervention of neighbours saved the victim from further beatings.

Status of the case: The victim has not applied to the police.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got a bodily injury of medium severity and felt mentally depressed.

3) Case 3: Threatening behaviour with use of presumably traumatic weapon, Kirovohrad

Date, time and place: 21.04.2012, Kirovohrad. The cruising place in the park where gay men gather.

Source of information: The victim.

Victim(s): A gay man, 29 year old.

Type of crime: Threatening behaviour.

Perpetrator(s): A male, 25-30 years old.

Brief description of the incident with bias indicators: The victim was sitting at the cruising place when he was approached by an unknown guy who said that he know why the victim is sitting in this place, insulting him because of his sexual orientation. He then pulled out a gun and, threatening with it, forced the victim to escape. The perpetrator fired several shots (presumably with rubber bullets), but did not cause physical harm.

Status of the case: The victim has not applied to the police.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim felt extremely frightened and mentally depressed.

4) Case 4: Homophobic assault against a gay male couple, Kharkiv

Date, time and place: 06.05.2012, late at night, Kharkiv. At the entrance of the house where the victims live.

Source of information: An activist of Nash Mir Centre from Kharkiv.

Victim(s): Two gay men living together.

Type of crime: Physical violence.

Perpetrator(s): The neighbour and his two friends.

Brief description of the incident with bias indicators: The perpetrators previously treated the victims badly because of their sexual orientation (insults, hard blows in the front door of the victims' apartment, etc.). In that evening, when one of the victims went to the staircase to see who was knocking on the door, three men started beating him. When the second victim came to help his partner, he was also beaten. It lasted about half an hour until other residents of the house by joint efforts could pull the attackers away.

Status of the case: The victims turned to the police. However, the criminal case (under Art. 122 of the Criminal Code "Deliberate moderate injury") was instituted against only one of the perpetrators, what the victims perceive as probable collusion between perpetrators and investigation bodies.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victims got injuries of medium severity (broken jaw and ribs, multiple bruises), and also are in a state of permanent stress as they have to live close by these people.

5) Case 5: Homophobic assault against a bisexual man, Kyiv

Date, time and place: 06.05.2012, early in the morning, Kyiv. The courtyard of the Institute of Ecology's hostel.

Source of information: The victim.

Victim(s): A bisexual man, 22 year old.

Type of crime: Physical violence.

Perpetrator(s): Three men aged 25-35, the victim's neighbours in the hostel.

Brief description of the incident with bias indicators: The victim was returning from a night club. His neighbours, who stood near the entrance, did not like the way the victim was dressed (in their opinion, too provocatively) and they began to insult him, blaming him for homosexuality and the inability to be "a real man", and then the two of them began to strike blows in the face and stomach. The third perpetrator, an officer of the armed forces, did not participate in physical violence, but

verbally approved of his friends' actions.

Status of the case: The victim has not applied to the police.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got minor injuries and feel mentally depressed because he still lives close by these people.

6) Case 6: The attack on two organisers of the Kyiv Pride 2012

Date, time and place: 20.05.2012, Kyiv. Outdoors (nearby Darnytsia metro station).

Source of information: The victims, mass media.

Victim(s): Pride organisers Sviatoslav Sheremet, Maksim Kasianchuk.

Type of crime: Physical violence.

Perpetrator(s): about 10 masked men aged 25-30.

Brief description of the incident with bias indicators: First, the victims were sprayed with tear gas by a group of young men in masks at an impromptu press conference on the failure of the gay pride march right in full view of present journalists. Several minutes later the victims went to a next empty courtyard to change clothes and then were attacked again by the same perpetrators who surrounded them and began methodically and brutally beat them. The fact that it happened due to their public activities is testified by the attackers' question before the beating, "Вы пидары?" ("Are you queers?"); besides this day all centre of Kyiv was patrolled by groups of aggressive enemies of the Pride. Some journalists, who still stayed near, managed to record this assault.

Status of the case: The police were immediately called. They instituted a criminal case under Art. 296 of the Criminal Code "Hooliganism." The investigation has not yet been completed. The police and the Public Prosecutor's Office in Kiev have refused to regard the crime as a hate crime.

Response of local authorities: There has been hardly any. An open letter of the Council of LGBT organisations of Ukraine to all leading Ukrainian political parties with appeal to denounce the evident and brutal homophobic aggression has remained without any reply, none of the addressees has condemned the attack on the organisers of the Pride. Although no group has claimed responsibility for the attack, appreciation of these events at various rightwing websites and in social network groups suggests that it was doing of right-wing extremists. At the same time, Andrii Illienko, a member of the Political Council of the [radical right-wing Ukrainian nationalist] Svoboda Party, stated that it was Ukrainian nationalists who disrupted a gay pride parade in Kyiv (<http://glavcom.ua/news/80229.html>).

Impact on the victim(s) and the community: The victims have got various injuries of mild to medium severity. The Ukrainian LGBT community received a clear signal of what should expect in Ukraine those who publicly dare to claim their rights. Now it is obvious that the authorities cannot and do not want to protect public LGBT events from homophobic aggression.

7) Case 7: The attack on the third organiser of the Kyiv Pride 2012

Date, time and place: 22.06.2012, Kyiv. In the street outside the home of the victim.

Source of information: The victim.

Victim(s): Pride organiser Taras Karasiichuk.

Type of crime: Physical violence.

Perpetrator(s): A young man.

Brief description of the incident with bias indicators: The victim was attacked in an empty street nearby his home by an unknown young man who was waiting for him. The assaulter asked the victim, "Ты пидар?" ("Are you queer?"), and started brutally beat him up not waiting for the answer. The assaulter run away when noticed approaching passers-by.

Status of the case: The victim's relatives immediately called the police, but police officers came only next day, after repeated calls of LGBT activists to the city police department. There has been instituted a criminal case under Part 1 of Art. 122 of the Criminal Code "Intentional moderate bodily injury." The investigation has not yet been completed. The police and the Public Prosecutor's office of Kyiv refused to regard the crime as a hate crime.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got several injuries of various degrees (in particular, he had a broken jaw and a craniocerebral injury). The effect on the Ukrainian LGBT community was the same as after the beating of his colleagues in May.

8) Case 8: Homophobic assault against a bisexual man, Zaporizhzhia

Date, time and place: 15.06.2012, late at night, Zaporizhzhia. At a bus stop.

Source of information: An activist of Nash Mir Centre from Zaporizhzhia.

Victim(s): A bisexual man, 20 year old.

Type of crime: Physical violence.

Perpetrator(s): Two young men.

Brief description of the incident with bias indicators: The victim got off the bus and just walked away from the stop as he was attacked by two guys. He does not remember where they came from – probably got off the bus after him. First, they insulted the victim by the words “педик” and “пидар” ("fag", "queer") and said that he looked like a girl, then knocked him to the ground and kicked in the head and the body, resulting in the victim lost consciousness. When he regained consciousness, there was no one beside him. The assaulters have not stolen his things or money.

Status of the case: The victim did not call the police because of the fear that the investigation will out his sexual orientation.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victims have got bodily injuries of mild severity (he did not go to the hospital).

9) Case 9: Homophobic assault against a gay man, Zaporizhzhia

Date, time and place: 21.07.2012, late at night, Zaporizhzhia. Nearby the cafe where the victim works.

Source of information: An activist of Nash Mir Centre from Zaporizhzhia.

Victim(s): A gay man, 24 year old.

Type of crime: Physical violence.

Perpetrator(s): Three young men.

Brief description of the incident with bias indicators: The victim was attacked near the cafe, which he left after work. Shortly before that, the company of three young men was served in this cafe. Then they behaved rudely, turning their attention to his alleged "not masculine" clothes and piercing, calling him in feminine gender, and telling lewd jokes about him. Outside they proceeded to insult him with rude words due to his sexual orientation, and then began to hit him in the face and stomach until he fell to the ground, after which they disappeared.

Status of the case: The victim did not call the police.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got injuries of mild severity (he did not go to the hospital).

10) Case 10: attack against a demonstration against the “prohibition of homosexuality

propaganda” bill

In July, a protest against the adoption of the *Law 8711* prohibiting ‘promotion of homosexuality’ in Ukraine in front of the Ministry of Foreign Affairs was attacked by a group of young men wearing Svoboda Party t-shirts. The men tore off the activists’ posters and shouted offences in the presence of a special police squad which did nothing to stop violence.

11) Case 11: Beating of a gay man in a nightclub, Kharkiv

Date, time and place: 18.08.2012, at night, Kharkiv. At the exit of the nightclub *Jam*.

Source of information: An activist of Nash Mir Centre from Kharkiv.

Victim(s): A gay man, 26 year old.

Type of crime: Physical violence.

Perpetrator(s): Two guards of the nightclub *Jam*.

Brief description of the incident with bias indicators: *Jam* seems to be is a mixed club (i.e. visited both straight and gay public), but the administration and the security often regarded gay people with prejudice. This time a gay man was severely beaten by guards of the club. The pretext for the beating was a glass that that gay man had allegedly smashed, but the victim and several witnesses claim that the real reason was the homophobic attitude of the administration and the guards of the club, which is confirmed by the remarks of the guards during the beating, “Ты что, крутой пидар?” (“Who are you, a cool fagot?”) and “Как вы заебали, пидары!” (“We are f..king sick of you, queers!”).

Status of the case: The police arrived at the scene, but they did nothing to investigate the crime. The probable cause of the police’s inaction could be their friendly relations with the owner of the club, who, covering his guards, said that it was he who beat the victim, and invited the police officers to his office, after which they departed and took no further action to investigate the incident. Later the victim made complaint to the public prosecutor against the police’s inaction, but examination of his application lasts up to date.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got multiple injuries all over his body, a broken nose, and severe craniocerebral injury.

12) Case 12: Beating and robbery of a gay man, Kharkiv (Case 423)

Date, time and place: 30.08.2012, in the evening, Kharkiv. In a taxicab.

Source of information: An activist of Nash Mir Centre from Kharkiv.

Victim(s): A gay man, 27 year old.

Type of crime: Physical violence.

Perpetrator(s): A taxi driver.

Brief description of the incident with bias indicators: The victim was beaten and robbed by a taxi driver. The victim believes that the reason was his "non-standard" sexual orientation, which the driver guessed when the victim said goodbye to his boyfriend before getting into the car. This is evidenced by the driver’s insulting questions like “Кто из вас кого трахает? Вы же пидары!” (“Who of you f..ks whom? You are queers indeed!”) and other insults in the same spirit.

Status of the case: The victim made complaint to the police, but no one has contacted him after that, and he has taken no other actions.

Response of local authorities: It is absent.

Impact on the victim(s) and the community: The victim has got injuries of mild severity. In addition, the perpetrator grabbed his wallet with 700 Ukrainian hryvnias.

13) Case 13: attack against a peaceful LGBT demonstration

In December 2012 LGBT and human rights organisations held a peaceful public action on the International Human Rights Day. During the action its participants underwent assault and provocations from several militant adherents of the Svoboda party who sprayed tear gas on participants and tried to tear off their banners. Later Svoboda has openly assumed responsibility for this assault at its website, even specified names of “hero patriots”. Although the number of police officers at the place of the action was quite adequate, the police failed to protect participants from homophobic assault and have eventually arrested not only two aggressors but also six victims of aggression for “disorderly conduct”. After the peaceful manifesting on 8 December the police forbade the participants to leave the place of event all together saying that “no demonstrations on the street are allowed”. The participants were forced to leave in small groups and were attacked and beaten on the street by nationalists.

United Kingdom

Information collected by ILGA-Europe

1) Case 1: Attack against a young gay man

In May, a 19-year-old gay man was attacked by a group of five men on his way home from a nightclub in Worcester. The group insulted the man and one of them punched him on the head. The victim got through with minor injuries. The incident was reported to the police.

2) Case 2: Threats and harassment against a trans woman

In July, a man was sentenced to fines for threatening behaviour against a trans woman in Suffolk. The victim was threatened, harassed and as a result had to leave her home. The court also gave the man a 12 month restraining order.

3) Case 3: transphobic attack

In November, a trans woman was punched and knocked unconscious while walking into a Leicester pub. The 46-year-old woman, who had lived in the city for less than two months, believed that she was targeted because of her gender expression. A police investigation was launched.