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Compendium

# Practices of Civil Society and Government Collaboration for Effective Hate Crime Victim Support



Funded by the European Union





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# **Practices of Civil Society and Government Collaboration for Effective Hate Crime Victim Support**

This publication was published with the support of the OSCE Office for Democratic Institutions and Human Rights (ODIHR). The opinions and information it contains do not necessarily reflect the policy and position of ODIHR.

This report was funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020). The content of this report represents the views of the author only and is his/her sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.



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# Introduction

A successful response to hate crimes requires collaboration and co-operation of many stakeholders, such as the Ministry of Justice, Ministry of Interior, police, prosecution offices, equality bodies, civil society organizations (CSOs), healthcare and social welfare agencies, local government representatives, media and, most importantly, the communities targeted by acts of hate crime. Each stakeholder has a different role to play. Competencies and scopes of response vary greatly, and co-operation between various stakeholders is critical for the establishment of a properly functioning hate crime victim support system.

CSOs that support all victims of hate crime and those that support specific victim communities take the lead in providing specialist services for hate crime victims. They frequently do this on an ad hoc basis, which is not co-ordinated with other actors inside or outside the criminal justice system. Their work is often done without regular or sufficient funding.<sup>1</sup> Some CSOs also provide training and other capacity-building support to law enforcement and criminal justice agencies. Despite this, State authorities often do not view them as equal partners and do not include them in discussions regarding the development or improvement of the hate crime victim support system.<sup>2</sup> Regardless of CSOs' involvement in victim support and work in the criminal justice system, the State is responsible for creating clear conditions and funding opportunities for victim support providers. Furthermore, establishing policies that answer to the needs of hate crime victims requires co-operation among government actors across the criminal justice sector, and across governance levels.<sup>3</sup>

CSOs should be included in the process of establishing policies and practices because of the pivotal role they play in responding to hate crime and supporting the victims. Not only this, but CSOs often have a comprehensive understanding of hate crime victims because they work closely with affected individuals and communities, applying the skills and knowledge they gain through listening to victims' needs and tailoring services to meet those needs.<sup>4</sup> Therefore, communication between the State and CSOs is critical. CSOs can advise on collaboration between and across government, and among different specialist service providers.

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1 *Structural Arrangements for Hate Crime Victim Support: Policy Brief* (Warsaw: OSCE/ODIHR, 2021), p. 12.

2 *Ibid*, p.22; *The State of Support Structures and Specialist Services for Hate Crime Victims. Baseline Report* (Warsaw: OSCE/ODIHR, 2020), p. 4.

3 *Hate Crime Victims in the Criminal Justice System. A Practical Guide* (Warsaw: OSCE/ODIHR, 2020), p. 114; *The State of Support Structures and Specialist Services for Hate Crime Victims. Baseline Report*, *op. cit.*, note 2, p. 4.

4 *Ibid*, p. 4.

Co-operation between CSO service providers and the State can be challenging for several reasons:

1. Siloed thinking and approaches to work create overlapping scopes of responsibility between different governmental agencies, which results in fragmented or separated actions, as well as gaps in the scope of offered support, that make inter-agency and CSO co-operation difficult.
2. Communication and collaboration are often characterized by a lack of trust, and there are few State initiatives to foster mutual understanding between agencies and CSOs.<sup>5</sup>
3. There are limited policy guidelines and government administration directives formalizing co-operation with civil society. This requires commitment from policymakers on hate crime matters.
4. Insufficient State funding and restrictive accreditation frameworks create barriers for CSOs that can limit accessibility and operational independence. This prevents service providers from being able to expand the scope and quality of their services in a sustainable fashion.

This Compendium has been created by the OSCE ODIHR, in partnership with the Association of Counselling Centers for Victims of Right-Wing, Racist and Antisemitic Violence in Germany (VBRG). It aims to equip state and civil society actors with tools and resources to ensure hate crime victims are protected, enjoy full access to justice, and receive tailored specialist support. It has been created as part of the Enhancing Stakeholder Awareness and Resources for Hate Crime Victim Support Project (EStAR). The EStAR project covers 41 countries, all of which are participating States of the OSCE and Member States of the Council of Europe. Most participants are also EU Member States.<sup>6</sup>

The EStAR project takes a victim-centred and gender sensitive approach in its tools and resources to reflect the needs and experiences of all members of society. EStAR tools and resources are also based on the understanding that a person's identity is made up of intersecting protected characteristics such as ethnicity, nationality, race, religion or belief, age, disability, etc., as well as other identity, social or economic markers. It also takes into consideration that sharing a particular social identity or a personal characteristic does not make victims similar and does not define their individual needs.<sup>7</sup> This document's victim-centred approach also advocates looking at hate crime victims through the lenses of their personal circumstances and the material and immaterial impact of

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5 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, *op. cit.*, note 1, pp.37-38.

6 The members of the EStAR project are: Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Cyprus, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom.

7 *Understanding the Needs of Hate Crime Victims* (Warsaw: OSCE/ODIHR, 2020), p. 6.



the crime, including possible psychological consequences, such as traumatization and post-traumatic stress disorders, as well as the specific needs of each victim.<sup>8</sup>

The objective of this Compendium is to foster better co-operation between CSOs and governments on hate crime victim support. Good co-operation between these actors helps secure better services for hate crime victims. Through enhanced co-operation with State authorities, CSOs can gain proper recognition, better outreach, and more access to victims. Moreover, co-operation with CSOs is beneficial for the authorities, as it can help them better meet their obligations to support hate crime victims, which are outlined in the Victims' Rights Directive,<sup>9</sup> OSCE commitments<sup>10</sup> and other legislative frameworks.

This Compendium builds on findings from *The State of Support Structures and Specialist Services for Hate Crime Victims: Baseline Report*<sup>11</sup> that discusses the current hate crime victim support structures in place in the project countries, and *Structural Arrangements for Hate Crime Victim Support: Policy Brief*<sup>12</sup> that presents concrete steps and measures governments can take to establish or strengthen structural arrangements to develop comprehensive, needs-based hate crime victim support systems, as well as builds on the findings of other EStAR project publications.<sup>13</sup>

This Compendium first discusses different models of CSO-government co-operation identified within the course of the EStAR project. Next, it presents elements of a robust hate crime victim support system and explains why co-operation between the State and the civil society is critical in meeting the needs of hate crime victims. Sub-sections outlining elements of a robust hate crime victim support system provide good practice examples on collaboration between different actors to support hate crime victims. Special attention is given to institutionalized frameworks of co-operation.

When looking at co-operation between CSO and government stakeholders it is important to consider FRA's recent *Compendium of practices on hate crime*,<sup>14</sup> which presents promising practices in other specific areas of hate crime. Considering a broader collection of practices creates a holistic understanding of co-operation and helps ensure that robust structures for hate crime victim support are strengthened and developed.

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8 *Ibid.*, p. 33.

9 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, 14 December 2021.

10 The summary of the OSCE commitments on hate crime can be found on the [OSCE website](#), 16 December 2021.

11 *The State of Support Structures...*, *op. cit.*, note 2.

12 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, *op. cit.*, note 1.

13 All project publications can be found on [the EStAR project website](#).

14 [The European Union Agency for Fundamental Rights: Compendium of practices for combating hate crime](#), 29 November 2021. The FRA Compendium provides 48 practices from across the EU Member States focusing on encouraging reporting of hate crime; improving hate crime recording and data collection; and promoting co-operation with CSOs in encouraging reporting and improving recording and data collection of hate crime.

# Methodology

This Compendium builds on information collected from the *Baseline Report* survey conducted with the EstAR Network of Experts in 2020,<sup>15</sup> dedicated follow-up to the survey, and desk research. Semi-structured interviews were conducted between 30 October and 20 December 2021 with representatives of the following institutions and organizations, based on their identified good practices: Women's Room (Croatia), Tbilisi Pride (Georgia), Háttér Society (Hungary), Bjakarhlíð – Family Justice Center (Iceland), Lithuanian Gay League, Zustricz (Poland), Romanian National Police, DaSeZna! (Serbia), The Swedish Federation for LGBTI Rights, Swedish Crime Victim Authority, Chirikli Fund (Ukraine), Stop Hate UK, and the National Police Chiefs' Council (United Kingdom). Information was provided in writing by representatives of the Victim and Witness Support Service (Croatia), the Hellenic Police (Greece), Oslo Police District (Norway), Ministry of Justice of the Slovak Republic and the National Office Against Hate Crimes at the Ministry of Interior (Spain).<sup>16</sup> The interviews and exchanges covered a range of questions on the critical aspects of setting up a sustainable hate crime victim support system, such as institutionalized frameworks of co-operation between the State and CSOs, funding models, referral mechanisms, exchange of information between actors, CSO accreditation and more.

## Limitations

The practice examples chosen in this publication aim to give broad coverage of practices in OSCE participating States, to the extent possible. However, this compendium does not serve as an exhaustive list of good practices. Furthermore, baseline survey responses did not always provide adequate details on co-operation between the authorities and civil society service providers. It is also important to note that some of the projects described were still in progress at the time of preparing this publication, making the assessment of the outcomes impossible, which is why no evaluation of the practice examples is provided.

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15 The EstAR Network of Experts is the first dedicated network of experts on hate crime victim support, comprising experts from CSOs and governments. It was set up within the framework of the project.

16 In total, there were 18 persons that directly contributed to the development of this compendium, including 8 women, 9 men and 1 non-binary person.

# Elements of a robust hate crime victim support system

A robust victim-centred hate crime victim support system is only possible when the State and CSOs co-operate and work on behalf of hate crime victims. There are different ways such a co-operation system can be organized. In some countries, the government takes sole responsibility for establishing the support services for all victims. In others, support is only provided by CSOs that must rely on their own fundraising efforts. Irrespective of whether such services are provided by public or non-public entities, co-ordinating availability and provision of services, and ensuring they meet quality standards and have sufficient funding is responsibility of the respective States.<sup>17</sup>

Collaboration between State and CSO service providers is more likely to be effective in countries that address hate crimes in a comprehensive manner. However, only a few countries demonstrate effective, formal mechanisms for communication between criminal justice bodies, government victim support units and CSO service providers.<sup>18</sup> A robust response to hate crimes includes measures to strengthen hate crime reporting,<sup>19</sup> monitoring, recording, investigation, prosecution and victim support. This includes creating legal and policy frameworks, commonly agreed-upon and consistently applied definitions of “hate crime” and “hate crime victim”, offering a well-defined scope of specialist support, continuous capacity-building efforts and issuing instructions for law enforcement and other criminal justice system professionals, as well as ongoing inter-agency co-operation.

A comprehensive government response to hate crimes fully engages CSOs as partners in both hate crime prevention and response, including support for victims. To achieve that, mechanisms of collaboration need to be established between the State and CSOs to share information (with victims’ consent), enable referrals, avoid gaps in service provision and effectively respond to victims’ needs. Successful collaboration between the State and CSOs also enables mutual learning. This includes the opportunity for police and prosecution services to learn from the empirical experiences and knowledge CSOs have about emerging victimization trends.

The following section briefly summarizes each element of a robust hate crime system in the context of co-operation between the criminal justice system and CSO service providers.

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<sup>17</sup> *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, *op. cit.*, note 1, p. 12.

<sup>18</sup> *The State of Support Structures...*, *op. cit.*, note 2, p.7.

<sup>19</sup> See more on how to encourage reporting of hate crimes: *Encouraging Hate Crime Reporting. The Role of Law Enforcement and Other Authorities* (Luxembourg: Publications Office of the European Union, 2021); and Key Guiding Principles on *Encouraging Reporting of Hate Crime. The Role of Law Enforcement and Relevant Authorities* (EU High Level Group on combating racism, xenophobia and other forms of intolerance, Working Group on hate crime recording, data collection and encouraging reporting, 2021).

# Victim-centred approach

Adopting a victim-centred approach means that the needs of hate crime victims are at the center of any action, approach or measure undertaken by criminal justice bodies or other entities throughout the lifecycle of a hate crime case and beyond.<sup>20</sup> This includes treatment that views the victim as an individual with intersectional identities and specific needs. Victim-centred approaches also view victims as partners with agency throughout the process. This approach is based on the idea that hate crime victim protection and support must be embedded in, and form an integral part of, a comprehensive and coordinated response to hate crimes.<sup>21</sup> Having specialist support services that complement general victim support, helps better respond to the individualized and specific needs of hate crime victims.

CSOs providing support and/or advocating for the rights of communities vulnerable to hate crimes are the best source of information on the experiences of victims who engage with the criminal justice system. Many of them support hate crime victims before, during, and after criminal proceedings, as well as by doing work to monitor hate crimes, doing research on the needs of hate crime victims, and preparing reports and toolkits to sensitize policymakers and criminal justice system representatives to the needs of a particular community. They have very practical knowledge about the needs of hate crime victims, gained through direct contact with the victims. They also have established codes of conduct to ensure sensitive and respectful treatment of victims. Their expertise is, therefore, invaluable for including the victim's perspective in designing hate crime victim support structures.

In **Spain**, a "Guide to working with people with developmental disability who are victims of hate crime" has been developed. The guide aims to support police officers when investigating and responding to hate crime against people with disabilities. The guide has been prepared by the Ministry of Interior in collaboration with civil society. The organization Plena Inclusión was engaged in developing the guide due to its extensive experience working with people who have intellectual and developmental disabilities.<sup>22</sup>

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20 See: ODIHR, *Hate Crime Victims in the Criminal Justice System: A Practical Guide* (Warsaw: OSCE/ODIHR, 2020), which assists governments and policymakers in crafting victim-centred approaches to addressing the needs of hate crime victims; and the ODIHR-EStAR tools: *Understanding the Needs of Hate Crime Victims*, (Warsaw: OSCE/ODIHR, 2020); *Model Guidance on Sensitive and Respectful Treatment of Hate Crime Victims in the Criminal Justice System*, (Warsaw: OSCE/ODIHR, 2021) and *Model Guidance on Individual Needs Assessment of Hate Crime Victims*, (Warsaw: OSCE/ODIHR, 2021).

21 *The State of Support Structures...*, *op. cit.*, note 2, p.2.

22 *Guía de actuación con víctimas de delitos de odio con discapacidad del desarrollo* (Madrid: Ministry of Interior, 2020).

In many project countries, general victim support services lack understanding of hate crime victimization and the specific needs of hate crime victims. In these countries, co-operation between general victim support services and CSOs representing communities vulnerable to hate crimes is required to integrate a victim-centred approach that tailors the range of services on offer to the specific needs of hate crime victims.

## Legislation and policies

Adequate legislation and policies must be in place for a well-functioning hate crime victim support system. These legislation and policies should be publicly available and continuously updated. States should define who is considered a hate crime victim and what type of support they are eligible to receive, based on their needs and rights.<sup>23</sup> The minimum protection and support services should be set out in law, and access to these services should be offered independently of whether a victim chooses to report a hate crime.<sup>24</sup>

There should be regulations or guidance in place providing the necessary detail for effective hate crime victim support implementation. These standards should also be formalized in written agreements or policies. Some countries develop hate crime prevention strategies, policies or action plans. Some also develop victims' rights charters. No matter what form these documents take, the obligations of State bodies, as well as instructions for law enforcement and other criminal justice system professionals, should be clearly set out.

In the **United Kingdom**, a Victims' Code has been implemented. It sets out the minimum standard of service that organizations must provide to victims of crime. It also sets out the minimum level of service victims can expect from criminal justice agencies, such as the police and courts, whether they choose to report a crime or not. The Victims' Code ensures referral to victim support services and sets out quality standards for victim support. It provides hate crime victims with Enhanced Rights, treating them as victims of the most serious crimes.<sup>25</sup>

In **Moldova**, a National Human Rights Action Plan for the period 2018-2022 has been developed. The Plan sets out Moldova's intentions to develop a program to inform victims of crime of their rights, develop the regulatory framework for psychological counselling of crime victims and

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23 *Hate Crime Victims in the Criminal Justice System...*, *op. cit.*, note 21 p. 10.

24 *Ibid.*, p. 64. See also: Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, *op. cit.*, note 9, Recital 40: "the provision of support should not be dependent on victims making a complaint with regard to a criminal offence to a competent authority such as the police."

25 *Code of Practice for Victims of Crime in England and Wales (Victim's Code)* (London: Ministry of Justice, 2021).

develop support services for the victims of crime based on the functional competencies of the relevant institutions. One of the other actions foreseen in the Plan is to strengthen the capacities of prosecution bodies, lawyers and judges to efficiently apply the criminal and minor offense law with regard to crimes and minor offenses based on prejudice, contempt or hatred. It envisions doing this by covering the specifics of investigation and examination of crimes motivated by bias in the training curricula. This national policy document was prepared by a mixed working group comprised of representatives of the central public authorities, civil society and development partners with human rights among their priorities. The working group was set up by Order No. 1056 of 18 November 2016 of the Minister for Justice.<sup>26</sup>

Having multi-stakeholder fora to develop and shape overall policies is essential. These fora can be used to streamline processes, create new frameworks of engagement, identify contact points and procedural gaps, formulate mechanisms to regularly update a list of relevant hate crime victim support providers, and more. These spaces open communication channels and strengthen co-operation between the State and CSO service providers so they can effectively work together to implement national systems of protection and response for hate crime victims.

In **Serbia**, the Lawyers' Committee for Human Rights (Komitet pravnika za ljudska prava, YUCOM) – a CSO advocating for the improvement of hate crime victim support in Serbia – worked on hate crime provisions in the Criminal Code. They set up a working group that analyzed comparative legislation in other countries and drafted proposed Criminal Code amendments to better protect persons vulnerable to hate crimes. The new draft law was provided to all political parties – inside and outside of the government – and to the media. The proposed changes were implemented by the government.<sup>27</sup> In 2018, a YUCOM lawyer led the first successful case in which a bias motivation was considered an aggravating circumstance by the court.<sup>28</sup>

In **Hungary**, a new Criminal Code was drafted between 2011 and 2012. Háttér Society – a Hungarian LGBTI advocacy organization – initiated a Hate Crime Working Group (HCWG) to work on amendments to the Criminal Code to better protect and support hate crime victims. Two major

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26 "National Human Rights Action Plan for the period 2018-2022", *Council of Europe website*, 16 December 2021.

27 Information obtained from YUCOM representative during "Improving National Hate Crime Victim Support Systems in Eastern Europe and Western Balkans Countries: Regional Workshop" organized by ODIHR on 19 October 2021. Hate crime provision introduced to the Serbian Criminal Code comprises of Art. 54a: "If a criminal offence was committed in hatred, due to race, religion, national or ethnic origin, sex, sexual orientation or gender identity of another person, the court shall consider such circumstance as an aggravating circumstance, unless it is prescribed as an element of the criminal offence".

28 "Criminal verdict for a hate crime reached for the first time", *YUCOM website*, 7 November 2018.

recommendations from the Háltér Society were accepted. The first was explicitly including sexual orientation, gender identity and disability as protected characteristics. The second was maintaining penalization of preparation to commit a hate crime. The core members of the HCWG are the Háltér Society, the Helsinki Committee, the Hungary Civil Liberties Union, Amnesty International Hungary and consultants from academia. After amending the Criminal Code, the HCWG became a platform to update members about developments, to exchange opinions, and liaise with law enforcement as a coalition of CSOs. Co-operation within the framework of the HCWG continues and its members can discuss manuals and cases. Law-enforcement representatives engaged in the consultation meetings also participate in hate crime prevention training programmes and events organized by HCWG.<sup>29</sup>

CSO providers understand victims and are therefore able to provide invaluable insight into what regulations and mechanisms need improvement to better address victims' needs. By considering CSOs' expertise during the process of drafting laws and regulations, States ensure they take into consideration the perspective of affected individuals and communities. The following examples showcase formalized frameworks of co-operation that are in place in some project countries:

In **Greece**, the Racist Violence Recording Network (RVRN) was established in mid-2011 on the initiative of the Greek National Commission for Human Rights (GNCHR) and the Office of the United Nations High Commissioner for Refugees in Greece (UNHCR). RVRN brings together different organizations that offer medical, social and legal services to victims of racist violence or victims of other hate- or bias-motivated violent attacks, as well as community organizations and groups that are usually targeted by racist violence. To join RVRN, a necessary precondition is respect for human rights, diversity, multiculturalism and freedom of religion, as well as action in tackling discrimination and intolerance. Apart from the co-ordinators – UNHCR and GNCHR – the RVRN assembles 51 non-governmental organizations and civil society bodies, as well as the Greek Ombudsman and the Migrant Integration Council of the Municipality of Athens, as observers. RVRN works to maintain continuous and positive co-operation with the police and prosecuting authorities. This collaboration was formally framed through the Greek National Council Against Racism and Intolerance, which was established by the law 4356/2015<sup>1</sup> and which formalized the RVRN and the police as council members. The collaboration was also formalized in 2018, through the "Agreement on inter-agency co-operation on addressing racist crimes in Greece".<sup>30</sup> In 2021, a new agreement was signed: the "Co-operation Agreement to improve the recording and retention of data on racist crimes".

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29 Information obtained by ODIHR from the Háltér Society representative in November 2021.

30 *Agreement on inter-agency co-operation on addressing racist crimes in Greece* (Warsaw: OSCE/ODIHR, 2018).

In **Spain**, the Action Plan to Combat Hate Crimes<sup>31</sup> has been used as a tool to improve several areas of response to hate crimes, such as training, prevention of hate crime, investigation of hate crimes, victim support, enhancing the communication with CSOs, exchange of good practices and developing guidelines to fight against underreporting among hate crime victims. The Action Plan to combat hate crimes is developed to cover a period of two to three years. The Action Plan is developed by the Spanish National Office against Hate Crimes in consultation with the National Police (Policía Nacional), the Civil Guard (Guardia Civil), Public Prosecutor's Office and CSOs that deal with victim support and defending human rights. Funding of the Action Plan is secured by the Ministry of Interior. Implementation is evaluated on an ongoing basis and drafting of amendments is done in a collaborative manner with CSOs, law enforcement agencies and other stakeholders. At the meeting of the Extraordinary Action Plan Follow-up Commission, chaired by the president of the government, eight new lines of action were announced and are set to be included in the second Action Plan. The first of the eight new actions covers assistance and support for victims of hate crimes, which will constitute the central axis of the Action Plan for the period 2022-2024.<sup>32</sup>

In **Sweden**, the National Plan to Combat Racism, covering similar forms of hostility and hate crime, has been developed.<sup>33</sup> In order to formulate the plan, representatives of the Ministry of Equality have met with CSOs working with victimized communities. The Plan includes status reports and proposals from civil society actors. The Plan covers five strategic areas, one of which is devoted to strengthening CSOs by providing greater support and engaging in more in-depth dialogue, e.g., in the form of consultations or focused discussions between the government and CSOs.

Decision-makers should be aware of the needs of practitioners who directly support hate crime victims, and this should flow into policymaking. Many promising initiatives undertaken to improve hate crime victim support are grassroots projects that focus on building the competencies of practitioners. These initiatives may cover, for example, building the competence of investigation units or creating co-operation mechanisms for support providers. Without the commitment of decision-makers, the results of these projects lack sustainability when they are over. To reach sustainable outcomes, decision-makers need to prioritize fighting hate crimes. The initiatives, therefore, should partly focus on engaging decision-makers and raising their awareness of hate crime.

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31 *Action Plan to Combat Hate Crimes* (Madrid: Ministry of Interior, State Secretariat for Security, 2019).

32 Information obtained by ODIHR from the Spanish National Office against hate crimes representative in November 2021.

33 *A comprehensive approach to combat racism and hate crime National plan to combat racism, similar forms of hostility and hate crime* (Stockholm: Government Offices of Sweden, 2017).



In **Ukraine**, the “Algorithm of actions of executive bodies and local government aimed at prevention of conflicts on ethnic grounds, harmonization of requirements of public safety and order and interests of social groups at detection of spontaneous settlements of representatives of the Roma community” has been developed by the National Police of Ukraine. The Algorithm describes, in detail, recommended actions for all government officials, guided by the criteria of good governance, effective management, transparency and inclusiveness. It aims to foster better co-operation between government officials and residents of spontaneous Roma settlements. It also hopes to secure the rights of Roma community members to security, decent living standards, access to primary opportunities in receiving medical, educational, social services and access to seasonal work. The Algorithm recommends organizing visits to Roma communities’ places of spontaneous settlement, which must be attended by Roma mediators (if available) and/or a representative of a CSO as well as employees of the National Police. Actors involved in the implementation of the Algorithm are: the National Police; local police units; the Parliamentary Commissioner for Human Rights; the Inspector of Juvenile Prevention; local centers of social services for families, children and youth; health care facilities; the State Emergency Service; the State Migration Service; representatives of the Roma national minority who perform the functions of social mediators; representatives of CSOs; legal clinics of higher education institutions; and territorial divisions on culture, nationalities and religions. The Algorithm has been tested in two regions, where migrating Roma communities have suffered violent attacks.<sup>34</sup>

Raising awareness among political representatives, politicians and CSOs about important social issues can help build political commitment to address the issue. An example of such work is the project led by Tbilisi Pride in Georgia.

In **Georgia**, around the time of general election in 2021, Tbilisi Pride – a Georgian LGBTI rights non-profit organization – approached political parties with a general election pledge stating “We, the signatory political parties, using all mechanisms at our disposal, including legislative activities and parliamentary oversight, will fight to eliminate discrimination and violence against lesbian, gay, bisexual, and transgender people in Georgia. We will protect the right of peaceful assembly and the freedom of expression of all human beings, regardless of their sexual orientation or gender identity in accordance with the Constitution of Georgia and international human rights standards. We will not allow our representatives to use hate speech and incite social strife in the political process on the basis of sexual orientation and gender identity.” Such a general declaration brought together parties from very different parts of the political scene. A

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34 Information obtained by ODIHR from the Chirikli Fund representative in an interview in November 2021.

total of 15 political parties in Georgia have signed the pledge. The process involved establishing contact between CSOs and political parties, and the campaign was very successful in its networking efforts. The project was also represented a successful step forward in presenting the problems of the LGBT community as universal and related to the operations of each party in power.<sup>35</sup>

International organizations can also play an effective role in raising awareness among State representatives. By offering grants and partnerships, holding regular meetings, high level workshops, and other awareness-raising and training activities, these organizations can mobilize high level commitment to and sustainability of projects undertaken.

The **Council of Europe** has a Directorate General of Democracy that offers grants and enters into partnerships with CSOs that provide specialist support to hate crime victims. For example, as part of its activities, it supported the work of Serbian CSO Da se Zna!<sup>36</sup> In providing support and counselling to the LGBTI community members during the COVID-19 pandemic. It also offered a grant to the Right Side Human Rights Defender NGO<sup>37</sup> in Armenia to empower transgender people to report hate crime and seek support.<sup>38</sup>

**OSCE ODIHR** developed, in consultation with civil society and government experts, a guide "Hate Crime Victims in the Criminal Justice System"<sup>39</sup> providing practical recommendations on adapting procedures, policies and laws, while taking into account the realities and complexities of criminal justice and victim support systems. Based on these recommendations, the EStAR project was created to support 41 OSCE participating States enhance and strengthen their hate crime victim support systems.<sup>40</sup>

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35 "Tbilisi Pride: '15 Political Parties Signed a Joint Agreement on LGBT Rights'", *Georgian Journal*, 29 November 2021. See also: "Advocacy Results in Unprecedented Political Support for LGBTIQ+ Rights in Georgia", *NDI website*, 8 June 2021.

36 Visit [Da se Zna!](#) website to learn more about the organization. To learn more about how Da se Zna! co-operates with the Council of Europe on related issues see here: "The importance of creating positive case-law in discrimination and hate speech cases in Serbia", *Council Of Europe*, 6 April 2020.

37 Visit [Right Side NGO](#) website to learn more about the organization.

38 Information obtained from the Council of Europe representative during "Improving National Hate Crime Victim Support Systems in Eastern Europe and Western Balkans Countries: Regional Workshop" organized by ODIHR on 19 October 2021.

39 *Hate Crime Victims in the Criminal Justice System...*, *op. cit.*

40 EStAR: Enhancing hate crime victim support website.

# Recognition of service providers

For hate crime victims to receive adequate support, they need to be referred to service providers by authorities or CSOs. Victims may also seek out support services themselves. In many countries, only general victim support providers are recognized by the State, leaving CSOs directly working with vulnerable communities outside of the official victim support system and without access to State funding.<sup>41</sup> The very first step in building an effective referral system is mapping hate crime victim support providers. This list of service providers should be frequently updated and linked to quality control mechanisms.

To develop a list of essential service providers, government agencies must undertake outreach to develop new partnerships with organizations outside the criminal justice system. Once identified, hate crime victim support providers should be approached to institutionalize the collaboration, either through a memorandum of understanding or other written policy/guidance that clarifies the criteria for including a CSO in the database. There should also be clear guidelines for the implementation of the guidance or protocol of co-operation to guarantee accountability.

In the **United Kingdom**, the National Police Chief's Council developed a website listing CSOs providing support to hate crime victims.<sup>42</sup> Support organizations are listed according to the type of hate crime they deal with, but also according to the various police jurisdictions in which the support is available. To be listed as a service provider, a background check is done to make sure the organization does not employ any discriminatory practices against any groups vulnerable to hate crimes. When due diligence procedures confirm a CSO is trusted, the organization is listed on the website. Only non-profit support providers are listed on the website.<sup>43</sup>

In **Italy**, CSOs included in the register of the Italian Office against Racial Discrimination (UNAR)<sup>44</sup> may be included in a special list that confirms they have legitimacy to act for the judicial protection of rights, by power of attorney on behalf of the victim of discrimination in judicial proceedings. To go on this list, CSOs must be approved by decree of the Minister of Labor and Social Policies and of the Minister of Equal Opportunities (art. 5 of Legislative Decree 215/2003).<sup>45</sup>

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41 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, *op. cit.*, note 1, p. 7.

42 True Vision, Stop Hate Crime website, 19 December 2021.

43 Information obtained by ODIHR from a National Police Chief's Council representative in an interview conducted in December 2021.

44 Operating since November 2004, UNAR promotes equal treatment and removing all forms of racial and ethnic discrimination.

45 Decreto Legislativo 9 luglio 2003, n. 215 "Attuazione della direttiva 2000/43/CE per la parità di trattamento tra le persone indipendentemente dalla razza e dall'origine etnica" pubblicato nella Gazzetta Ufficiale n. 186 del 12 agosto 2003 [Legislative decree no. 215 of July 9, 2003 "Implementation of the Council Directive 2000/43/EC for the equal treatment between persons irrespective of racial or ethnic origin" published at the Official Gazette No. 186 of 12 August 2003].

In **Germany** the Rainbow Web Portal developed by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth offers information and a contact point database with addresses of counseling centers for people who have been victims of hate crime.<sup>46</sup>

Mapping the service provider landscape is beneficial not only for the State, but also for CSOs. Most importantly, it also benefits victims. Especially in countries, where governments lack the political will to prioritize hate crime victim support. Often, CSOs themselves can conduct outreach to communities that are vulnerable to hate crimes and then develop lists of potential specialists (such as lawyers or psychotherapists) or lists of organizations supporting victims of a particular strand of hate crime. This also supports service provider to service provider referrals and helps facilitate victim self-referrals. CSOs can also work together to form broader coalitions to support hate crime victims.

## Referral mechanisms

Effective referrals are only possible when information on available services meets quality standards requirements and is accessible to all relevant law enforcement representatives, CSOs and victims. Automatic and effective referral mechanisms among police, victim support services, prosecutors and other relevant actors, are rare.<sup>47</sup>

If a victim is represented by a CSO, this organization should remain in constant communication with the authorities, acting as the victim's contact point. Having a CSO representative present while reporting a hate crime usually helps support the investigative work of the police. A CSO representative can also provide significant input by sharing individual needs assessment outcomes, if agreed by the victim, or other information regarding protection and support needs. Governments should have clear and actionable guidance on communication and co-operation between criminal justice actors and CSOs providing support to hate crime victims to help facilitate a robust referral system.

In **Italy**, the Gay Help Line (an initiative of the National Contact Center for Victims of Homophobia and Transphobia in Italy) and the Observatory for Security against Acts of Discrimination (an agency of Italian National Police and Carabinieri Corps, OSCAD) co-operate to enhance support for LGBTI victims of hate crime. When the Gay Help Line receives a report of hate-motivated violence, it is shared with OSCAD by phone or email. OSCAD assesses and evaluates any issues that emerge in the reporting of the case to the police. Where possible, OSCAD facilitates contact with the local police. If the response from the police is deemed insufficient, OSCAD

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46 See: Rainbow Web Portal.

47 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, op. cit., note 1, pp. 23-24.

facilitates contact with police officers that have specific field experience with LGBTI hate crime to have the police report amended.<sup>48</sup>

Establishing a map of hate crime victim support service providers helps criminal justice actors know where to refer victims. An “opt-out” model is preferred whereby, with the victim’s consent, police automatically pass their details to the appropriate specialist service provider.<sup>49</sup> This approach requires conforming with data protection laws to make sure that no sensitive data can be leaked or be passed on without consent. In an “opt-in” model for victim support, the police provide victims with a list of available services. It is then up to the victim to contact support providers. In both models, police should be given basic guidance and a framework for referring the victims to support organizations.

In **Greece**, the police informally refer victims of hate crime to the Racist Violence Recording Network (RVRN), so RVRN members can support the victim with services (e.g. interpretation). This collaboration initiative was officially framed via the Agreement on Inter-Agency Co-operation on Addressing Racist Crimes in Greece. This was signed in 2018 and aimed to co-ordinate the work of national institutions and CSOs to more effectively deal with racist crimes and victim support.<sup>50</sup>

In the **United Kingdom**, national information-sharing agreements for hate crime are signed between the police and CSOs to provide better support to hate crime victims. One of these agreements is signed with Tell MAMA,<sup>51</sup> a CSO providing support to victims of anti-Muslim hate. The information-sharing agreement allows the police to share anonymized details of incidents/crimes relating to, or believed to be targeted at, the Muslim community, as well as anonymized details of any arrests made in relation to these incidents. It also allows for the referral of individual victims and witnesses who have expressly agreed that their information can be passed to Tell MAMA for victim support purposes. The agreement also stipulates that there should be regular meetings to compare anonymized data to identify crime trends with a view to informing crime reduction activity and evaluating the effectiveness of hate crime reporting structures.<sup>52</sup>

When a hate crime victim does not want to engage with criminal justice representatives and is unaware of CSOs that can provide support to them, they may actively seek support via the Internet. In such cases it is beneficial to set up informational web pages,

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48 *Gay Help Line and the cooperation with the Observatory for Security Against Acts of Discrimination* in: *Compendium of practices on hate crime* (EU Fundamental Rights Agency 2021).

49 *The State of Support Structures...*, *op. cit.*, note 2, p.21.

50 Information obtained by ODIHR from a Hellenic Police representative in a response to questionnaire in 2020.

51 For more information see: Tell MAMA website.

52 *Information Sharing Agreement between Tell MAMA and the National Policing Lead for Hate Crime* (London: National Police Chief’s Council, 2021).

ideally in different languages, and in easy-to-understand language that is accessible to all potential victims, including persons with intellectual and developmental disabilities. These webpages should avoid formal jargon and use easy-to-understand terminology. These webpages could be reporting platforms or host publicly available lists of support service providers, including helplines and contact details of CSOs providing support to hate crime victims. These websites can be developed by different actors: criminal justice agencies, general victim support providers or community CSOs, but co-operation in development of these websites is beneficial. It is also crucial to make these websites easily findable via online search engines.

In **Iceland**, a network of Family Justice Centers (Bjarkarhlíd, FJC) has been adopted, providing help to survivors of violence and their family members in one place.<sup>53</sup> The first Family Justice Center was established in Reykjavik in 2017 with support of the Ministry of Justice, Ministry of Welfare, city of Reykjavik, and the Metropolitan Police. Project partners and CSOs that provide specialist support are the Association for Women's Shelters, Stigamót (Center for Survivors of Sexual Violence), DrekaSlóður (Peer Counselling Association), the Icelandic Human rights Office and the Women's Advisory Service. A Metropolitan Police representative works in the FJC full-time. Civil society support providers, lawyers and peer counsels are available on a regular basis and able to provide support in hate crime cases. A person who experienced any type of violence that is 18 years old or older can book an appointment via their webpage or by making a phone call, although no prior appointment is necessary. On a victim's first visit to the center an assessment interview is conducted determine a victim's trauma. The social workers then match the victim with a CSO provider. The victim is put in control of the process and can receive support even if they decide not to report the case to the police. If a survivor of violence decides to notify the police, a police representative working in the FJC will be a contact point for the ongoing police investigation. Bjarkarhlíd is State funded, and the City of Reykjavik provides a free-of-charge office for them. CSO service providers who co-operate in the FJC provide free of charge counselling and are both privately and State funded.<sup>54</sup> Apart from Bjarkarhlíd in Reykjavik, there is another FJC in the north of the country that co-operates with university and healthcare professionals.<sup>55</sup> In the south of the country, another multi-agency crime victim support office operates. This office has a clinical focus and offers individual and group therapy, as well as specialized trauma therapy – Sigurhćdir. The police are also present in Sigurhćdir<sup>56</sup> to provide advice and information, as well as legal advice.<sup>57</sup>

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53 Family Justice Centre Alliance, 25 November 2021.

54 Bjarkarhlíd, 25 November 2021.

55 Bjarmahlíd, 25 November 2021.

56 Sigurhaedir, 25 November 2021.

57 Information obtained by ODIHR from a Bjarkarhlíd representative in an interview in November 2021.

Apart from developing webpages, setting up helplines for victims to receive support and be referred to specialized victim support organizations is also an option. Outreach to the public and vulnerable communities is also needed to raise awareness of the channels by which victims can make a self-referral.

In **Croatia**, the National Call Center for Victims of Crime and Misdemeanors was established in 2013 following a project involving the Victim and Witness Support Service Croatia (VSC, CSO), the Ministry of Justice and the United Nations Development Program (UNDP). It is free of charge and anonymous and is available to all victims throughout Croatia on a standardized number: 116006. The scope of work is to inform victims and witnesses about their rights, provide emotional support and refer them to institutions and associations that provide support. The helpline also shares information on the conditions and ways of exercising the right to financial compensation for victims of criminal offenses, and the organization monitors changes in the law related to issues of importance for victims and witnesses. In 2021, the Ministry of Justice, Ministry of Interior and Victim Support Croatia (VSC) started negotiations on the specific referral system of the National Call Center. The plan for the pilot project envisions that the Ministry of Interior selects a police station to directly refer victims to the National Call Center via a secure channel that shares information on available support. The process includes feedback and return information between VSC and the police. A memorandum of understanding and protocol specifying the duties and securities of referral of victims is to be signed by VSC and the police. At the same time, awareness-raising efforts have been undertaken, with a national victim's rights campaign being carried out, to encourage hate crime reporting.<sup>58</sup>

Often, CSOs are effective in referring hate crime victims to other CSO service providers, for example if their own services do not meet victims' needs or if there is a lack of accessible service in a given geographical location.<sup>59</sup> As CSOs often form alliances, coalitions or networks, they are usually well aware of the scope of services various organizations provide. Such exchanges between CSOs are very beneficial, especially when vulnerable identities of a victim overlap. For instance, a victim who is both a migrant and a person with a disability will need services that are sensitive to disability and will need support of specialists with expertise on migration laws and regulations. In such a situation, a disability organization that lacks expertise in supporting migrants or asylum seekers can reach out to an organization with expertise in this area to discuss the case, provide training to the counsellors or refer the victim. Recognizing the intersectional approach to hate crime victim support, and due to their years of co-operation and collaboration with each other, CSOs are often more effective in referring victims to other CSO service providers. Such

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58 Information obtained by ODIHR from a VSC representative in response to questionnaire in 2020 and a follow-up e-mail exchange in November 2021.

59 *The State of Support Structures...*, *op. cit.*, note 2, p.20.

CSO coalitions should co-operate with the State to advocate for policy improvements and to ensure State referral mechanisms are comprehensive and exhaustive.

In **France**, France Victimes<sup>60</sup> is a victim's support federation of associations that provides victims with a wide range of assistance services, regardless of the offenses they have suffered. It covers the entire territory, including the French overseas territories and gathers 130 victim support associations in its network.

In **Switzerland**, in 2005, the Advisory Network for Victims of Racism (Beratungsnetz für Rassismuspfer)<sup>61</sup> was created as a joint venture project between the humanrights.ch association and the Federal Commission Against Racism. The network runs 24 counselling centers across Switzerland. Humanrights.ch is responsible for the operational project management. Members of the network act according to specially developed quality standards. Each year, humanrights.ch publishes a summary report on racist incidents and offers its members opportunities for continuing education and networking.

## Funding and accreditation

Irrespective of whether victim support services are provided by public or non-public entities, the State has a responsibility to ensure that service providers are adequately funded. It also has an obligation to offer opportunities to increase CSO access to government funding and partnerships.<sup>62</sup> This entails States providing adequate funding opportunities and refraining from setting unnecessary criteria to obtain the funding, which can overburden CSOs with administrative procedures. The conditions under which the funding can be spent should always reflect realities on the ground and, ideally, should not be linked to granting the victim status in the criminal proceedings, as victims should be able to access support regardless of whether they wish to report their case to the authorities.

States should also create funding schemes that take a long-term perspective to make services more sustainable. Inadequate funding mechanisms may limit the types of services that CSOs can deliver, and exclude others, such as legal representation, emergency accommodation or other important services, from the overall offer.<sup>63</sup> If funding is granted on a one-year basis, it prevents the continuity of free assistance to victims between the reporting period, the tender for the upcoming year and approval of project proposals. Continuous, sustainable and institutionalized funding allows CSOs to continuously operate and expand the scope and quality of their services. As with all elements of an

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60 See: [France Victimes](#) website for more information.

61 See: [Beratungsnetz für Rassismuspfer](#) website for more information.

62 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, *op. cit.*, note 1, p. 12.

63 *Ibid.*, p. 27.



effective hate crime victim support structure, engagement and consultations with CSOs are crucial in setting up institutionalized financing of victim support services.

In **Germany**, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth provides information for victims of violence in general and supports hate crime victims through the programme “Demokratieleben!” (Living Democracy). According to the federal funding rules, a fixed core amount supplemented with a flexible amount of money in relation to the number of inhabitants per year is allocated to each German federal state. This grant goes to the so-called “Landesdemokratiezentren” (Federal State Democracy Centers), which must grant a minimum fixed amount per year to a hate crime victim support organization in their region (note that some states give more than the fixed minimum amount). There is an annual planning meeting between the recipient and the donor to discuss and determine future needs and priorities. This increases trust and strengthens the common perception of problems. On the homepage [www.odabs.org](http://www.odabs.org), a project of the Federal Ministry for Labour and Social Affairs, there is a map with all the CSOs in Germany that offer financial and practical support to victims of violence, including the ones that offer support for victims of hate crimes. These CSOs are central to victims of hate crimes. Most of them are independent organizations that receive government funding. There are specialized counseling centers for victims of hate crimes in Germany for each federal state. These counseling centers are financed from municipal funds, state funds and from the federal program “Demokratieleben!”. At present, there are 15 independent counselling organizations for people affected by those crimes in 13 of Germany's federal states that are members in the VBRG – the Association of Counseling Centers for Victims of Right-wing, Racist and Antisemitic Violence in Germany. As an accompanying project to the federal program “Living Democracy”, it is planned that the VBRG will receive state funding until 2024 from the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth and the Government Commissioner for Migration, Refugees and Integration.<sup>64</sup> In addition, the Federal Government Commissioner for Migration, Refugees and Integration provides funding to model projects that support civil society stakeholders, and the people affected to handle racism, right-wing extremism and other forms of group-focused enmity. The projects for empowering migrant organizations aim to promote the involvement of migrants in the fight against racism and the prevention of right-wing extremism, to support those affected to handle racist hostility, and to empower them in their ability to act.

In **Sweden**, the Crime Victim Fund, which is administered by the Swedish Crime Authority, grants economic support to informational, developmental

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64 Information obtained by ODIHR from the VBRG representative in a response to a questionnaire, 2020.

work, projects and research twice a year. Some years ago, the Crime Victim Fund was instructed by the government to prioritize activities and projects directed to helping victims of racist, xenophobic anti-Semitic, Islamophobic or homophobically motivated crimes. Victim Support Sweden (Brottsförjouren, VSS) is the largest CSO offering generic support to crime victims with a nationwide support line and over 70 local support centers around the country. Some local centers are more specialized in hate crime victim support. VSS is mainly funded by the Swedish Crime Victim Compensation and Support Authority and the National Board of Health and Welfare, but the local support centers are mainly funded by local authorities in their municipalities. The Crime Victim Fund also supports the work of the Swedish Federation for Lesbian, Gay, Bisexual, Transgender, Queer and Intersex Rights (RFSL). RFSL has a crime victim hotline and runs a shelter for LGBTQ people. Both organizations, VSS and RFSL, are listed as service providers on the police website dedicated to hate crimes.<sup>65</sup> They also co-operate with each other. For example, RFSL provides sensitivity training around LGBTQ issues for VSS representatives.<sup>66</sup>

In **Croatia**, there are seven county courts with victim and witness support departments. These departments provide emotional support to victims and witnesses before, during and after court hearings. They also provide information on victims' rights and practical information explaining the criminal justice process to the victims, witnesses, and their families. They may also refer victims/witnesses to specialized support providers. On the initiative of the Ministry of Justice and Public Administration (MoJ), an open call for proposals was issued to establish a Network of CSO victim support providers in counties without these departments. The MoJ provides continuous financial support for the Network for three-year programmes, and reporting is required on an annual basis. Upon the creation of the Network, the MoJ organized meetings with criminal justice system representatives and CSOs in the Network to encourage co-operation. Organizations within the Network communicate their work and co-operate with CSOs outside the Network, such as the Human Rights House Zagreb and Center for Peace Studies Zagreb, for example, by collecting recorded cases of hate crimes. Victim and witness support departments in county courts provide limited support to persons already engaged in criminal proceedings. The established Network provides more holistic support, as they include a level of service that the State would not be able to provide, since it has no contact with victims that have decided not to report a crime to the police. They can accompany the victim to the police station, prosecution office, or during the criminal proceedings. The organizations within the

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65 See: Polisen website, 25 November 2021.

66 Information obtained by ODIHR from the RFSL representative in an interview in November 2021, and from crime victim authority representative in an interview in November 2021.

network are now in the process of standardizing quality control of hate crime victim support in all countries.<sup>67</sup>

In **Portugal**, the Portuguese Association for Victim Support (APAV) is a private charitable organization, recognized by law. A major source of APAV's funding comes from protocols established with the government and several ministries (the Ministry of Justice, the Ministry of Internal Affairs, the Ministry for the Social Security, the Ministry of Health and the Presidency of the Counsel of Ministries). The mission of the organization is to support the victims of crimes, including hate crimes, their families and friends, by securing high quality, free-of-charge and confidential services and contributing to public social and private policies regarding victims of crimes.<sup>68</sup>

In some countries, CSOs can apply for accreditation to be enlisted as official service providers and to receive specific funding to support hate crime victims. The accreditation process may also set the framework of collaboration between civil society and State actors. It is important that accreditation requirements are not unrealistic or overly complicated because this may preclude relevant and essential organizations from receiving accreditation.<sup>69</sup> Overly complicated or unrealistic accreditation requirements mean that formal lists of approved service providers often do not include all CSOs providing support to hate crime victims.

In the absence of an extensive accredited list of CSOs specializing in hate crime victim support, in many countries, the police or prosecution rely on informal lists or prior knowledge of specialist support providers when they refer victims. While this solution lacks the comprehensive and sustainable aspects of a robust system, it might remain functional and alleviate the lack of an established referral protocol. In some countries, inter-agency networks bring together CSOs and law enforcement to co-ordinate the delivery of support and improvement of victim care.

To provide relevant services, the list of accredited organizations should include organizations that provide complimentary services and are specialized in addressing the needs of specific hate crime victim groups. Fulfilling accreditation criteria (requirements connected to facilities, insurance, expert employee fees, etc.) should not bestow an unnecessary administrative burden on CSOs. Many CSOs operate almost exclusively thanks to grants or volunteer work. Therefore, they may experience difficulties meeting some of the legal requirements. These requirements, for example to obtain the status of "hate crime victim support provider", should be clearly defined and linked with quality control and available funding opportunities. A good practice is to involve impartial experts in the

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67 Information obtained by ODIHR from the Women's Room (the leader of the Network) representative in an interview in November 2021 and available at the [Network of Support and Co-operation for Victims and Witnesses of Criminal Offences website](#).

68 Information obtained by ODIHR from the APAV representative in a response to a questionnaire, 2020 and [APAV website](#).

69 *The State of Support Structures...*, *op. cit.*, note 2, p.6.

accreditation procedure. Since government representatives might have little expertise in the counselling field, they might require support of experts in the relevant fields to be able to assess the proposals submitted by the CSOs.

In **Slovakia**, under the Victims' Act (no. 274/2017 Coll.),<sup>70</sup> CSOs can apply for accreditation for up to five years under the Ministry of Justice (MoJ) to provide support to victims of crimes. To be registered, CSOs have to fill in an application and provide documents proving the expertise of employees. Experts need to have finished studies in the fields of psychology, social work, or law and have three years of practice in their respective field. CSOs must also prove they have sufficient space (e.g., lease of rooms where help is provided) and liability insurance. In their application, CSOs can decide between providing general help to all victims or specialized help to certain groups of particularly vulnerable victims. They can also decide how long they need the accreditation for. An accreditation committee of experts from the fields of psychology, social work and law evaluates the applications to ensure they meet the criteria stipulated under the Victims' Act and makes a recommendation to the Ministry of Justice to grant or deny accreditation. If the CSO proves it meets all criteria (mostly that it employs/will employ at least one expert in every field – psychology, social work or similar, and law), the accreditation is granted. Quality control is based on “standards of quality of help and support provided” prepared by the MoJ. Usually, employees from the MoJ and members of the accreditation committee make personal visits to the accredited CSOs to check on the implemented procedures and methods of work. The accredited CSOs are obliged to keep records on the support provided (i.e. anonymized files on victims) that can be reviewed during quality control checks. If the accredited CSO does not meet these standards, first they are asked to take measures to implement them, and if they fail to do so, their accreditation is revoked. The accreditation is connected to the MoJ grant scheme for victim support organizations. Only accredited CSOs can receive grants from this specific scheme for victim support providers.<sup>71</sup>

In **France**, the requirements to help hate crime victims are defined in each financing agreement. Accredited victim support providers, such as LICRA (League Against Racism and Antisemitism), SOS Racisme and association Paris Aide aux Victimes, are financed by the State – mainly the Ministry of Justice. Victim support services have to meet the following criteria: practice a multi-disciplinary approach; be physically accessible; have continuity of assistance; offer free and long term support; offer neutral and confidential

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70 Zákon z 12. októbra 2017 o obetiach trestných činov a o zmene a doplnení niektorých zákonov [Law of 12 October 2017 on victims of crime and on the amendment of certain laws], 274/2017 Z. z., 12 October 2017.

71 Information obtained by ODIHR from a Ministry of Justice of the Slovak Republic representative in a response to questionnaire in 2020 and a follow-up e-mail exchange in 2021.

support; offer professional support by trained staff; and be involved in local victims' support action. The specialized accredited CSOs mostly provide practical and legal support and have partnerships with general victim support services that provide psychological assistance and social services.<sup>72</sup>

## Quality standards and control

Having established quality standards creates more effective hate crime victim support. Standards for victim-centred support services should be co-developed by all relevant stakeholders, notably CSO service providers. Without established quality standards and mechanisms to ensure quality control of hate crime victim support services, victims may receive poor quality service. Police and prosecution offices need clear guidance on where to refer victims and which organizations provide quality support for various types of needs. Therefore, publicly available and frequently updated lists of support service providers that meet certain standards around personnel qualification, training and service guidelines are critical to ensure victims can receive the support they need.

Quality control is often linked to the accreditation process but it can also be established separately. In the first option, quality control instruments are linked with accreditation and funding mechanisms (see examples in previous section on accreditation). In countries with no official accreditation system, it is necessary to establish quality control measures to ensure victims receive effective support. Quality management should be regularly and independently monitored.<sup>73</sup> Such quality control should not focus on activity/project implementation but on the quality of the services provided.

Quality control can also be done by CSOs themselves. Some hate crime victim support providers collect feedback and satisfaction surveys from their clients. Collecting both qualitative and quantitative data can reflect the experiences of individuals back to CSOs and help organizations improve the services they offer. These evaluations must take data protection regulations into account and should ensure victims are not exposed to re-victimization in the process. Setting up an independent commission composed of academics, CSOs and representatives of equality bodies and/or criminal justice bodies to check the quality of services provided might constitute yet another alternative.

In the **Czech Republic**, victim support service providers need to be registered and follow quality standards to receive state funding. In IUSTITIA is a CSO that supports hate crime victims by providing legal and social aid, as well as individual financial support to cover psychological help and other legal costs (expert witness statements, medical reports, etc.) In IUSTITIA is supported by the Ministry of Justice and the Ministry of Social Affairs and grants are

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72 Information obtained by ODIHR from a Ministry of Justice representative in a response to questionnaire in 2020.

73 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, op. cit., note 1, p. 43.

provided for a one-year period. The quality of services is ensured by mandatory “standards of quality of social services”, and “standards of quality of legal information” which must be provided by the service provider during the registration to the Ministry of Justice and the Ministry of Social Affairs, respectively. The observance of standards may be controlled by the ministries.<sup>74</sup>

In **Germany**, members of the VBRG follow the “Quality standards for professional support”. The social scientific research institute DJI (German Youth Institute/Deutsches Jugendinstitut) was involved in the development of these quality standards. DJI monitors the quality of the services provided. It independently evaluates how clients experience the counselling center, to what extent they were satisfied with the service offered, which aspects helped them most and how the counselling centers can improve their services. The results contribute to continuous improvement of the service and provide a source of valuable information to the State authorities that provide funding.<sup>75</sup>

## Individual needs assessments

An individual needs assessment (INA) usually takes the form of an interview or a series of interviews. The process should result in a set of conclusions about the hate crime victim’s needs and corresponding protection and support measures. Once a victim’s needs and required services have been determined the victim can be referred to the most relevant support providers.<sup>76</sup>

INAs should be conducted upon first contact with the victim. Very often it is CSOs who are first to respond to the needs of hate crime victims. They can accompany the victim to the police station or refer them to other CSO services. Other times, it is the police or prosecution who can refer victims to service providers. This means that victims may have to undergo an INA twice – once with the police and once with a CSO. Therefore, the approach of conducting INAs should not differ fundamentally among these actors, to avoid repetition and simplify the process so that INA outcomes can be used and shared with a victim’s consent.<sup>77</sup>

The data collected within the EStAR project reveals that police often have insufficient knowledge on which questions are sensitive and relevant for meeting the needs of

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74 Information obtained by ODIHR from an In IUSTITIA representative in a response to questionnaire in 2020.

75 Information obtained by ODIHR from a VBRG representative in a response to questionnaire in 2020.

76 *Diagnostic Tool for Assessing National Hate Crime Victim Support Systems* (Warsaw: OSCE/ODIHR, 2021), p. 34. For more information, see: *Model Guidance on Individual Needs Assessments of Hate Crime Victims* (Warsaw: OSCE/ODIHR, 2021).

77 *The State of Support Structures...*, *op. cit.*, note 2, p.23.

hate crime victims, resulting in incomplete INA processes that may put victims at risk of secondary victimization. Easy-to-use guidance and instructions should be developed to provide both police and CSOs with information on the needs of hate crime victims, and the steps to be taken in working with them.<sup>78</sup> It is beneficial to use the expertise of CSOs working with hate crime victims, both in developing a shared methodological approach to INAs and establishing collaboration initiatives on conducting them.<sup>79</sup>

When it comes to sharing outcomes of the INA between criminal justice agencies and CSO support service providers, effective channels of communication have to be established, and continuing efforts must be made to build trust between these actors.

In the **Netherlands**, police officers, prosecutors and public victim support services – Slachtofferhulp Nederland (Victim Support Netherlands, VSN) – use the same case management system. The exchange of information is automatic. The results of the initial individual needs assessment conducted by police are immediately available to prosecutors and VSN. The police are required to confirm in the system whether a victim is vulnerable and whether they require protection measures. VSN contacts the victim and presents the types of support available. VSN can also request protection measures from the police and prosecutors. The follow-up to INA outcomes is easily shared with the relevant actors in a timely manner.<sup>80</sup>

In **Belgium**, Le Collectif pour l’Inclusion et contre l’Islamophobie en Belgique (CIIB) is a CSO assisting persons who have experienced hate crimes. It has established a strong partnership with UNIA, the Interfederal Center for Equal Opportunities and against Discrimination and Racism – an equality body. When CIIB is contacted by the victim, it makes sure that the victim lodges a complaint with the police and UNIA. If they have not lodged a complaint, the representative of CIIB either accompanies the victim to the police or equality body’s office, or asks a representative of the equality body or a police officer to visit the victim to obtain the statement. To avoid repeating the interview and INA, the CIIB tries, to the extent possible, to visit the victim with a representative from UNIA, who is introduced to the victim as a reliable actor. The victim is asked to make a formal complaint or at least record the incident in the monitoring system, so the case is included in the official data. During the first meeting with the victim, a semi-structured interview based on a questionnaire is conducted to obtain maximum information both on the victim, the facts, and the context of the incident that was suffered, as well as information on the perpetrator. A CIIB representative is regularly in contact with the victim, as well as with the UNIA officer who is responsible for the file, to agree on the specific

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78 *Ibid.*, p.9.

79 *Ibid.*, p.23.

80 *Compendium: Practices on Structural Frameworks for Individual Needs Assessment (INA) of Hate Crime Victims and Referrals* (Warsaw: OSCE/ODIHR, 2021, p.29).

needs of the victim and to collect all important documents (properly filed complaints, medical certificates, testimonies, etc.) for the sake of the legal case. A calendar for monitoring and continuous evaluation of the case is put in place from the start between the victim, the CCIB and the UNIA.<sup>81</sup>

In **Malta**, the Police Victim Support Unit is supported by the Hate Crime and Hate Speech Unit (HCU), which was established in October 2019 within the EU-funded project National Security and Law Enforcement with Civil Society and Public Partners, led by the Ministry for Home Affairs. The Hate Crime Unit is a multidisciplinary unit that provides professional support and legal aid to victims. This unit consists of professionals coming from different backgrounds such as psychology, social work and legal aid. Support provided by the HCU includes: legal aid, psychological support, a dedicated helpline and a website. Victims are usually referred by the district police to the Victim Support Unit. During this procedure the victim support officer will ask them whether they would like to receive therapeutic and/or legal interventions. Following the victims' consent, they are referred to the HCU. Once the victims are referred to the HCU, an individual needs assessment is conducted, and a Care Plan of six months is formulated and reviewed accordingly. Through the assessment, a conclusion can be drawn on whether the victim needs to be referred to specialized agencies/entities. This assessment will be listed and documented on the Care Plan. Victims who are referred will be in touch with the therapeutic assistant until the court proceedings are finalized. Depending on the victim's psychosocial needs, they are referred to other entities and organizations to ensure that a specialized service is delivered. During this procedure, with the victim's consent, thorough information is provided to the professional who will be intervening with the victim. During assessment, once the victim indicates that there are other professionals involved in their case, these other professionals are also invited to the victim's Care Plan meeting. Ensuring there is communication with other entities and that they work together in the best interests of victims is paramount. The HCU refers victims to CSOs supported by the Maltese government. The Hate Crime Unit accepts referrals from all other agencies or CSOs that provide support to victims and wish to refer them for ongoing specialized support or legal representation.<sup>82</sup>

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81 Information obtained by ODIHR from the CCIB representative in a response to a questionnaire, 2020.

82 Information obtained by ODIHR from the Malta Police Force representative in a response to a questionnaire, 2020.



# Data collection and exchange

To successfully provide victims with access to counseling, reliable data must be collected and shared between criminal justice authorities and CSOs providing support to hate crime victims. Data collection and exchange also allows States to understand and address under-reporting and under-recording of hate crimes.<sup>83</sup> In Estonia, for example, they have unified their databases of the police and judicial system, allowing for tracking, reporting and recording of the outcomes of criminal proceedings on a case-by-case basis.<sup>84</sup>

CSO service providers often collect data on the number of incidents, requests for support and their follow-up with victims on their status in criminal proceedings, which provides stakeholders with a stronger understanding of what happens during the criminal justice process. Data collected by CSOs can positively influence decisions made by State representatives when establishing priorities in policies and action plans. At the same time, data collected by the State, such as the number of reported cases and the number of prosecutions and judgments, disaggregated by bias motivation and location, etc., can provide invaluable insights that strengthen the support structures of CSOs. This may, for example, provide data to back up decisions to establish a support system in specific geographical locations experiencing higher numbers of hate crimes.

Exchanging information between criminal justice agencies and CSOs contributes to a better understanding of trends in hate crime victimization and can allow adjustments to be made to victim support policies based on data analysis.<sup>85</sup> Additionally, sharing information between CSOs and criminal justice representatives can improve the way hate crime cases are dealt with by providing the necessary knowledge and insights to criminal justice professionals to amend their processes. CSOs can also inform the police in case they have insight on potential further hate crime risks and can request additional protection efforts.

In **Lithuania**, dedicated round table discussions involving local police officers, prosecutors and representatives of vulnerable communities led to the preparation of a guide for law enforcement officers on “Cooperation with Communities Vulnerable to Hate Crimes”. Compiled by the Human Rights Monitoring Institute and the Lithuanian Center for Human Rights by the order of the Ministry of the Interior of the Republic of Lithuania, the guide provides comprehensive information about the communities considered to be at risk in the country, including the Jewish, Romani, Muslim and LGBTI communities, as well as migrants and persons with disabilities. The document is meant to “help recognize hate crimes against

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83 *Structural Arrangements for Hate Crime Victim Support: Policy Brief*, op. cit., note 1, pp. 44-45.

84 *Hate crime recording and data collection practice across the EU* (EU Agency for Fundamental Rights, 2018), p. 44.

85 To learn more about the importance of data collection see ODIHR's *Information Against Hate Crimes Toolkit (INFAHCT) Programme Description* (Warsaw: OSCE/ODIHR, 2018), p.7.

these communities, enabling to get a better understanding of how the hate crimes affect both the individual people and the entire community targeted”<sup>86</sup> and emphasizes that “mutual understanding is the first and essential step in seeking for a more efficient cooperation with vulnerable communities.”<sup>87</sup>

Information exchanges between State agencies and CSOs can be formalized, for instance through official monitoring mechanisms, or by signing memoranda of understanding between criminal justice agencies and CSO service providers. They can also take place through regular meetings between representatives of government agencies and CSOs, or through established networks between and across government and civil society support providers. In some countries there are designated contact points within criminal justice agencies that specialize in hate crime prevention/monitoring/victim support. They can be community liaison officers or prosecutors specialized in hate crimes. Their contact details should be made public and be easily available so CSOs can reach out if there is a case they would like to discuss or there is some information they would like to provide.

Data should be exchanged on various levels, for example both nationally and locally. In addition, international bodies, such as ODIHR, the Council of Europe and the EU can support trans-national knowledge exchange. It should be made clear that there are strict data protection regulations in place, so data that is shared should be presented in aggregate and anonymized. When personal data is shared, it should only be done with the consent of the victim.

In **Spain**, in December 2020, the Ministry of Interior launched a satisfaction and victimization survey, which is part of the Action Plan to Combat Hate Crimes. Similar research was conducted in 2017, which enables data to be compared for each wave of the research. This helps stakeholders observe trends in hate crime victimization.<sup>88</sup>

In the **Czech Republic**, in 2017 In IUSTITIA conducted a piece of representative research with the criminal justice system actors, focusing on hate crime and hate crime victims’ rights.<sup>89</sup> Based on the research findings, In IUSTITIA developed the Guide for State Attorneys and Judges (*Příručka pro soudce a státní zástupce*).<sup>90</sup>

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86 *Cooperation with Communities Vulnerable to Hate Crimes. Practical guide for law enforcement officers* (Vilnius: Human Rights Monitoring Institute and the Lithuanian Centre for Human Rights, 2020), p. 6.

87 *Ibid.*, p. 6.

88 Information obtained by ODIHR from the Spanish National Office against hate crimes representative in November 2021. The survey report is available online in Spanish: *Informe de la Encuesta Sobre Delitos de Odio* (Madrid: Ministerio del Interior. Gobierno de España 2021).

89 *Lifecycle of Hate Crime Country Report for the Czech Republic* (Prague: In IUSTITIA, 2017).

90 *Handbook for Judges and Prosecutors on Bias-motivated Crimes [Předsudečně trestné činy. Příručka pro soudce a státní zástupce]* (Prague: In IUSTITIA, 2017).

In **Romania**, the General Inspectorate of the Romanian Police, between 2014 and 2017, conducted a project funded by the government of Norway aimed at integrating approaches for preventing victimization in Roma communities. A research tool – the UNICRI International Crime Victimization Survey – was employed to investigate the victimization experiences of the Roma community. Within the framework of the project, the data obtained was published with a Roma CSO and academia.<sup>91</sup>

In **Poland**, a study was commissioned by the OSCE ODIHR and the Commissioner for Human Rights of Poland as part of the “Building a Comprehensive Criminal Justice Response to Hate Crime” project.<sup>92</sup> The study, completed in 2019, shed light on the nature and scale of unreported hate incidents against members of selected communities living in Poland. In particular, it looked at those who are vulnerable to such offences, such as persons of sub-Saharan origin, Muslims and Ukrainians.<sup>93</sup>

## Co-ordination and communication

The overall hate crime victim support system usually falls under the responsibility of one or more ministries or government agencies. Often it is the Ministry of Interior, Ministry of Justice or Ministry of Social Affairs of a State that takes responsibility. It can also be within the scope of responsibilities of other relevant public actors, such as equality bodies or local governments.

A comprehensive response to hate crimes requires different responsible actors to co-ordinate and communicate with each other.<sup>94</sup> This is especially important for CSO service providers that need to communicate with different actors about various areas of support they provide. When co-ordination between public bodies is insufficient, there may be a confusion about competencies or an overlap in responsibility. CSOs trying to positively influence the hate crime victim support system often find it difficult to navigate the system, which can take up a lot of their time and limited resources. Instead, authorities should clearly define the scope of their responsibility and communicate it with CSOs. Authorities should also welcome feedback from CSOs, to learn about limitations in co-ordination efforts, and take steps to improve them.

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91 Information obtained by ODIHR from the Romanian Police representative in an interview in November 2021. The study is available in Romanian: Valentina Vasile, Gheorghe Zaman, Cristina Boboc, Marius-Răzvan Surugiu, Raluca Mazilescu, Anca Cristea, Ioana-Alexandra Login, “*Studiu asupra victimizării în România, bazat pe ancheta tematică națională*” [Study on victimization in Romania, based on the national thematic survey], Editura Pro Universitaria, 2017.

92 *Building a Comprehensive Criminal Justice Response to Hate Crime* website, 6 January 2022.

93 *Survey on the nature and scale of unreported hate crimes against members of selected communities in Poland. Survey report* (Warsaw, OSCE/ODIHR, 2019), p. 3.

94 See also: *Encouraging Hate Crime Reporting...*, *op. cit.*, note 20, pp. 60-70, 77-78.

In **Belgium**, equality bodies serve as a bridge between CSOs, the police and the reference magistrates. UNIA (the Interfederal Centre for Equal Opportunities and Against Discrimination and Racism) – an equality body – has written agreements with CSO service providers and organizes information sessions with vulnerable communities. UNIA also organizes debriefings with the police in local departments of the public prosecutor offices, during which good practice, bottlenecks and proposals for improvements are discussed. UNIA also organized a campaign in the local police district of Antwerp to increase reporting by hate crime victims.<sup>95</sup>

In **Serbia**, representatives of the Public Prosecutor's Office of the Republic of Serbia participate in co-ordination meetings with representatives of competent state authorities and CSOs with the aim of preventing hate crimes in the Republic of Serbia and to establish a mechanism to combat hate crimes. These meetings are held on a biannual basis at the Ministry for Human and Minority Rights and Social Dialogue, with assistance and support of the OSCE Mission to Serbia. The aim of the meetings is to discuss current security issues, improve the investigation and prosecution of hate crimes and connect with CSOs providing support to hate crime victims.<sup>96</sup>

## Fostering mutual understanding and collaboration

The police and other criminal justice system agencies are hierarchical institutions operating principally on the national level. This influences their ability to enter into agreements on the local level. These agencies prefer when decisions are taken centrally and their work relies heavily on established procedures. On the other hand, CSOs are usually independent, with flat structures, and autonomous local decision-making. Understanding these basic realities can help build mutual understanding, foster effective collaboration and encourage complementary approaches to address hate crime victims' needs.

To foster mutual understanding, multi-actor co-operation platforms must be established. They can either involve training sessions bringing together representatives of criminal justice agencies and service providers or they can involve regular meetings or roundtable sessions with representatives of various ministries, police, prosecutors, the ombuds-person's office, CSO service providers and other relevant actors. Better understanding between the police and victimized communities translates into better quality protection and support being offered to hate crime victims.

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95 Information obtained by ODIHR from the UNIA representative in response to a questionnaire, 2020.

96 Information obtained by ODIHR from the Republic Public Prosecutors Office of the Republic of Serbia representative in a response to a questionnaire, 2020.

In **Ukraine**, the project “Building a Dialogue and Mutual Understanding Between the Police and the Roma Community” has been implemented by Chirikli (Roma Women’s Foundation) in partnership with the Human Rights Department of the National Police of Ukraine and with the support of the Embassy of the Federal Republic of Germany.<sup>97</sup> The aim of the project was to establish dialogue between the Roma community and the police, and to increase the level of knowledge among police officers on the specifics of working with the Roma population. This was achieved by organizing training sessions, focus groups, and joint informal meetings for representatives of the prevention and investigation units of the National Police of Ukraine and Roma communities. Over 20 local training sessions for the police have been conducted, where police officers learned about the ethno-cultural characteristics of Roma communities, available preventive measures and Ukrainian legislation and international legal instruments related to the fight against ethnic discrimination.<sup>98</sup>

In **Norway**, representatives of the Oslo Police District participate as observers in a network against hate crime. This network is organized by the Equality and Anti-discrimination Ombudsperson and includes CSOs. The network meets four to six times per year and facilitates contact between the police and specialized CSOs working with victimized communities. CSOs were also involved at an early stage of policy formulation in Norway. When the National Center of Expertise on Hate Crime was created at the Oslo Police Department, a meeting with CSO representatives was organized to understand expectations from the police.<sup>99</sup>

Training programmes for criminal justice agencies and service providers should draw on the experience of CSOs working closely with individuals and communities vulnerable to hate crimes.<sup>100</sup>

In **Portugal**, the Hate No More project is based on a partnership between the police forces, the judiciary and the ILGA Portugal – a CSO advocating for the rights of LGBTI persons. It focuses on delivering training on hate crime and has been considered a promising practice by the EU Agency for Fundamental Rights. This project provided specific training on LGBTI hate crime to all police forces, prosecutors, judges, lawyers and civil servants at the Ministry of Justice and Internal Affairs.<sup>101</sup>

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97 “The project is implemented “Building dialogue and understanding between police and the Roma community”” (Chirikli Fund, 2019).

98 Information obtained by ODIHR from the Chirikli Fund representative in an interview in November 2021.

99 Information obtained from the representative of the Oslo Police District by email in December 2021.

100 *Hate Crime Victims in the Criminal Justice System...*, *op. cit.*, note 21, p. 82-83.

101 *Project HATE NO MORE – training and awareness raising to combat hate crime and hate speech in: Compendium of practices on hate crime* (EU Fundamental Rights Agency 2021).

In **Denmark**, the National Police (Rigspolitiet) organizes training sessions for police officers on hate crime victimization. A key principle behind the training is to involve civil society actors. Co-operating partners in this training are the Prosecution Service, the Muslim Council, the Jewish community in Denmark, and the National Association of LGBT Persons in Denmark. This training programme has also been considered a promising practice by the EU Agency for Fundamental Rights.<sup>102</sup>

In **Sweden**, in 2019, Victim Support Sweden and the Swedish Police Authority carried out a joint EU-funded project called Swevic<sup>103</sup> in which best practices to support victims of hate crime were collected and training for the police and the staff and volunteers at VSS was carried out to improve hate crime victim support in Sweden. The project has trained over 150 people in hate crime victim support during an eight-month period. The project also offered an online course in hate crime victim support that was made available to all employees in the Swedish Police Authority and VSS, including volunteers.

## Community-based work

Community-based work is crucial for understanding the current issues experienced by communities vulnerable to hate crime. The State or criminal justice authorities must make efforts to reach out to victim communities, either by holding meetings with established CSO networks or by organizing local meetings directly with community members.

In the **United Kingdom**, independent advisory groups are established that offer impartial advice to the police on a range of different subjects and meet regularly to discuss hot topics in policing. Members of independent advisory groups (IAGs) represent a broad cross-section of society, featuring people with different ages, interests and ethnic backgrounds. Members act as “critical friends” to the police by influencing, advising and shaping how the police support and protect victim communities. The IAGs provide advice to the police about a wide range of issues, telling them what effect policing is having on different people in the community. This is particularly important regarding hate crimes. IAGs look at policing policies and practices, pointing out any issues or unforeseen impacts of these and giving their views on whether these are working well. They also make suggestions for change or improvement, particularly in relation to fairness and inclusion. IAGs examine reports about police powers (such as use of force) to

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102 *Training of police in the identification and handling of hate crimes* in: *Compendium of practices on hate crime* (EU Fundamental Rights Agency, 2021).

103 Learn more: Swevic project, 29 November 2021. See also: *Swevic – Together against hate crimes* in: *Compendium of practices on hate crime* (EU Fundamental Rights Agency, 2021).

make sure that they are using these in a fair, transparent and proportionate way. This helps to improve practice and to build mutual understanding, confidence and good relationships with diverse communities. There are protected characteristic groups that offer specialist advice and guidance to the police on diversity issues and the effects on their communities, such as Minority Ethnic IAG, Disability IAG or Lesbian, Gay, Bisexual and Transgender IAG.<sup>104</sup>

In **Romania**, the General Inspectorate of the Romanian Police is currently leading the project “Combating hate crimes and violent extremism, particularly against the Roma population, and increasing the quality of police service.” The project, supported by the Oslo Police, aims to set up a hate crime unit to address hate crimes in local communities and strengthen cooperation with CSOs, which are usually the ones referring victims to the police. The consortium of project partners includes representatives from academia, CSOs from the Roma community, a mass media partner to increase awareness in the general population and the Norwegian University Police College. Even though the project focuses on Roma communities, the training programmes and workshops to be organized within the project take an intersectional approach and discuss the various needs of people targeted because of their race, ethnicity, religion, sexual orientation or gender identity, or disability. Another important goal of the project is to provide support for Roma community members to obtain identification documents so they can access public services. Finally, the project aims to conduct an impactful awareness-raising campaign on how victims of hate crime can approach the police and what the means are to do it. Apart from engaging CSOs in project-based work, the Romanian Police set up partnership agreements that go beyond projects. CSOs that partner up with the police engage in police training and participate in crime prevention activities organized by the Institute for Crime Prevention of the Romanian Police.<sup>105</sup>

In **Poland**, Zustricz – a CSO supporting the Ukrainian minority in Kraków – works closely with the local administration to support Ukrainians who are victims of hate crime and discrimination. The organization has an agreement with the Municipal Social Welfare Center, to participate in the work of the Local Blue Card Group. The representatives of the police, school, medical, and social welfare center meet to discuss current needs and possible improvements. Zustricz takes part in these meetings and co-operates with the local Plenipotentiary of Equal Treatment to address any relevant issues in the local community, including hate crime cases.<sup>106</sup>

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104 “Independent Advisory Groups”, *Westmercia Police*, 27 November 2021.

105 Information obtained by ODIHR from the Romanian Police representative in an interview in November 2021.

106 Information obtained from Zustricz representative during an interview in December 2021. For more information see: [Zustricz website](#).

# Conclusion

The examples in this Compendium show that there are multiple and diverse ways to ensure efficient and effective support is delivered to hate crime victims. No matter what the adopted mechanisms of CSO-government collaboration in a country, formal arrangements ensure the needs of hate crime victims can be addressed through high quality support provided in a well co-ordinated, multi-stakeholder system of protection and support.

When designing and/or strengthening victim support structures, it is important to bear in mind that **strong co-operation between policymakers, criminal justice system representatives and CSO practitioners secures better services for hate crime victims**. Efforts to combat hate crimes should be well co-ordinated among governmental actors to allow for better co-operation with CSOs. To set up a well-functioning hate crime victim support system, adequate legislation and policies must be in place. To ensure a well-functioning model of co-operation, a **legal mechanism should be established**, including a legal definition of who is a hate crime victim and who is responsible for providing assistance to them. The participation of CSOs is indispensable in the formulation of this legislation.

**Specialist support for hate crime victims is vital for victims in the process of overcoming a crime's consequences**. Such support can include legal advice and representation, psychosocial, emotional and counselling services, and medical care provided by experts with an understanding of hate crime victimization and the needs specific to hate crime victims. The importance of this support for recovery must be recognized, mapped and form a part of the overall victim support system.<sup>107</sup>

Collaboration mechanisms need to be established between the State and CSOs to share information for the purpose of enabling successful referrals, and to avoid gaps in service provision. **Frameworks for co-operation should be institutionalized**. When it comes to data collection and exchange on a case-to-case basis, **information sharing agreements** should be signed between criminal justice agencies and CSO service providers. Effective channels of communication must be established to share outcomes of **individual needs assessments**, and continuous efforts must be made to build trust between criminal justice representatives and CSOs. Apart from establishing an **official referral mechanism** that ensures that victims are directed to relevant support services, police should be given basic guidance and a framework for referring victims to support organizations.

Hate crime victim support policies should include  **fora to discuss and strengthen co-operation** between the State and CSOs, identified contact points and clearly set out

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<sup>107</sup> *The State of Support Structures...*, *op. cit.*, note 2, p. 13. See also: *Diagnostic Tool for Assessing National Hate Crime Victim Support Systems*, *op. cit.*, note 75, p. 27.



procedures. **Multi-stakeholder platforms** of co-operation should be established to foster mutual understanding between CSO service providers and the public administration. Connecting decision-makers with practitioners that support hate crime victims improves the understanding of hate crime victimization and allows for policy improvements to be made. Such exchanges between different actors should be established on a national and local level. **Training programmes for criminal justice agencies and service providers** should draw on the experience of CSOs working closely with communities that are vulnerable to hate crime.

Data sharing between relevant actors can positively influence decisions made by State representatives when establishing priorities in hate crime policies and action plans, including victim support funding adjustments. CSO service providers should be offered opportunities to **access sustainable State funding** and partnerships with governmental agencies. State funding should allow for access to long-term counselling, legal representation, emergency accommodation or other important services to all hate crime victims in need.

**CSO hate crime victim support providers should be identified** and catalogued in a way that is easily accessible by criminal justice professionals, CSO practitioners and victims. Publicly available lists of CSOs providing support to hate crime victims, including their contact details, should be continuously updated and promoted to the general public.

**Development of quality standards** for hate crime victim support ideally should be placed in hands of CSOs, or other independent experts. Quality management of hate crime victim support should be a collaborative process, with **independent quality control mechanisms in place**. Quality control should not focus on project implementation but on the quality of the services provided.

When hate crime victim support involves **accreditation** for CSOs as support providers, it should be accessible to CSOs, and the requirements connected to facilities, insurance, expert employee fees, and so on, should be reasonable and **matched with financing offered by the State**. Accreditation criteria should not bestow an unnecessary administrative burden on CSOs.

Co-operation between general and specific support services and CSOs representing communities vulnerable to hate crimes should be encouraged. CSO service providers should **build coalitions** to successfully refer victims, to learn from each other, and to better respond to the intersectional needs of hate crime victims. Such CSO coalitions should co-operate with the State to advocate for policy improvements.

Implementing the above-mentioned recommendations for CSO-government collaboration will strengthen victim support structures and help secure the needs of hate crime victims. States and CSOs are strongly encouraged to proactively work together to achieve these goals to forge a comprehensive and effective response to hate crime. OSCE ODIHR remains dedicated to leading the work on raising awareness and strengthening political commitment related to CSO-government collaboration in provision of specialist hate crime victim support across the OSCE region.