

Brussels, 30 April 2015

OSCE-ODIHR 2014 Hate Crimes Report: submission of information

Dear Madam, Dear Sir,

ILGA-Europe, the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, is an umbrella organisation with a membership of more than 400 European, national and local level NGOs in Europe. On the ground of the data and the expertise gathered by our secretariat and by our members, we are hereby sending you the following submission, in preparation of the OSCE/ODIHR 2014 Hate Crime reporting.

A number of our member or partner organisations contributed actively to this submission, and should be considered as co-submitters: Seta (Finland), Hatter Society (Hungary), Lithuanian Gay League, LGBTI Support Centre (Macedonia), LGBT Centre of Mongolia, COC Nederland (Netherlands), LLH (Norway), KPH (Poland), ILGA Portugal, ACCEPT (Romania) and finally RFSL (Sweden). FELGBT (Spain), PINK Embassy and LGBT Pro Albania filed submissions on their own account, but they are included in this submission for the sake of completeness. While Mongolia is not part of the European region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association, we did decide to involve the LGBT Centre in this submission as a sign of our support to their work. Of course, ILGA-Europe is happy to facilitate contacts between the ODIHR and these NGOs, should there be any questions or need of complementary information.

The document below will provide the ODIHR with factual country-by-country data on homophobic and transphobic incidents recorded in 2014 in many countries of the OSCE region. The sources we quote include a variety of reports published by LGBT organisations in 2014 and 2015, as well as some press releases. When relevant, the sources are explicitly mentioned. As happened in the past years, ILGA-Europe is still expecting additional data to be communicated by some member organisations, who publish their annual reports on hate crime later than April. We look forward to continue cooperating with ODIHR through a complementary submission.

We would like to emphasize here that several of our members use a data collection methodology elaborated by ILGA-Europe in 2012, consistent with the OSCE's definition of hate crimes. We would be happy to share this methodology with the ODIHR for you to verify the quality of the data collected in these countries. Data collection and publication is expected to be developed further, thanks to the ongoing capacity building activities by ILGA-Europe. Following this pilot initiative, ILGA-Europe's methodology will be made available to more European LGBTI civil society organisations.

Best Regards,

Evelyne Paradis
Executive Director

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

Country-by-country information

Sources: submissions and reports by ILGA-Europe and its members on incidents that happened in 2014.

30 April 2015

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Albania

Submission by the NGOs PINK Embassy and LGBT Pro Albania on Hate crimes targeting LGBTI people in Albania in 2014 (also submitted directly to OSCE/ODIHR)

1. Physical violence, threats and expulsion from the family against a lesbian girl from her father

What happened: A 19 years old girl reported at our office that she was kicked out of home after her father found out she was a lesbian. The father insulted her, beat her up and kicked her out of home.

Date, time and location of the incident: 16-th April 2014, in their home, in Fier (a town in the south of Albania).

Source of information: The victim

Victim(s) involved: a lesbian girl, 19 years old, from Fier (south Albania), whose father found out about her sexual orientation through a phone call with her girlfriend

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

Perpetrator(s): her father

Brief description of incident with bias indicators: The victim testified and reported that has kept her sexual orientation a secret because of the mentality, culture and lack of education of her family and the community where she lived. Meanwhile she had a secret love relationship with a girl from her town. One night when she was talking on the phone with her girlfriend, her father had heard their conversation and found out she was a lesbian. He insulted her, beat her up, threatened and kicked her out of home. He threatened her with death and attacked her saying 'you have disgraced our family' and 'our home has no place for lesbian people', referring also offensive words because of her sexual orientation.

Status of the case: The case was not reported to the police or other public institutions by the victim, because the victim was afraid and did not want to worsen the relationship with her family.

Response of local authorities:

Impact on the victim(s) and the community: The victim told us that she did not have the support of family members and this made her feel very isolated from relatives and her family. She felt quite alone, scared and threatened & asked for help from our organisation Pink Embassy and others local LGBT organizations. Part of our support was building a CV for her, securing a job interview and psychological counselling with a professional team member. Now she lives at the emergency LGBT shelter in Tirana, where she is planned to stay for at least 6 more months. This case shows that the LGBT community in the country continues to be under pressure and violence, mainly from family relatives, with the main request they should hide their sexual orientation or gender identity.

2. Assault, rape and threats against a lesbian girl

What happened: A 27 years old girl reported at our office on September 2014 that she was assaulted & raped in early 2013, by a group of 3 boys but that she did not file any complaint due to fear of prejudice and discrimination. As a consequence of this case she brought to life a baby boy.

The family have rejected her while her father & older brother has threatened her often and evicted her from home because of the rape & her sexual orientation.

Date, time and location of the incident: the assault & rape has happened on January 2013, at the entrance of student's town, near her residence in Tirana (capital city of Albania).

Threatens from her father and brother have happen continuously during 2014.

Source of information: The victim

Victim(s) involved: a lesbian girl, 27 years old

Type of the crime(s): Assault, rape, threats, eviction from home.

Perpetrator(s): three unknown boys; her father & her older brother

Brief description of incident with bias indicators: The victim testified and reported that she was raped in early 2013, by three unknown boys near her residence. The Young boys at the beginning have thought she was a gay boy and have started to offend and hit, but after she was told that was a lesbian female they have attempted to rape her saying that 'the lesbians deserve this'. Although the girl refused and tried to defend, she hasn't reached out to stop one of them who raped her. After that she did not file any complaint to the police station due to fear of prejudice and discrimination. As a consequence of this case she brought to life a baby boy.

She stopped receiving any help or support from her family after they find out she was lesbian and was raped. They have rejected, evicted from home while her father & older brother have threatened her continuously.

Status of the case: The case was not reported to the police due to fear of prejudice and discrimination. She did not want to worsen the relationship with her family.

Response of local authorities:

Impact on the victim(s) and the community: She felt quite alone, scared and threatened & asked for help from our organisation Pink Embassy and others local organizations. She felt constantly discriminated & threatened on the streets, in the family, at work etc.

A local NGO, Arsis has provided help by paying for her rent for six months as well as food for her baby.

She asked for help and support because she cannot get any help from her family and she has had a very hard time finding a job. She says that this is due to her appearance and sexual orientation.

Pink Embassy offered support by giving her information as well as psychological support but also some advice on where to look for work.

We referred the case to an organization which provides food and economic help to orphan children. She received food from the organization for her baby.

Despite this, due to the fear from her father & brother's threats, prejudices from the community as well as due to the lack of security that the state institutions can offer her, on the end of December she fled abroad with her child, seeing it as the only possibility for security.

Finland

Submission by Seta – LGBTI Rights in Finland for the OSCE ODIHR annual report on hate crimes 2014

Report compiled by: Salla Virtanen, Seta – LGBTI Rights in Finland, tiedottaja@seta.fi

This report includes information on four (4) suspected hate crimes from 2014, documented by Seta

1. Illegal threatening against two gay men on the street in Helsinki

What happened: Two gay men were threatened by a man with a gun after leaving a gay bar.

Date, time and location of the incident: On June 6th, 2014, at 4 AM. On the street in Helsinki.

Source of information: One of the alleged victims

Victim(s) involved: two men aged 32 and 24

Type of the crime(s): Illegal threatening

Perpetrator(s): 1 man in his early twenties

Brief description of incident with bias indicators: When two men left a gay bar, a man approached them and begun to threaten them with a gun. The perpetrator said homophobic insults and threatened to kill the two men because they were gay. One of the victims ran away and asked a bystander to call the police. The police caught the perpetrator later.

Status of the case: The case has been reported to police and is on its way to court. The perpetrator is still free.

Response of local authorities: The authorities reacted very professionally.

Impact on the victim(s) and the community: The victim, who reported the crime to Seta, felt distressed, scared, angry and desperate. He had trouble sleeping, nightmares, tiredness, loss of time and inability to concentrate. He was scared of people and ordinary situations. Now, he still has nightmares and is scared that people he meets on the street might carry a gun.

2. A student was discriminated, insulted and harassed at school

What happened: A high school student was discriminated, insulted and harassed at school for two years.

Date, time and location of the incident: For two years, 2013-2014, especially on February 2014, at the Sibelius High School in Helsinki.

Source of information: The victim himself

Victim(s) involved: A male student, 18-19 years old at the time of the incidents, homosexual

Type of the crime(s): Incitement to racial or ethnic hatred, sexual assault

Perpetrator(s): A 17-18 year old male student was the perpetrator, but also a teacher was aware

of the incidents and approved

Brief description of incident with bias indicators: A young man was insulted verbally and harassed sexually on high school lessons and hallways for over two years. All of the insults were homophobic.

Status of the case: The case was not reported to the police but was discussed at school.

Response of local authorities: The headmaster and the school nurse took the incidents seriously. The school nurse supported the victim but did also try to encourage the victim to become heterosexual. The teacher, who saw some of the incidents, said he/she knew nothing of it.

Impact on the victim(s) and the community: The victim is being treated for depression. He has lost his friends and does not want to be in contact with people his own age. He has tried to commit suicide. The victim's classmates also began to discriminate him. Other members of the LGBTI community remained silent, even though they knew about the incidents.

3. A woman was discriminated against and insulted by a doctor

What happened: A transgender woman was asked inappropriate questions and insulted about being transgender by a doctor. She was denied treatment.

Date, time and location of the incident: July 7th, 2014, at a private clinic.

Source of information: The victim herself

Victim(s) involved: A 45-year-old transgender woman

Type of the crime(s): Discrimination

Perpetrator(s): A male specialist doctor (surgeon), about 45 years old

Brief description of incident with bias indicators: The doctor told the woman her name, which had just been changed, was too out of the ordinary. The doctor did not treat the woman's cosmetic problems and asked her to come back when she was „a real woman“. The doctor also asked whether the woman had told her spouse she is transgender. The doctor asked about the victim's sexuality, even though it had nothing to do with the visit.

Status of the case: The case was reported to the Parliamentary Ombudsman, who transferred the case to the National Supervisory Authority for Welfare and Health Valvira, who transferred the case to the Southwestern Finland Regional State Administrative Agency.

Response of local authorities: -

Impact on the victim(s) and the community: The victim is scared to go to the doctor.

4. A woman was discriminated against by a laboratory nurse

What happened: A transgender woman was discriminated against and not treated by a laboratory nurse.

Date, time and location of the incident: June 2014, a public sector laboratory

Source of information: The victim herself

Victim(s) involved: A 45-year-old transgender woman

Type of the crime(s): Discrimination

Perpetrator(s): A laboratory nurse, about 50 years old

Brief description of incident with bias indicators: The laboratory nurse did not take a blood sample for the start of hormonal therapy even though the woman had a referral from a public sector hospital. Against the will of the woman, the nurse called a health care center, which had nothing to do with the treatment. Finally, the nurse asked the woman to go and have the blood sample taken at a nearby hospital. The woman went to another similar laboratory and the blood sample was taken without problems.

Status of the case: The case was reported to the Parliamentary Ombudsman, who transferred the case to National Supervisory Authority for Welfare and Health Valvira, who transferred the case to the Southwestern Finland Regional State Administrative Agency.

Response of local authorities: -

Impact on the victim(s) and the community: The victim is scared to go to a laboratory.

Hungary

Submission by Hatter Society for the OSCE ODIHR annual report on hate crimes 2014

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The impact of the amendment of the Criminal Code to specifically include sexual orientation and gender identity that entered into force in 2013 is clearly traceable in the growing number of LGBTQI-phobic hate crimes cases that reach the courts in Hungary. On the other hand, cases where non-governmental organizations are not involved from the beginning still tend to be mishandled by the police. Defensive communication by the police concerning criticism of their work severely undermines the trust of LGBTQI people in the criminal justice system.

Cases reported:

Below is a list of selected cases reported to our organization.

Case 1

Date, time and location of the incident: February 20, 2014, Kecskemét

Source of information: interview with the victim

Victim(s) involved: 47 year old gay man

Type of the crime(s): threats, physical abuse

Bias motivation: LGBT

Perpetrator(s): middle aged man

Brief description of incident with bias indicators: A gay man was considering launching a legal case against his employer together with his same-sex partner concerning harassment and discrimination based on sexual orientation at his workplace. On February 10, 2014 he met on the street the partner of one of his colleagues involved in the harassment. The man started to make humiliating comments on the victim's sexual orientation ("You are nothing but a cocksucking pansy faggot."), drove the bicycle into the victim on purpose, and threatened him that unless he gives up on the legal case, he will suffer "serious consequences". From the circumstances of the case it is clear that the motivation for the attack was mixed, including a bias component as well.

Status of the case: investigation started then case dropped by victim

Response of local authorities: The victim reported the incident to the police. An investigation was started, but according to the victim, the police officer was hostile to him and said that nothing can be proved. The police officer tried to organize a confrontation between the victim and the alleged perpetrator, but only suggested morning hours when the victim was not available. The victim ended up revoking the report, as he was afraid that he would suffer disadvantages as a result of the procedure. The fact that the police did not continue the investigation *ex officio* indicates that they did not treat it as violence against a member of a community.

Impact on the Victim(s) and the Community: The victim lost his trust in the criminal justice system, and decided to revoke the report.

Case 2

Date, time and location of the incident: April 21, 2014 at 2am, Budapest, Oktogon

Source of information: interview with the victims, police files

Victim(s) involved: three young gay Brazilian students

Type of the crime(s): physical abuse

Bias motivation: LGBT

Perpetrator(s): two men in their twenties

Brief description of incident with bias indicators: Three young gay Brazilians studying in Budapest

was heading home from their friends home on April 21, 2014 at 2am. On the corner of Aradi street and Teréz boulevard two men stopped them. When the two men found out that they did not speak Hungarian, one of them asked them in bad English whether they were gay, and continued asking obtrusive questions concerning the victims' sexual orientation ("Why are you gay?", "Have you fucked a woman?"), and stood in the way of the victims. When the victims tried to pass them, one of the attackers kicked one of the victims's leg to trip him. To counteract the attack the victim slapped his attacker in the face. Making use of the temporary confusion of the attackers, the victims rushed to the tram stop, but their attackers pursued them closely and provoked them saying "What's up? What's up?" When one of the victims asked them to stop, he was spat in the face. To escape from further attack the victims jumped on the tram.

Status of the case: investigation closed (Article 216¹), awaiting prosecution

Response of local authorities: The victims reported the incident in writing, and the police started an investigation on account of violence against a member of a community. The police identified two perpetrators, but stopped the investigation against one of them (the one who did not kick) claiming he committed no crime. The victims complained against the police decision arguing that the second perpetrator also committed violence against a member of a community via threatening behavior, and that he was also psychological accomplice to the assault by the other perpetrator. The prosecution service agreed with the victims and ordered the police to continue investigation against both perpetrators.

Impact on the Victim(s) and the Community: One of the victims expressed his disappointment in the country: he never had a homophobic incident before and was surprised to be victimized in this way. He was contemplating leaving the country before completing his scholarship.

Case 3

Date, time and location of the incident: April 27, 2014 8-9pm, Budapest, Király str.

Source of information: interview with the victim, letter by police

Victim(s) involved: gay man in his early twenties

Type of the crime(s): threats, physical abuse

Bias motivation: LGBT

Perpetrator(s): two men

Brief description of incident with bias indicators: A gay man in his early twenties was to have dinner on April 27, 2014 between 8 and 9 at a downtown Turkish buffet. Two of the guests started to make humiliating comments on his sexual orientation, which they knew about as the victim had come out on television. When he told the harassers to stop, or otherwise he would call the police and started to pull out his phone, one of the harassers slapped him in the face. The victim tried to rush out of the restaurant, but he was slapped by the same person once again.

Status of the case: reported, no investigation

Response of local authorities: The victim called the police from in front of the restaurant, who arrived to the scene and took his report. Later, the police called him on the phone and told him they would not initiate a criminal procedure as the incident cannot be proved. The victim did not receive the decision in writing. Later the legal representative of the victim inquired about the case and the police responded in writing that no investigation was launched as the incident could only be considered slander (*rágalmazás*) for which a private motion would have been needed.

Case 4

Date, time and location of the incident: July 5, 2014, 3-4pm, Budapest, Vadász str.

Source of information: interview with the victims, written report by witness, police files

Victim(s) involved: larger group of persons going to the March, among them two gay men

Type of the crime(s): physical abuse

Bias motivation: LGBT

Perpetrator(s): group of appr. 15 extreme right wing protesters, one tall man in particular

Brief description of incident with bias indicators: At the 2014 Budapest Pride those wishing to participate in the March and those demonstrating against it were mixed at the gates of the March, and the protesters were involved in several incidents against the participants. The protesters were

¹ Criminal Code, Article 216: Violence against a member of a community.

shouting slogans like “Dirty faggots, you have no place here!”, “Heterophobes!”, “Get out of the country!”, “You have no place here!”. In one case two men arriving to the March together were assaulted: one of them felt a person touching his shoulder and when he turned back, his attacker punched him in the face. Meanwhile, his friend was kicked in the back by another protester. A witness reported that she saw a tall man attack a person going to the March, and then later the same tall man went at a larger group of participants mercilessly punching and kicking whomever he could reach. The witness heard a group of appr. 15 protesters being instructed by a woman in her fifties saying: “The aim is to cut them off from the entry points.”

Status of the case: investigation suspended (Article 216), perpetrators cannot be identified

Response of local authorities: The two men and the witness reported the case in writing. They were interviewed by the police, but the investigation was suspended after a few months as the police were not able to find the perpetrators. The organizers of the Budapest Pride issued a press release claiming that there were serious problems with the police protection of the March. The police issued a press release claiming that “it is a fact, common knowledge that none of the participants of the March were injured. The police guaranteed the security of the participants before, during and after the March. (...) The police hereby closes the debate induced by laics concerning the police protection of the March.”

Case 5

Date, time and location of the incident: July 7-8, 2014, Budapest

Source of information: interview with the victim

Victim(s) involved: gay man of Italian origin in his thirties

Type of the crime(s): death threats

Bias motivation: LGBT

Perpetrator(s): extreme right wing activists

Brief description of incident with bias indicators: The victim participated at the Budapest Pride with a sign and a dress parodizing the homophobia of the Church and of extreme right wing groups. His image appeared in many media reports and on the internet as well. Two days after the March, his photo and link to his Facebook profile was published on an extreme right wing news portal. The portal called him “an aberrated faggot”, and wrote that “unlike Roma criminals the HVIM [extreme right wing political movement] has not offered blood-money for him, but we are happy to receive any information on him”. A few hours later, his workplace and home address was published on the website. For the coming days, the victim received several threats, including death threats via Facebook, extreme right wing activists appeared at his workplace and his apartment making threatening gestures.

Status of the case: investigation ongoing, not under Article 216

Response of local authorities: He reported the case to the police, who promised an investigation. A day later, he took further evidence of threats to the police, but the police officer present was dismissive claiming he is not in charge of the investigation. For six months he was not interviewed by the police. The police suspended the investigation several times, claiming that none of the perpetrators could be identified, even though several of them sent messages from their personal Facebook account, and some of the extreme right wing activists appearing at his workplace and home are well-known in the media.

Case 6

Date, time and location of the incident: August 30, 2014, 5pm, Budapest, District 4, Csokonai str.

Source of information: interview with the victims, police files

Victim(s) involved: two gay men in their twenties (couple) dressed colorfully

Type of the crime(s): physical abuse

Bias motivation: LGBT

Perpetrator(s): two men

Brief description of incident with bias indicators: A gay couple in their twenties was heading home on August 30, 2014 at 5pm in downtown Ujpest in Csokonai street. In front of the local grocery shop there was a group of people chatting. When the couple was approaching two people left the larger group, went up to the victims and asked if they were “faggots”. The victims tried to deny it, but the two men started punching them and later also kicking them. One of the victims tried to ask

for help from the larger group, but they rejected him saying “leave us alone”. Meanwhile the two men kept assaulting his boyfriend. Finally, someone from the group said “Stop it already!”, and the perpetrators let them leave.

Status of the case: investigation suspended (Article 216), perpetrators cannot be identified

Response of local authorities: The victims went to the hospital and requested a medical examination, and after that went to the police to make a report. The victims had the impression that the police did not take the incident seriously, and the police talked about the offence being defamation (*becsületsértés*), not violence against a member of a community. When the legal representative of the victims called the police, the investigating officer was surprised to hear that sexual orientation is included in the legislation in the provision on violence against a member of a community. A month later the case was requalified as violence against a member of a community and transferred to the unit investigating hate crimes, but a month later the police suspended the investigation as the perpetrators could not be identified.

Update on cases reported earlier:

Case 2 of 2010

Three and a half years after the prosecution service decided not to press charges against the perpetrators in a case concerning the assault of a gay man by two teenage boys, in January 2015 the prosecution service informed the victim that the charges have been pressed against one of them for disorderly conduct (*garázdaság*) and not violence against a member of a community. The court case is pending.

Case 1 of 2013

After a year of disregarding all requests of the victim to treat the case as a hate crime, the police officially recognized that there is evidence to suggest bias motivation in this case concerning the severe assault of a middle aged gay man by security guards of a shopping mall. The change in the police’s assessment followed the transfer of the investigation from the local police to the Budapest police after an expert opinion found that the victim’s injuries have endangered his life. After receiving the case, the new investigator recognized at once the bias motivation in the case. The investigation is still pending.

Case 3 of 2013

In July 2014 the police closed the investigation concerning the assault of the three gay men (two of them Roma) after the Pride March in July 2013, and suggested to the prosecution service to charge six persons with violence against a member of a community. The prosecution service agreed with the police and pressed charges, the court case is pending.

Case 3 of 2013

In March 2014 the police closed the investigation concerning the assault of a gay man after the Pride March in July 2013, and suggested to the prosecution service to charge the perpetrator with violence against a member of a community. The prosecution service agreed with the police and pressed charges in April 2014. The court case is pending.

Case 6 of 2013

In June 2014 the Independent Police Complaint Board issued its opinion on the police conduct in the case concerning threats with a baseball bat against a gay couple kissing in front of a shop in August 2013. The Board found that the police acted in a discriminative manner when they took the side of the perpetrators and implied that the same-sex couple committed a crime when they started kissing on the street, and the right of the victim to fair process and information was also violated. The Chief of Police agreed with the Board’s decision concerning the right to information, but rejected the claim of acting in a discriminative manner.

Practical initiatives:

In February 2014 the hate crime coordinator at the National Police Headquarter initiated a regular meeting between the police and civil society organizations. The aim of the meetings is to discuss hate crime cases in which the police conduct was questionable. Two meetings were held in 2014,

the first one focused on a march by the extreme right wing party Jobbik on a street with Roma inhabitants in Devecser, the second meeting focused on the handling of the Budapest Pride marches by the police.

In September 2014 the Working Group Against Hate Crimes published a report² describing 24 hate crime cases in Hungary in the period 2009-2013 where the conduct of law enforcement agencies was problematic. The report was widely quoted in the media, and was discussed at the February 2015 meeting the Human Rights Roundtable, a Government initiated consultation mechanism for human rights NGOs.

² *Jogalkalmazási problémák a gyűlölet-bűncselekményekkel kapcsolatos eljárásokban. A Gyűlölet-bűncselekmények Elleni Munkacsoport (GYEM) tapasztalatai.* <http://gyulotellen.hu/aktualitasok/jogalkalmazasi-problemak-gyulot-buncselekményekkel-kapcsolatos-eljarasokban>

Lithuania

Submission by Lithuanian Gay League for the OSCE/ODIHR annual report on hate crimes 2014

Report compiled by: Sigita Ruksenaite, Lithuanian Gay League, sigita@gay.lt.

This report includes information on four (4) suspected hate crimes from 2014, as documented by Lithuanian Gay League.

1. Assault against a gay man near a night shop

What happened: One man was physically assaulted by two young men near the shop during the late evening/night

Date, time and location of the incident: In the late evening of July 6th, 2014, near the night shop in capital city Vilnius

Source of information: Information from social media and short conversation with the alleged victim

Victim(s) involved: One young man

Type of the crime(s): Assault/abuse

Perpetrator(s): Two men

Brief description of incident with bias indicators: One young man was physically assaulted by two young men in Vilnius. The incident occurred right outside the night shop after a brief, aggressive conversation took place and homophobic remarks were made. The victim was beaten, but did not suffer major injuries.

Status of the case: A witness of the incident called the police, but the victim did not submit a complaint to the police, so there is no further information on the case.

Response of local authorities: The victim did not submit a complaint to the police, so there is no further information.

Impact on the victim(s) and the community: The incident was publicized via social media (*Facebook*) by the victim's friend, who is well-known transgender public figure in Lithuania. A short message also appeared in the local media. Discussions on the internet took place – there were a lot of supportive messages as well as hate speech.

2. Assault against a homosexual singer

What happened: During a concert in the small town of Linksmakalnis, Kaunas District, a petard was fired at a famous, openly homosexual singer. The petard was fired by one of the audience members in the crowd. The incident took place after only two songs were performed.

Date, time and location of the incident: On the evening of June 21st, 2014, during a concert in the small town of Linksmakalnis, Kaunas District

Source of information: Information in the media

Victim(s) involved: One man

Type of the crime(s): Assault

Perpetrator(s): One man

Brief description of incident with bias indicators: During a concert in the small town of Linksmakalnis, Kaunas District, a petard was fired at a famous, openly homosexual singer. The petard was fired by one of the audience members in the crowd, and the incident took place after only two songs were performed. The victim did not suffer any major injuries, but the concert was cancelled immediately. Although no other details are known about the incident, there is a significant possibility that it was a hate crime. In February 2013, a very similar incident took place; eggs were thrown and homophobic insults were screamed at the same openly gay singer in another small town in Lithuania.

Status of the case: According to the media, the victim did not submit a complaint, but the police initiated an investigation on their behalf and identified a person who may be responsible. There is no further information about the investigation.

Response of local authorities: According to the media, the victim did not submit a complaint, but the police initiated an investigation on their behalf and identified a person who may be responsible.

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

3. A man assaulted near the gay nightclub in Vilnius

What happened: Two visitors (a male and a female) leaving the gay nightclub were harassed on the street by two young men passing by the club. The nightclub owner noticed the incident and went outside to help prevent the conflict from escalating, and was assaulted physically. The incident has been reported to the police.

Date, time and location of the incident: At 5 A.M. on August 16th, 2014, near the gay nightclub in Vilnius.

Source of information: The alleged victim (gay club owner)

Victim(s) involved: One man

Type of the crime(s): Assault

Perpetrator(s): 2 young men

Brief description of incident with bias indicators: Two gay club visitors (a man and a woman) left the club in the early morning and were verbally insulted and harassed by two young, aggressive men passing by the club, who made homophobic remarks like “you faggot how come you are with a woman,” etc. The nightclub owner noticed the incident and went outside to help prevent the conflict from escalating. However, the conflict was already heated, and the man was also insulted with homophobic remarks and then attacked physically; he was kicked and punched in the face, which caused injuries.

Status of the case: The police were called to the place of the incident, and the two men responsible for the incident were taken by the police for questioning. The victim (club owner) submitted a complaint to the police, but the police refused to begin criminal investigation. The police indicated that the victim should file a complaint through another procedure in court. The victim appealed this decision unsuccessfully. No further action was taken.

Response of local authorities: The victim (club owner) submitted a complaint to the police, but they refused to begin criminal investigation. The police indicated that the victim should submit a complaint through another (private) procedure in court. The victim appealed this decision

unsuccessfully.

Impact on the victim(s) and the community: The victim sought medical help for his facial injuries, and also consulted LGL for legal advice and assistance. The victim felt frustrated and helpless due to the unsuccessful submission of his complaint.

4. Transgender woman and her sister attacked at home

What happened: A transgender woman and her sister were attacked by 5-6 men at their home in Vilnius.

Date, time and location of the incident: On September 28th, 2014, in Vilnius.

Source of information: One of the alleged victims (transgender woman)

Victim(s) involved: Two persons

Type of the crime(s): Assault

Perpetrator(s): 5-6 men

Brief description of incident with bias indicators: A well-known transgender woman and her sister were attacked by 5-6 men at their home in Vilnius. On September 28th, they were both at home when they heard someone knocking on their door and calling out transgender woman's former name, and saying that they "have a delivery." Since she was laying in bed sick, her sister went to open the door. As she opened it, the men grabbed her by the hair, pulled her out of the apartment, and started beating her. At the same time, a stone was thrown through the window and broke the glass. The police were called to the place of the incident, and the perpetrators were successfully identified by the victims, as the perpetrators were their neighbors. However, the police did not take any action.

Status of the case: The police were called to the place of the incident, and one of the victims (transgender woman) went to file a complaint at the police station. The victim claimed that the police did not take it seriously and did not try to help them or properly investigate the case. At this time, there is no further information on any developments in the case.

Response of local authorities: The person claimed that the police did not take the incident seriously, and neither tried to help them nor properly investigated the case. At this time, there is no further information on the case.

Impact on the victim(s) and the community: The victim (sister) sought medical help for her injuries. Both victims were very frightened, changed the apartments after the incident, and felt insecure on the streets. The victim who suffered injuries (sister) even left the country (victims are immigrants to Lithuania).

Macedonia

Submission by LGBTI Support Centre for the OSCE/ODIHR annual report on hate crimes 2014. This submission contains information on nine hate crime incidents in 2014, documented by the Helsinki Committee for Human Rights of Republic of Macedonia

Report Completed by: LGBTI Support Center – Helsinki Committee for Human Rights of Republic of Macedonia, info@lgbti.mk

1. Serious treats by the security and cleaning service of the City Trade Center in Skopje

What happened: Three young gay males (one of which is a minor), on three or four occasions were verbally harassed and threatened by members of the security and cleaning service of the Skopje Trade Center. The part of the Trade Center where the treats occurred is a location commonly known as LGBT cruising area. On one occasion, one member of the security service said “Faggot, we’ll remove your liver!”.

Date, time and location of the incident: April-May (more than one occasion), City Trade Center, Skopje.

Source of information: interview with the victim.

Victim(s) involved: Three young gay males (one of which is a minor).

Type of the crime(s): Endangerment of Safety (Art.144).

Perpetrator(s): Five perpetrators in total – two members of the security service, and three members of the cleaning service.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Location* – The incident occurred on location commonly known as LGBT cruising area.
3. *Nature of violence* – the incident was carried out in public.
4. *Lack of other motives*.

Status of the case: Unreported (victim’s choice).

Response of local authorities: N/A

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

2. Young gay male attacked by two perpetrators

What happened: A 20 y/o male was physically attacked with stones by two unknown perpetrators.

Date, time and location of the incident: August 11th, str. Philip II Makedonski in the Municipality of Centar, Skopje.

Source of information: interview with the victim.

Victim(s) involved: One 20 y/o male was stoned. As a result of the attack the victim suffered visible injures in the head area.

Type of the crime(s): Violence (Art.386), Bodily Harm (Art.130).

Perpetrator(s): Two unknown perpetrators.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Nature of violence* – the incident was carried out in public.
3. *Lack of other motives*.

Status of the case: Under investigation.

Response of local authorities: The Committee reported the case to the authorities, after gaining the compliance of the victim. The victim has been called by the Police for recognition of possible suspects.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

3. Gay man attacked by two unknown perpetrators

What happened: One young gay male was physically attacked by two unknown perpetrators on location commonly known as LGBT cruising area. During the attack, the perpetrators were saying homophobic slurs, and were calling him "Faggot".

Date, time and location of the incident: August 15- September 1 (precise date unknown), place known as Lawyer's Street, Krste Misirkov Blv, Skopje.

Source of information: interview with the victim.

Victim(s) involved: One young gay male.

Type of the crime(s): Violence (Art.386).

Perpetrator(s): Two unknown perpetrators.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Location* – The incident occurred on location commonly known as LGBT cruising area.
3. *Nature of violence* – the incident was carried out in public.
4. *Lack of other motives.*

Status of the case: Unknown.

Response of local authorities: When the victims attempted to report the incident to the Police, the Police threatened with charges for False reporting of a crime against the victims.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

4. Four young people were attacked with stones by five perpetrators because of their sexual orientation

What happened: Four people were stoned by five perpetrators on location commonly known as LGBT cruising area. During the attack, the perpetrators were saying homophobic slurs.

Date, time and location of the incident: August 15- September 1 (precise date unknown, but it occurred four days after Incident No.4), place known as Lawyer's Street, Krste Misirkov Blv, Skopje.

Source of information: interview with the victim.

Victim(s) involved: Four young people among which, one was minor.

Type of the crime(s): Violence (Art.386).

Perpetrator(s): Five unknown perpetrators, aged 13-18 y/o. Two of them were the same perpetrators as Incident No.4.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Location* – The incident occurred on location commonly known as LGBT cruising area.
3. *Nature of violence* – the incident was carried out in public.
4. *Lack of other motives.*

Status of the case: Unreported (victim's choice).

Response of local authorities: N/A.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

5. Two young boys were stoned by unknown perpetrators

What happened: A 20 y/o male and a minor were physically attacked with stones by two unknown perpetrators because of their sexual orientation.

Date, time and location of the incident: August 19th, str. Philip II Makedonski in the Municipality

of Centar, Skopje.

Source of information: interview with the victims.

Victim(s) involved: One 20 y/o male and a minor were stoned but they succeed to escape. They weren't injured.

Type of the crime(s): Violence (Art.386).

Perpetrator(s): Two unknown perpetrators.

Brief description of incident with bias indicators:

Status of the case:Unknown.

Response of local authorities: The Committee reported the case to the authorities, after gaining the compliance of the victim. There is no other information related to the investigation.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

6. A minor was attacked on a bus station

What happened: A minor was physically attacked by unknown perpetrator because of his sexual orientation.

Date, time and location of the incident: September 5th, Bit Pazar bus station in the Municipality of Chair, Skopje.

Source of information: interview with the victim.

Victim(s) involved: A minor was physically attacked but he wasn't injured.

Type of the crime(s): Violence (Art.386).

Perpetrator(s): One unknown perpetrator.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Nature of violence* – the incident was carried out in public.
3. *Lack of other motives.*

Status of the case: Unreported (victim's choice).

Response of local authorities: N/A.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

7. The LGBTI community was attacked in the Old Bazaar in Skopje

What happened: During the celebration of the second anniversary of the LGBTI Support Center, a group of approx. 40 masked perpetrators run by the coffee bar and stoned the object, while more than sixty people were inside. During the attack two guests were in front of the premises, and the group started hitting them with glass bottles and punches, yelling that "they have to leave" and that "there is no place in the Old Bazaar for faggots". Several of the guest inside gained small lacerations from the broken glass.

Date, time and location of the incident: October 23rd, 21:30hrs, Coffee Bar Damar, Skopje Old Bazaar.

Source of information: Public announcement of the Helsinki Committee for Human Rights.

Victim(s) involved: Two people that gained serious bodily injuries, approx. Sixty people inside the coffee bar.

Type of the crime(s): Bodily Harm (Art.130 CCRM), Damaging of other's property (Art.243), Violence (Art.386), Endangerment of safety (Art.144) Endangerment by dangerous means during a fight or argument (Art.133).

Perpetrator(s): Unknown group of approx. thirty perpetrators.

Brief description of incident with bias indicators: The bias motive in this incident is sexual orientation and gender identity, and the bias indicators in this incident are:

1. *Cultural difference between perpetrator and victim* – at the time of the incident, the victims were engaged in activities promoting and celebrating their culture, sexual orientation and gender identity, and it happened on the date of the second anniversary of the opening of the LGBTI Support Centre.

2. *Comments* – the perpetrators made offensive and threatening comments about the victim's community.
3. *Pattern of previous incidents* – this incident is the sixth attack against the LGBTI Support Centre and its activities in the Old Bazaar during the two years of its existence.
4. *Nature of violence* – the incident was carried out in public.
5. *Lack of other motives*.

Status of the case: Under investigation.

Response of local authorities: To the moment of writing of this report, the Police haven't answered the Request for information of public character that was sent by the Committee in relation to this incident.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the country.

8. Four gay men attacked with stones

What happened: Four gay men (two of which are minors) were attacked with stones by two Albanian boys. During the attack, the perpetrators were screaming homophobic slurs in Albanian language.

Date, time and location of the incident: 3rd-5th of November (precise date unknown), 12:00hrs, in the vicinity of the Faculty for Mathematical and Natural Sciences, Skopje.

Source of information: interview with the victim.

Victim(s) involved: Four gay men (two of which are minors).

Type of the crime(s): Violence (Art.386).

Perpetrator(s): Two unknown perpetrators, Albanian males.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Nature of violence* – the incident was carried out in public.
3. *Lack of other motives*.

Status of the case: Unreported (victim's choice).

Response of local authorities: N/A.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are known to frequent.

9. A minor was attacked by a group of four unknown perpetrators because of his sexual orientation

What happened: A minor was physically attacked by a group of four unknown perpetrators because of his sexual orientation. When the group walked by the victim, one of them hit the victim, addressing him with the words "Get away from here, you faggot!". After that, the group followed the victim for the next 10-15 minutes.

Date, time and location of the incident: December 8th, 19-20h, place known as Lawyer's Street, Krste Misirkov Blv, Skopje.

Source of information: interview with the victim.

Victim(s) involved: A minor was physically attacked but he wasn't injured.

Type of the crime(s): Violence (Art.386).

Perpetrator(s): Four unknown perpetrators.

Brief description of incident with bias indicators: The bias motive in this incident is the sexual orientation of the victim, and the bias indicators in this incident are:

1. *Victim perception* – the victim perceives this incident as hate crime.
2. *Location* – The incident occurred on location commonly known as LGBT cruising area.
3. *Nature of violence* – the incident was carried out in public.
4. *Lack of other motives*.

Status of the case: Unreported (victim's choice).

Response of local authorities: N/A.

Impact on the victim(s) and the community: This type of incidents brings into question the general security situation of sexual minorities in the society, especially on locations where they are

known to frequent.

Mongolia

Submission by LGBT Centre (Mongolia) on hate crimes committed against LGBT persons in Mongolia in 2014

Mongolia became a member of the Organisation for Security and Cooperation in Europe in November 2012, opening a door for the LGBT people to utilise yet another multilateral platform to advocate for LGBT rights in Mongolia, especially in relation to hate crimes that are still absent from the criminal justice framework despite the CAT, CCPR and UPR recommendations obtained by the advocacy efforts of the LGBT Centre to enact the amendment to the Criminal Code or the stand-alone legislation to outlaw such crimes.

Two cases submitted to ILGA-Europe were documented and followed up by the LGBT Centre of Mongolia. The LGBT Centre of Mongolia is the first LGBT human rights non-governmental organisation in Mongolia that has existed unofficially since March 2007, obtaining official registration as a non-governmental organisation in December 2009 after almost three years of struggle, with the state agencies and public officials at the time denying the freedom of association to the founders of the organisation due to personal bias against LGBT people.

Reporting organisation:
The LGBT Centre (Mongolia)
POB 120, Central Post Office,
Ulaanbaatar-13, Mongolia
Phone/fax: + 976 70110323
Email: info@lgbtcentre.mn
www.facebook.com/lgbttuv

RAPE, SUSPECTED MURDER

Date, Time and Location of the Incident

Early March 2014, in the territory of the 1st khoroo, Bayangol district, Ulaanbaatar city

Sources of information

Victim, LGBT Centre, Human Security Research Center

Victim involved

A.O., out gay male in his early twenties

Type of Crime

Rape, suspected murder

Bias motivation

The victim's sexual orientation as well as his occupation (the victim worked in a bathhouse)

Perpetrator(s)

Unknown

Brief Description of the Incident with Bias Indicators

The victim O. was an openly living gay man. He was found deceased in a hotel room sometime in early March in 2014 in the territory of the 1st khoroo of Bayangol district, Ulaanbaatar. Prior to being found deceased, O. had filed a complaint of being raped in December 2013, later withdrawing the complaint unbeknown to the LGBT Centre. Later he filed another complaint of being raped in late January 2014. When the case was transferred by the police to the Sukhbaatar

District State Prosecutor's Office, he was verbally derided by State Prosecutor Tsengelmaa for being gay and for working in a bathhouse. During the initial stages of investigation, O. expressed his fear to the Legal Programme Manager of the LGBT Centre about possibly being persecuted by the perpetrators for filing the first instance report and soon thereafter he was no longer reachable by phone or in person prior to being discovered deceased in early March. The police did not release any details in relation to his death and circumstances around his death to the LGBT Centre, and closed the case as a suicide despite the indications that this may have been a murder. The victim had accessed the state protection when he became a human trafficking victim in Thailand in early 2013 through the trafficking victim protection program implemented by the Human Security Research Center NGO. The Human Security Research Center NGO officers who were aware of his rape case from the beginning are also of the opinion that the victim was in all probability murdered as a result of reporting the rape to the police.

Response of Local Authorities

The criminal investigation was launched in December 2013 as a result of the rape allegations by the victim, however, the victim withdrew the case after he was verbally derided by the Sukhbaatar District State Prosecutor. Upon the discovery of the deceased victim, the police closed the case immediately as a suicide despite the circumstantial evidence that the victim may very well have been targeted for murder due to his multiple vulnerabilities (earlier rape complaints as well as the fact of being trafficked in 2013 to Thailand).

Impact on the Victim(s) and the Community

Suicides often go unreported as people who commit suicide are legally considered to have betrayed the country. The police never released any information in relation to his death circumstances. The community was shocked by the irresponsible conduct of the police and state prosecutor's office personnel who may have indirectly contributed to his suicide, if it was indeed a suicide, but who had most importantly neglected to undertake the necessary and immediate measures of protection to ensure his safety especially following the second rape complaint.

GRAVE PHYSICAL ASSAULT

Date, Time and Location of the Incident

02:55am, 1 June 2014, Hanzo nightclub, Chingeltei district, Ulaanbaatar city

Sources of information

Victim, ten+ witnesses, LGBT Centre

Victim involved

A.Z., out gay male, 36 years old (as of June 2014)

Type of Crime

Verbal assault, grave physical assault (resulting in the broken and disfigured nose, concussion, multiple cuts and bruises on the victim's head, torso, arms and legs)

Bias motivation

The victim's sexual orientation as well as his occupation (the victim ran the only LGBT nightclub in Mongolia at the time of attack)

Perpetrators

Seven men

Brief Description of the Incident with Bias Indicators

The perpetrators came to the nightclub that is well-known in Mongolia for being the only club for and by LGBT people since early 2012 (the club was functional from January 2012 to January 2015) around 10pm and were belligerent from the beginning, verbally assaulting the victim's mother who was celebrating her birthday that night at a table nearby. After repeated verbal assaults and slurs to the effect of "faggots", "homos", the victim asked them to leave as their behaviour was disturbing to other customers. The perpetrators begged to stay on. Although they

were no longer served any alcohol, they became more and more intoxicated and when the club was closing at 2:40am, they were very drunk. They continued their rowdy and inappropriate behaviour by verbally assaulting waiters when they were presented their bill for the night. The victim asked those seven men to leave as it was past the closing time, but the men began calling him slurs targeted at putting down his sexual orientation, and very quickly pulled him outside, kicking and punching him while shouting that they could kill him, but no one would care since he was a homo. As the men began punching him and pulling him outside the club, security and patrons of the club interfered, but by the time they were able to pull those seven men off of him, the victim's face was quite disfigured, with huge hematoma already formed on the left side of his face.

Response of Local Authorities

The victim was counseled to immediately file the first instance report by one of the eyewitnesses, who works for the LGBT Centre and who accompanied him to the Chingeltei district police station. The police station personnel made the victim wait for over 40 minutes, and refused to take down his statement citing "the beer breath" of the victim. The victim was told to come back the next day, when his statement was finally taken down. Despite the fact that the victim was occupying a publicly visible profile of running an LGBT nightclub, there were no protection measures placed by the police at his workplace as a prevention of further victimisation by the perpetrators. After a week, the victim was called again to make a statement, whereby he discovered that the first statement went missing. The victim had to go to the Chingeltei district police more than 10 times during the time of investigation, which made him give up the case, as it was too time- and effort-consuming.

Impact on the Victim(s) and the Community

The victim was more psychologically scarred from the police treatment rather than the attack itself. He felt that he was being punished when he was called time and again to make the same statement to the police during the investigation. As a result of his frustrations, he withdrew the case owing to the fact he felt unsafe (as an openly living gay man, a visible nightclub owner, he would be targeted even worse by the perpetrators if he took the case further) during the slow police investigation which would have endangered his life further.

PHYSICAL ASSAULT WHILE IN CUSTODY

Date, Time and Location of the Incident

Approximately 8am, 19 October 2014, Chingeltei district police station, Ulaanbaatar city

Sources of information

Victim, witnesses

Victim involved

N.A., out transman, 37 years old (as of October 2014)

Type of Crime

Verbal assault, physical assault

Bias motivation

The victim's presumed sexual orientation due to being at Hanzo nightclub

Perpetrators

Two police officers

Brief Description of the Incident with Bias Indicators

An openly living LGBT rights activist, transman N.A. was at Hanzo nightclub when he was physically picked up two police officers and shoved into a patrol car while his arms were twisted and his head held down, and taken to the sober-tank at Chingeltei district. At the time of being picked up from the club, N.A. was enjoying his night out with colleagues and community friends at Hanzo. He was picked up during yet another police raid of the club under a pretext that the club

was selling alcohol after 12am (the Metropolitan Administrative resolution of 2011 prohibits sale of alcoholic drinks after 12am, but only Hanzo got raided every other day for selling alcohol because it was widely known to be the only LGBT club in the city serving LGBT people) and had shut down the music, which N.A. asked to put back on in the presence of the police officers. He realised he was taken to a sober tank without being drunk when he was finally let out from the patrol car, at which point he demanded to be examined by a professional medical personnel who could determine whether he was indeed drunk. He was ignored and was taken to a cell and locked up. He was held in the cell of the Chingeltei district police sober tank from 1am to 3pm for 14 hours without access to toilet or drinking water, and without warm blanket despite the sub-zero temperature in the sober tank. At 8am, he was given a paper to sign that stated that he was held in the sober tank due to his unruly behaviour and obstruction of police work in Hanzo. He refused to sign the paper and handed it back to the police officer, at which time he was taken out of the cell by the police officer in question who verbally assaulted him saying "Who do you think you are, you, a homo freak from Hanzo?", tackled and kicked to the ground, whereby the police officer twisted the victim's right arm, hurting his right shoulder to the point of sobbing by the victim. After that attack by the police officer, all other police officers on duty kept coming by the cell, looking at him in turns and threatening "We will book you for 72 hours, no one will miss you"; "We will arrest you for 14 days, who do you think you are?", etc.

Response of Local Authorities

The victim chose not to report the attack by the police because he was threatened verbally by all police officers who were on duty that day and because the police could easily come after him in retaliation.

Impact on the Victim(s) and the Community

Since the Hanzo nightclub was full that night where everyone saw N.A. being picked up and shoved into a police car for simply asking a question, and since the victim was a respected LGBT human rights activist for a long time, the community was shocked and silenced by that brutal display of arbitrary arrest and ensuing physical assault by the police while in custody. "If a human rights activist can be treated as such, anyone of us can be arrested and beaten by the police" is what they said to the victim later.

The Netherlands

Submission by COC Nederland on 6 hate crimes in 2014, documented by COC Nederland. In addition to the reported incidents, COC Nederland collects basic information on hate crimes committed against LGBT.

Report compiled by: Alexander Hammelburg, COC Nederland, ahammelburg@coc.nl

General information about LGBT safety and related hate crimes in The Netherlands

- The reported numbers of discrimination and violence against LHBT almost doubled in the last couple of years, from 623 in 2011 to 1143 in 2012. These statistics were provided by POLDIS, the most recent police report conducted by the Verwey-Jonker Institute. The researchers concluded that the strong increase in incidents in a relative short time frame resulted from a rise in violence.
- The Dutch National Police reports an average of 3 LGBT related violence incidents a week.
- 7 out of 10 LGBT's in The Netherlands have been confronted at least once with verbal or physical discriminating violence according to Movisie, an institute that conducted research in 2009 commissioned by the Dutch Ministry of Justice.
- The safety monitor of Statistics Netherlands (CBS) shows that LGBT's feel relatively unsafe in their own neighborhood. Almost one in ten lesbians says to suffer from aggressive behavior of loitering youth; this is more than double the number of heterosexual women. 22 Percent of gay men reports to feel unsafe in their own neighborhood against 14 percent of straight men.
- A report from the Netherlands Institute for Social Research (SCP) shows that many LGBT's feel unsafe and adjust their behavior accordingly.

1. Assault on homosexual men in train

What happened: Two men and train conductor assaulted by fellow train travelers.

Date, time and location of the incident: 14 January 2014, in a train to the city of Groningen.

Source of information: Media and police reports

Victim(s) involved: 2 men

Type of the crime(s): Verbal and physical assault

Perpetrator(s): 4 men (19-22 years old)

Brief description of incident with bias indicators: Four young men physically and verbally threatened two men who appeared to be homosexual. The four men also behaved in an aggressive manner against the train conductor who tried to help the two assaulted men.

Status of the case: The two men and train conductor filed a complaint. The complaint was properly dealt with by the authorities.

Response of local authorities: The police immediately arrested the perpetrators.

Impact on the victim(s) and the community: With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

2. Assault on man

What happened: Two men beat up man on fake date.

Date, time and location of the incident: 14 April 2014, on a parking lot in the town of Cuijk.

Source of information: Media and police reports

Victim(s) involved: 1 man



Type of the crime(s): Physical assault

Perpetrator(s): 2 men (19-22 years old)

Brief description of incident with bias indicators: Two men pretended to be looking for a date online. When they met up with the victim they beat him up in his car and on the parking lot.

Status of the case: One perpetrator has been arrested after a week and is convicted.

Response of local authorities: The police immediately posted a national warning online and on TV.

Impact on the victim(s) and the community: The victim has been heavily bruised, one eye couldn't open, he had a deep wound in his head and a broken nose. With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

3. Four men attack gay couple in Amsterdam

What happened: Four men attacked a gay couple. One victim has been injured to his ear resulting in temporary loss of hearing.

Date, time and location of the incident: Saturday evening, 14 June 2014, Amsterdam city center

Source of information: Media and witness reports

Victim(s) involved: two gay men (age 25)

Type of the crime(s): physical assault

Perpetrator(s): 4 men in their twenties

Brief description of incident with bias indicators: The gay couple was walking hand in hand in the center of Amsterdam. They were yelled at by the four perpetrators. One of the victims made a joke and said: "Thank you, what a nice compliment." The immediate reaction was swift and physical. The victim was beaten on the side of his face, three piercings were ripped out of his ear. He fell to the floor and received two further kicks. The four men fled straight after.

Status of the case: No follow up since the identity of the perpetrators remains unknown.

Response of local authorities: The victims filed a complaint, but the perpetrators were never found.

Impact on the victim(s) and the community: The injured victim made the following statement: "He could have beaten me even further. It was bound to happen one day. Lately, I hear so many stories of my friends who get beaten in the city." With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

4. Man gets stabbed in Amsterdam

What happened: The victim was walking in the city center with his boyfriend and got stabbed all over his body and face.

Date, time and location of the incident: Saturday evening, 26 July 2014, Amsterdam city center

Source of information: Local media report and police statement

Victim(s) involved: gay men couple

Type of the crime(s): verbal and physical assault

Perpetrator(s): two men. One has been identified (28 years old)

Brief description of incident with bias indicators: The victim was walking in the city center with his boyfriend on a Saturday night. They were yelled at by the perpetrators because of their sexual orientation, the result was a verbal fight. Subsequently, the victim was stabbed all over his body and face, resulting in permanent damage.

Status of the case: Arrested perpetrator has been convicted. The second perpetrator is still unknown.

Response of local authorities: Swift arrest and conviction

Impact on the victim(s) and the community: With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

5. Attempted stabbing of two inhabitants in the town of Wolvega

What happened: 19 Year old tried to stab two men

Date, time and location of the incident: Sunday afternoon, 12 September 2014, Wolvega

Source of information: Police report

Victim(s) involved: Two men aged 19 and 21

Type of the crime(s): Verbal and physical assault

Perpetrator(s): 19 year old

Brief description of incident with bias indicators: Perpetrator yelled at the two victims because of their sexual preferences. Subsequently, the perpetrator attempted to stab them with a knife. One of the victims managed to overpower the perpetrator. Police officers managed to reach the crime location in due time and arrested the perpetrator.

Status of the case: Perpetrator has been convicted.

Response of local authorities: Swift and proper reaction by police force.

Impact on the victim(s) and the community: With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

6. Owner gay café beaten

What happened: The owner of a gay café was beaten up

Date, time and location of the incident: Tuesday early morning, 11 November 2014, Haarlem

Source of information: Police report

Victim(s) involved: 21 year old man

Type of the crime(s): Verbal and physical assault

Perpetrator(s): 19 year old man

Brief description of incident with bias indicators: After closing his bar, the owner of the gay café went outside. He thought he had recognized the paper bow as someone he knew. It turned out to be someone else. The young man turned a round and shouted: "piss off, you faggot." Then he beat him in his face.

Status of the case: Perpetrator has been convicted.

Response of local authorities: Swift and proper reaction by police force.

Impact on the victim(s) and the community: The victim suffered minor injuries in his face. With every crime victims are offered counselling by the Victim Support Foundation. LGBT-related hate crimes generally lead to public outcry in the media, especially concerning grave incidents.

Norway

Submission by LLH - Landsforeningen for lesbiske, homofile, bifile og transpersoner / The Norwegian lgbt organisation

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Hate crime statistics, Norway 2014

The police have just released the statistics on hate crime in Norway for 2014. They have registered a total of 223 cases, out of which 38 were perceived to have been motivated by homophobia.³

Numbers of hate crime cases recorded by the police in Norway					
	2010	2011	2012	2013	2014
All hate crime	307	218	216	238	223
Out of which was violence	185 (60 %)	139 (64 %)	154 (71 %)	156 (66%)	116 (52 %)

Sorted by motive					
	2010	2011	2012	2013	2014
Ethnicity	235	183	162	141	156
Religion	44	35	39	41	28
Sexual orientation	47	21	34	34	38
Other				65	6

As other, one consider crime motivated by negativity based on disability, in the law since 2013

The Police Directory (POD) has not analysed these numbers, just commented on the fact that the numbers are low and that the lack of knowledge on the topic amongst people working within the police might be one of the reasons for this. They point to Oslo police district for good practise. There they have had a focus on this for several years now and registered 40 % more cases in 2014 than in 2012 (69 versus 48).⁴ For the rest of the country the numbers show a decrease by 10 %. The police in Oslo have, since 2011, been working closely with LLH, The Norwegian LGBT Organization, and their project Pink Competency Justice (PCJ). This is a project that aims to raise the awareness on hate crime within the lgbt population, as well as in the public in general. One of the biggest parts of the project is to train police on both lgbt matters and hate crime in general. During 2014 a hate crime team was put together in Oslo police district. They are to investigate and handle all hate crime cases in the district. The group consists of one leader, two investigators and one prosecutor.

Gender identity and gender expression is not part of the Norwegian hate crime legislation and it is unclear whether this is covered at all. Oslo police district comments on this in their

³ "Anmeldelser med hatmotiv 2010---2014", document attached.

⁴ https://www.politi.no/vedlegg/lokale_vedlegg/oslo/Vedlegg_2955.pdf

report and for the first time include more than two genders in their report. They have registered 25 cases of homophobic motivated hate crime, out of which they link 4 to gender identity and gender expression.⁵

LLH has criticized the lack of legislation when it comes to gender identity/-expression. The same has been done by the Ombudsman and the police district of Oslo.

RKJ has a website, www.ikkefinndegidet.no (pages also in English), where it is possible to report online to us. This is NOT the same as reporting to the police. They can do this anonymously, or give us contact info if they want us to get in touch. As we had a cut in our funding for 2014 there has been no online campaigning, which has resulted in only 4 – 5 reports. Some of them need following up, some of them just to tell us about what had happened in order to have it recorded somewhere. None of these were on gender identity/expression.

When it comes to underreporting a study done by the police in 2013 showed that 1,4 % of the respondents, aged between 18 and 95, was of the opinion that they had been subjected to hate crime during the last year. As this is considered to be a representative selection of the population, this makes a total of 56.000.

Norway was criticised by ECRI in their report that came out this year. The Norwegian Ombudsman for Equality has also looked at the hate crime situation and work in Norway and came with a report a few days ago. The Ombudsman concluded that there is a critical lack of knowledge amongst the police on hate crime and the legislation on this and also that there is a lack of centralized policy on the topic.

They came with 8 recommendations on what has to be done:⁶

1. National standards in registering hate crime
2. Better statistics
3. A clear definition of hate crime
4. Better police training on the topic, mandatory for everyone within the police
5. More information towards the public on the importance of reporting and how to get support if you have been subjected to this kind of crime
6. Has to be a part of the training at the police academy
7. Strengthen the civil society, such as NGO's
8. More research

Unfortunately PCJ this year got a reduction in funding from POD for the second year in a row. In 2013 we got NOK 1.050.000, in 2014 NOK 800.000 and this year only NOK 500.000. This means that there is less money for campaigning and also fewer resources in general, including payment etc. PKJ is, to our knowledge, the only ones that travel around Norway giving specific hate crime training to police employees. We have trained more than 400 employees since we started in 2012, but it is all up to the Chief of police in the different districts (26 in total).

Homophobic motivated violence taken to court:

There are most likely more cases that has gone through the court system during 2014. I only know about two of them. In these cases resulted in aggravated sentences due to the homophobic motive.

⁵ Page 7, https://www.politi.no/vedlegg/lokale_vedlegg/oslo/Vedlegg_2955.pdf

⁶ <http://www.ido.no/nyheter-og-fag/brosjyrer-og-publikasjoner/rapporter/hatytringer-og-hatkriminalitet/hatkriminalitet/>

One was a case where a man went to a cruising area after chatting online with what he thought was another man at the gay website Gaysir. At the cruising area he was met with a gang of 11 young men, who beat him while using homophobic language. He was able to call the police who came to the scene and confiscated cell phones with video clips of the incident. This incident took place in November 2012. In March 2012 10 of the young men were found guilty and convicted to community service for 160 to 190 days, and to pay a total of 100 000 NOK in compensation to the victim.⁷

In the other case three strangers asked a man if he was gay. He confirmed this and was beaten with a bottle. This happened in the summer of 2014 and the court set in October 2014 found the perpetrators guilty of the beating and also pointed out the homophobic motive.⁸

⁷ <http://www.oblad.no/nyheter/samfunnsstraff-for-angrep-pa-homofil-1.83336800>

⁸ <http://www.nrk.no/ostlandssendingen/slatt-ned-da-han-sa-han-var-homofil-1.11845069>,
http://www.dagbladet.no/2014/10/20/nyheter/vold_mot_homofile/innenriks/358365516/

Poland

Submission by KPH (Kampania Przeciw Homofobii – Campaign Against Homophobia) on Hate crimes targeted at LGBT people in Poland in 2014.

Report compiled by: Magdalena Świder, Kampania Przeciw Homofobii, mswider@kph.org.pl.

This report includes information on 6 suspected hate crimes from 2014, documented by KPH.

Case 1

What happened: The victim was bullied, physically assaulted, threatened and had his property damaged, his dog was attacked.

Date, time and location of the incident: 11.2014, Mława, Poland

Source of information: Victim

Victim(s) involved: 1

Type of the crime(s): physical assault, destruction of property, thretened

Perpetrator(s): at least 3

Brief description of incident with bias indicators: The victim was a middle-school student. Unknown peers have attacked him pointing to his sexual orientation (he was gay).

Status of the case: The case was reported to the police, the police did not take any action.

Response of local authorities: None.

Impact on the victim(s) and the community: Little impact. The victim moved out of Mława.

Case 2

What happened: The victim was physically and verbally assaulted in front of the shopping mall.

Date, time and location of the incident: 17:15, May, 7th 2014, Wrocław

Source of information: victim

Victim(s) involved: 1

Type of the crime(s): physical and verbal assault

Perpetrator(s): 1

Brief description of incident with bias indicators: The victim was a transsexual woman. Her brother-in-law from marriage before the transition physically assaulted her in front of one of the shopping mall. He screamed homophobic insults and damaged her clothes. The woman run into a shop, the perpetrator ran after her, and hit her.

Status of the case: The victim reported a crime. The case was discontinued by the police due to „lack of the offense”. The victim prosecuted privately, the case is pending in court.

Response of local authorities: None.

Impact on the victim(s) and the community: The victim was extremely traumatized. She asked KPH for help and received assistance. The case is being monitored by KPH.

Case 3

What happened: Two perpetrators damaged mural promoting diversity and equal treatment

Date, time and location of the incident: night between 11th and 12th Oct. 2014 in Wrocław

Source of information: victim, media

Victim(s) involved: Klamra foundation – the author of the mural

Type of the crime(s): vandalism, destruction of property, hate speech

Perpetrator(s): 2, but 1 captured

Brief description of incident with bias indicators: Two perpetrators damaged mural that was painted by Klamra foundation within one of their projects. It has been damaged by having jars with paint thrown at it, and later neo-nazi slogans were painted there. The perpetrators have recorded the whole incident and posted it on youtube.

Status of the case: Foundation Klamra is waiting for official recognition of their status as victims, preparatory proceedings are pending.

Response of local authorities: None.

Impact on the victim(s) and the community: A few other civil society organizations got involved. The incident got recognized by media. KPH has given a notice of the offense to the prosecutor's office and is monitoring the case.

Case 4

What happened: The victim was painting a mural, when an unknown perpetrator attacked a victim, threatened him to kill him, verbally assaulted him and kicked him, spit on his face and pulled him.

Date, time and location of the incident: 14:00, 13th December, 2014, Żywiec

Source of information: victim, media

Victim(s) involved: 1

Type of the crime(s): physical and verbal assault, threats,

Perpetrator(s): 1

Brief description of incident with bias indicators: The victim was a member of Klamra association and within one of their projects they are painting murals promoting equal treatment and diversity. He was painting a mural picturing two women in traditional clothing on a rainbow. Unknown perpetrator attacked a victim, threatened him to kill him, verbally assaulted him and kicked him, spit on his face and pulled him.

Status of the case: The case is pending in court. The prosecutor's office filed an indictment to the court and the first hearing will be held soon.

Response of local authorities: None.

Impact on the victim(s) and the community: A lot of civil society organisations were disturbed.

Case 5

What happened: A victim was physically and verbally assaulted by his neighbour.

Date, time and location of the incident: 19th August 2014, afternoon, Kartuzy

Source of information: victim, media

Victim(s) involved: 2

Type of the crime(s): homophobic physical and verbal assault

Perpetrator(s): 1

Brief description of incident with bias indicators: A gay couple was verbally assaulted by their neighbour. The neighbour and a few men from the neighbourhood would bully them. That day one of the gay man got physically attacked by the neighbour. The police captured the perpetrator.

Status of the case: The case is pending in court.

Response of local authorities: The prosecutor's office acted professionally and brought an indictment against the perpetrator, the hospital made an examination right-away.

Impact on the victim(s) and the community: wkur w wmediach lgbt ,duże ainteresownaie sprawą, kph przystąpiło jako organizacja społeczna, przedst. Stanowsiko i mintorujemy, reprezentujemy

Case 6

What happened: murder, gej zabity przez dwóch typów na opuszczonym terenie w mieście, w szczecinie ciało znalezione przez przechodniów, zmarł obrażenia wewnętrzne, podduszany

Date, time and location of the incident: night of 4/5 January 2014, Szczecin

Source of information: media, LGBT organizations in Szczecin, the police
zaprzyjaźnione org LGBT ze szczecina, policja szczecińska – powiedzieli nam że nie wykluczają motywu homofobicznego

Victim(s) involved: 1

Type of the crime(s): murder

Perpetrator(s): 2

Brief description of incident with bias indicators: A student left a gay-club and met two men, they went to an abandoned area to drink vodka together. At some point they had a fight and the two perpetrators assaulted the victim physically. One of the perpetrators left, but the second one stayed and kept the victims's face in a puddle. The victim was found dead with his pants down the next morning. The perpetrators knew the victim was gay, allegedly the victim made sexual proposals to the perpetrators.

Status of the case: The judgement of the court of 1st instanced ruled one of the perpetrators guilty killing with a sentence o 15 years in prison, the second perpetrator was sentenced to 2 years

in prison, suspended for 5 years. The homophobic motivation was not recognized by the court.

Response of local authorities: The court proceedings happened fast, the perpetrators were captured instantly.

Impact on the victim(s) and the community: The case was present in mainstream media. It was especially important for LGBT community, even though the homophobic motivation was not recognized by the court, all LGBT activists involved in the case are convinced about the homophobic motive.

Portugal

Submission by ILGA Portugal to OSCE/ODHIR “Hate Crime Report 2014”.

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The OSCE report: *Hate Crime Laws – A Practical Guide*,⁹ describes hate crimes as “crimes motivated by intolerance towards certain groups in society” and on its 2006 annual report, the OSCE/ODIHR has further explained that “Hate crimes involve violent expressions of bias; they may take the form of assault, murder, threats, or property damage, such as arson, desecration, or vandalism.”¹⁰

The Portuguese Criminal Code does not have a specific article addressing hate crimes. However, sexual orientation and gender identity (the latter as of January 2013) are aggravating circumstances according to articles 132.^o (Qualified Homicide) 145.^o (Qualified Offense to Physical integrity) and 240.^o (Racial, Religious and Sexual Discrimination), the latter includes violence, defamation and injury, and threat.¹¹

This report includes media clipping and incidents reported to ILGA Portugal’s support services.¹²

1. Domestic Violence

Date: 18 January 2014

Location: Coimbra and Lisboa

Source of information: ILGA Portugal’s Social Integration Service

Victim: lesbian female, 22 years old

Perpetrator: victim’s mom and stepfather

Type of crime: physical and psychological violence/domestic violence

Brief description of the case: The victim fled her house and came to Lisbon to escape from a domestic violence scenario. According to the victim her parents had repeatedly committed acts of psychological violence and had inclusively committed acts of physical violence ever since the victim had started a relationship with another girl. They would monitor her phone conversations and internet searches; they would prevent her from leaving the house and from visiting her girlfriend. The victim was referred to another organization which runs a refuge house. The mother eventually knocked at ILGA Portugal’s door and accused the organization of kidnapping her daughter and threatened the staff.

Status of the case: The victim was accompanied by another organization that has a refuge house for LGBT young people and eventually, with the help of a psychotherapist, managed to resolve things with her mother and returned home

2. Bias statement on second-parent adoption

Date: 26 January 2014.

Location: N/A (statement on newspaper)

Source of information: online media news.¹³

Victim: N/A, the LGBT community.

Type of crime: not individually targeted verbal abuse.

⁹ OSCE Office for Democratic Institutions and Human Rights (ODIHR), *Hate Crime Laws – A Practical Guide*, 2009, p. 7. Available at: <http://www.osce.org/odihr/36426> (last consulted on 10 March 2014).

¹⁰ OSCE/ODIHR, *Annual Report 2006, 2007*, p. 65. Available at: <http://www.osce.org/odihr/25279?download=true> (last consulted on 10 March 2014).

¹¹ These articles, were amended by Law n.º 59/2007, of 4 September. Available in Portuguese: <http://www.dgpi.mj.pt/sections/leis-da-justica/pdf-ult/sections/leis-da-justica/pdf-ult/lei-n-59-2007-de-4-de/downloadFile/file/lei%2059.2007.pdf?nocache=1188893854.82> (last consulted on 10 March 2014).

¹² ILGA Portugal offers a variety the LGBT community a variety of services which can be used to report hate crimes and hate motivated incidents, namely the Psychological Support Service, the Legal Department, the LGBT helpline and the Social Integration Service. These services can be reached in person (except the helpline), via email or phone.

¹³ Available, in Portuguese, at: <http://maior.tv.com.pt/marinho-pinto-arrasa-lobby-gay/> (last consulted on 20 April 2015).

Brief description of the case: This statement is intertwined with the approval, in first reading in Parliament, of second-parent adoption rights for LGBT families in Portugal. The President of the Bar Association (and later in 2014 elected Member of the European Parliament) is an active voice against the legal recognition of parental rights to LGBT persons. In this article the then President of the Bar Association firstly suggest the existence of an LGBT lobby and states that *"[i]t is an ultraminoritary sector of society who works as a sect, overbearingly imposing its certainties and insulting and mocking those who view differently. (...) it was by default approved a law that affronts the conscience of the majority. (...) [w]hat right has a woman to generate, deliberately, by an heterofobic fanaticism, a twofold orphan child (fatherless and without the possibility of ever knowing his identity). (...) [i]t seems to be important now to assure that, for the selfish happiness of some, children can be handed over to 'couples' where the mom's role and place is played by a man and those of a father played by a woman."*

Status of the case: the second-parent legislation failed in Parliament during 2014, there is no knowledge of further action against this statement.

3. Discrimination in school

Date: 4 February 2014

Location: Secondary School Macedo Fragateiro, Ovar

Source of information: phone call to ILGA Portugal

Victim: unknown lesbian female

Perpetrator: unknown teacher

Type of crime: psychological violence

Brief description of the case: the student and her girlfriend are victims of discrimination and psychological violence perpetrator by one of the teachers and without any action by the school board, despite the victim's parents' complaints. Furthermore ILGA Portugal's website is blocked in that school due to inappropriate content.

Status of the case: unknown. ILGA Portugal has contacted the school which has denied any discriminatory incident, refused to discuss the case and refused any type of collaboration with the organization, including for awareness-raising sessions.

4. Hate mail

Date: 19 March 2014

Location: N/A

Source of information: ILGA Portugal's contact form

Victim: ILGA Portugal, LGBT community

Perpetrator: David Luis

Type of crime: hate speech

Brief description of the case: the perpetrator left a message via ILGA Portugal's website saying that *"you are a bunch of mentally retarded fagots, disgusting people who want to mimic normal, healthy people"*.

Status of the case: N/A

5. Psychological Violence

Date: 2 April 2014

Location: Torres Vedras

Source of information: ILGA Portugal's Legal Department

Victim: lesbian female, 34 years old

Perpetrator: victim's family

Type of crime: threats and psychological violence, verbal abuse/domestic violence

Brief description of the case: the victim is constantly threatened of compulsory psychiatric hospitalization by her parents due to her sexual orientation. A few days prior to the victim's report she alleges being escorted by two members of security forces to a mental hospital without any justification.

Status of the case: The victim started receiving psychological support with ILGA Portugal and was unable to leave her house (just downstairs from her parents) due to the fact that she was unemployed and thus economically dependent.

6. Expelled from home

Date: 15 April 2014.

Location: unknown.

Source of information: ILGA Portugal's Social Integration Service.

Victim: 19 years-old gay male.

Perpetrator: victim's parents.

Type of crime: threats and psychological violence/domestic violence.

Brief description of the case: the victim asked for ILGA Portugal's support being expelled from home, by his parents, due to the disclosure of his sexual orientation. He explained being bullied by his family and not being possible to endure any longer that situation. He was staying at a friend's house where it would be possible to continue living and he was looking for help to find work and financial stability.

Status of the case: ILGA Portugal sought specific information for work integration and was later contacted by an NGO working with a refuge house for LGBT youth who were accompanying the victim's case and integration.

7. Psychological Violence

Date: 16 April 2014.

Location: Funchal, Madeira.

Source of information: ILGA Portugal's LGBT Helpline

Victim: Gay male, 17 years old.

Perpetrator: victim's parents

Type of crime: psychological violence/domestic violence

Brief description of the case: The victim resided in Madeira and contacted the helpline (and AMPLOS – an organisation of parents of LGBT persons) for help to leave his house due to the psychological violence he was being subjected to by his parents. The victim told that his parents would control his phone conversations, would resort to witchcraft to cure his homosexuality, would react if he was seen in public talking to other men and had deprived him of any economic resources.

Status of the case: When he turned 18 the victim fled to Lisbon and sought a more integrated support with the help of ILGA Portugal.

8. Blood Donation

Date: 22 April 2014.

Location: Parque Saúde de Lisboa.

Source of information: ILGA Portugal's Legal Department.

Victim: Gay male.

Perpetrator: Portuguese Institute for Blood and Transplant.

Type of crime: discriminatory incident.

Brief description of the case: while trying to donate blood the victim was asked by the health professional if he had had sexual intercourse with men. The victim asked which was the need for such a question and was told it was part of the protocol. After replying positively to the previously mentioned question, the health professional asked then "*are you sure of your sexual orientation*" and the victim told her that it was illegal to make such a question. The health professional replied that according to the existing protocol she had to ask and if the person was gay then they had to refuse the blood donation.

Status of the crime: the victim filed a formal complaint to the service and ILGA Portugal's legal department helped to draft a reply to the administrative complaint to the Portuguese Institute of Blood and Transplant and to the Ministry of Health, Commission for Citizenship and Gender Equality and to the Portuguese Ombudsperson. The complaint stressed that the nature of sexual behaviors of the victim had not been assessed and has such the donation's refusal was based solely on the victim's sexual orientation, which is illegal. The victim is still banned to donate blood (it is a permanent ban) and ILGA Portugal is working closely with the Institute for Blood and Transplant to change procedures and policies.

9. Discrimination in the workplace

Date: 8 May 2014

Location: unknown

Source of information: ILGA Portugal's Legal Department

Victim: Igor Oliveira, male

Perpetrator: Daniel, victim's hierarchical superior

Type of crime: threats and verbal abuse

Brief description of the case: according to the victim's report, he works as a Chef and on the date of the incident he was reprehended, out of the nowhere, by the perpetrator because of misplaced cutlery. The victim refused any responsibility and continued working whereas the perpetrator started threatening him and trying to physically assault him but was stopped by another co-worker who was witnessing everything. The perpetrator insulted the victim, including with matters of his private life and the verbal abuse had a bias and homophobic motivation. The victim threatened to call the police and none of the witnesses intervened. The perpetrator threatened to beat him outside of the workplace.

Status of the case: unknown. The victim asked for legal support to present a formal complaint against the perpetrator and ILGA Portugal has referred the Authority for Working Conditions and applicable legislation.

10. Arrested because of sexual orientation

Date: 20 May 2014.

Location: Lisbon airport.

Source of information: media report.¹⁴

Victim: Mikky Blanco, US rapper.

Perpetrator: unknown member of a security force.

Type of crime: individually targeted verbal abuse.

Brief description of the case: the rapper was arriving to Lisbon for a performance and sought information from a police officer to buy a taxi voucher with his credit card. According to the artist he overheard "go away, you fagot" and he replied "fuck you". The victim was arrested and had to pay a 600€ fine and shared on Facebook "being arrested in Portugal because I'm gay".

Status of the case: After paying the fine, the victim was released and left the country after the scheduled performance.

11. Discrimination of Teacher

Date: 15 June 2014

Location: Caldas da Rainha

Source of information: ILGA Portugal's Legal Department

Victim: Male, teacher

Perpetrator: Victim's colleague

Type of crime: verbal abuse

Brief description of the case: according to the victim's report, very recently one of his colleagues and fellow teacher has started to verbally abuse of him, making fun and humiliating him due to his sexual orientation. Other colleagues do the same but in a subtle manner and thus he has always disregarded them. He now feels depressed and unwilling to work.

Status of the case: unknown. ILGA Portugal provided the victim with the necessary information to present a formal complaint against his colleague, namely through the Authority for Working Conditions. The organization has also offered the Psychological Support Service as a resource.

12. Physical Violence

Date: 18 August 2014

Location: Lagos

Source of information: email sent to ILGA Portugal

Victim: Gay Male

Perpetrator: Nightclub security guard

Type of crime: physical violence

Brief description of the case: after a night out and exchange of words with the security guard, the victim was beaten and ended with injuries on his knees, hands and one foot. The incident has had a great impact on the victim's life. According to the witness and victim's friend (who sent the email),

¹⁴ Available, in Portuguese, at: <http://www.noticiasaminuto.com/mundo/222561/rapper-detido-em-portugal-por-alegadamente-ser-gay> (last consulted on 20 april 2015).

the reason for the assault was the victim's sexual orientation. The victim filed a formal complaint to the police.

Status of the case: unknown. ILGA Portugal provided the witness with all the necessary information on legal and social protection of the victim. Neither the victim nor the witness ever contacted the organization again.

13. Assault and Physical Violence

Date: 22 August 2014

Location: Lisboa

Source of information: email sent to ILGA Portugal

Victim: Gay male

Perpetrator: unknown group of 4 men

Type of crime: assault, verbal abuse

Brief description of the case: according to the victim's report he was assaulted by a group of men while walking on foot in Lisbon after exiting a nightclub. A car with a group of 4 men stopped him, beat and pushed him while stripping down his pants and telling him "*you fucking fago!*". The victim recognized some of the perpetrators has being on the prior nightclub with him, but he assures never to have interacted with any of them but noticed one in particular staring at him with an hatred expression. The victim went to the police station but did not disclose his sexual orientation.

Status of the case: unknown. ILGA Portugal's Legal Department provided the victim with the necessary information on victim's support and protection. The victim never contacted the organization again.

14. Illegal therapy

Date: 24 August 2014

Location: unknown

Source of information: email sent to ILGA Portugal

Victim: Gay male, 34 years old

Perpetrator: victim's parents

Type of crime: psychological violence

Brief description of the case: according to the victim's report, he had been illegally medicated by his parents with sleeping pills and with the help of a psychiatrist due to his sexual orientation and with the purpose of curing him. His parents tell him frequently that he disgusts them.

Status of the case: unknown. ILGA Portugal replied the victim's email with resources and asking for further information. The victim never replied back.

15. Extremists attack outside an LGBT club

Date: 31 August 2014.

Location: lesbian nightclub, Lisboa.

Source of information: media report¹⁵ and ILGA Portugal's legal department.

Victim: a group of 8 persons (women and men).

Perpetrator: a group of 7 white men, dressed with black clothes, shaved hair and with muscular figure (according to the victims they seemed to be 'skinheads')

Type of crime: extreme physical violence and hate speech.

Brief description of the case: the nightclub was closing and its last customers were talking outside, in the street, where they were attacked by a group of skinheads who started insulting them "*you (girls in the group) should take a dick, but you don't like dicks do you?*", "*I hate faggots and lesbians, you should be all be beaten*", "*you're sick*", "*you should all be beaten and left lying on the floor*". One of the victims reacted and said "*we don't like straight people either*" and the beatings started. The victims were punched in the face, nose, eye and in the back, were pushed against the wall and to the floor, and rocks were thrown to their heads. The police was called but the perpetrators had already fled. One of the victims went with the police (in their car) to pursue the perpetrators and two witnesses went with other police officers and eventually found to possible perpetrators (but who had not hit anyone) but they do not know if the police identify those two persons (they kept a safe distance).

¹⁵ Available, in Portuguese, at: http://www.dn.pt/inicio/portugal/interior.aspx?content_id=4111879 (last consulted on 20 april 2015)

Status of the case: Unknown. ILGA Portugal's legal department met with a victim and owners of the nightclub to help process a formal complaint and to help gather information to sustain the complaint (by collecting video footages from surrounding stores). The victims and witnesses did not want to present a formal complaint, despite encouraging efforts and free legal support. ILGA Portugal also liaised with the criminal police, who was already investigating some extremists groups operating in Lisbon.

16. Family abuse

Date: 3 November 2014

Location: Cascais

Source of information: email sent to ILGA Portugal

Victim: gay male, 17 years old

Perpetrator: victim's brothers

Type of crime: physical and psychological violence

Brief description of the case: the report was made by a social worker who was accompanying the victim's case. According to the report the victim's mother had died and the father was an absent figure, the victim's brothers had physically and verbally abused him due to his sexual orientation. The National Emergency Line had also received the victim's request for support and contacted ILGA Portugal.

Status of the case: the victim started receiving support by ILGA Portugal's Psychological Support Service.

17. Expelled from home

Date: 12 November 2014

Location: Vila Nova de Gaia

Source of information: phone call to ILGA Portugal

Victim: Lesbian female

Perpetrator: victim's parents

Type of crime: psychological violence

Brief description of the case: the victim disclosed her sexual orientation to her parents and was expelled from home. The report was done by one of the victim's teachers

Status of the case: unknown. ILGA Portugal, provided the teacher with all the available information and resources for victims of domestic violence. There was no feedback on the case.

18. Roma man victim of domestic violence

Date: 14 November 2014

Location: Lisboa

Source of information: ILGA Portugal's Social Integration Service

Victim: Gay man of Roma origins

Perpetrator: the victim's Roma community and parents

Type of crime: psychological violence/domestic violence

Brief description of the case: the victim was referred to ILGA Portugal by his social worker and because he had just been forced out of his Roma community due to his sexual orientation. The victim's parents had expressed their hatred and stopped speaking to him months earlier.

Status of the case: Unknown. After providing psychological support to the victim and arranging for an alternative means of accommodation the victim never contacted ILGA Portugal again.

19. Bone Marrow Donation

Date: 15 November 2014

Location: N/A

Source of information: Message sent via ILGA Portugal's website

Victim: gay male

Perpetrator: Portuguese Institute for Blood and Transplant

Type of crime: discriminatory incident

Brief description of the case: A gay man was refused as a bone marrow donor, after being considered compatible on a specific case, due to his sexual orientation which qualified him as a member of a risk group and thus ineligible for donation.

Status of the case: unknown. ILGA Portugal contacted the person who reported the incident to

collect further information but the person never replied.

20. Discrimination on the Metro

Date: 20 November 2014

Location: Porto

Source of information: Email sent to ILGA Portugal

Victim: lesbian couple

Perpetrator: staff member of the Metro

Type of crime: discriminatory incident

Brief description of the case: the victims were urged by the perpetrator to stop displaying affections in public "*to not offend other persons*". The victims asked for the perpetrators ID and he refused to provide it.

Status of the case: ILGA Portugal provided the victims with the resources for action.

21. Woman attacked by kissing another woman in a taxi

Date: 8 December 2014.

Location: Porto.

Source of information: media reports.¹⁶

Victim: Sara Salvador, 28 years old.

Perpetrator: unknown taxi driver.

Type of crime: extreme physical violence.

Brief description of the case: the victim entered the taxi with a female friend and when reaching the first destination and kissing her friend on the mouth to say goodbye, the taxi driver told her to leave the car. The victim asked why and when she reached the door handle the taxi driver was already out of the car and punched her. While she was trying to take note of the license plate, the taxi driver threw her to the floor and dragged her. Then he left. According to victim the taxi driver never said a word, just kept on laughing while hitting her. The victim was seen at the hospital and presented a formal complaint to the police

Status of the case: unknown.

¹⁶ Available, in Portuguese, at: <http://www.esquerda.net/artigo/jovem-agredida-violentamente-cria-onda-de-solidariedade/35147> and http://www.cmjornal.xl.pt/nacional/detalhe/espancada_apos_beijo_entre_mulheres.html (last consulted on 20 april 2015).

Romania

Submission by ACCEPT Association in Romania to the OSCE/ODIHR annual report on hate crime occurred in 2014

Hate crimes targeted at LGBT people in Romania in 2014

Report compiled by: Carolina Marin, ACCEPT Association, carolina@acceptromania.ro.

There were several reports in 2014 but they referred predominantly to hate speech. This report contains information about harassment reported to ACCEPT and to the Anti-discrimination Coalition by a young couple [1]; it also includes information on the development of a case from 2013, which was previously reported [2] as well as details on the developments in an older case – dating back to 2011 [3].

1. Harassment, aggression and threats [by family members] towards a young couple

What happened: A 29-year old woman reported being verbally and physically abused, harassed and threatened by the former husband and the brother of her girlfriend.

Date, time and location of the incident: several incidents reported in 2014, ongoing harassment. Location: Baia Mare, Maramures County.

Source of information: The alleged victims.

Victim(s) involved: 2 persons, forming a couple, in their late 20s – early 30s, who are also work colleagues.

Type of the crime(s): Allegedly committed by the aggressors:

- Harassment (art. 208 of the Criminal Code)
- Threat (art. 206 CC)
- Physical aggression (art. 193 CC)
- Destruction of property (art. 253 CC)

Perpetrator(s): 2 persons, men, related to one of the victims (her brother and her ex-husband).

Brief description of incident with bias indicators:

When the couple moved in together, they started being constantly harassed by one of the partners' brother and former husband, who disapproved of the relationship.

They were constantly followed and had to move from their initial apartment building; they tires on their care were slashed

Once, they were physically abused (hit) in an attempt of the brother to separate the couple.

After a while, the couple got back together and moved in together again; during this time, they were constantly subjected to threats and explicit verbal abused (allegedly on grounds of sexual orientation). Death threats were received by one of the women, from her girlfriend's brother.

The recent incidents that were reported to ACCEPT occurred when the brother came to the couple's workplace, talked about their relationship (which led to them facing discriminatory attitudes in the workplace as well) and again hit his sister and slashed the tires on her car. The Police was called on site and gave the aggressor a fine for the threats.

In mid-2014, the couple was again attacked: one of the women filed a complaint after being threatened and physically abused (pushed) in her girlfriend's father house, by the brother of her

partner [the aggressor received a criminal fine again, for threat and violence, art. 206 and 193 of the Criminal Code]. In self-defence, one of the women used pepper spray on the aggressor, who in his turn filed a criminal complaint against his sister's partner for aggression).

The couple considers that their sexual orientation / relationship is the reason of the aggression and harassment that they were constantly subjected to for the past 4 years.

Status of the case: ACCEPT directed the case to one of the anti-discrimination lawyers providing free of charge online legal counselling [on www.antidiscriminare.ro website]. Legal counselling was provided in relation to the pending investigation against one of the women, who attacked her aggressor with pepper spray.

There is no new information about the investigation conducted by the Police up to date.

Response of local authorities: Despite filing a complaint twice, immediately after the violent incidents, the investigation conducted by the authorities only led to 2 fines issued for the aggressor, but an impossibility to provide further protection to the couple.

When investigating the cases against the couple, the police did not (in 2014 or in the past) consider he acts as hate crimes, so the aggravating circumstance (of 'hate motivation') was not applied when sanctioning the aggressor.

In his turn, the aggressor reported being attacked by the couple, a criminal complaint which was still under investigation at the time of the reporting.

Impact on the victim(s) and the community: The victims felt threatened and genuinely concerned that aggression against them would not cease following the incidents, especially as harassment has been ongoing for the past 4 years. This in itself raises concerns in relation to the efficacy of police protection in such cases. Also, what is disconcerting is that the police did not seem to consider the hate motivation in the investigation.

The incidents were not covered by the media, as the couple does not want to draw attention on their private life even further. They only want the violent incidents to end.

Following one of the incidents, when their sexual orientation and relationship were revealed at the workplace, the two allegedly started being discriminated against by their employer and colleagues as well.

2. Evolution of a 2013 case of verbal abuse and neo-fascist threats towards a group of LGBT and LGBT friendly film views during an ACCEPT event organized as part of the LGBT History Month

What happened: A group of about 20 participants to a film screening organized during the 2013 LGBT History Month were verbally abused and threatened by extreme right supporters, who were chanting and displaying neo-Nazi symbols.

Date, time and location of the incident: On the evening of February 20th, 2013 (during the second LGBT History Month organized in Romania) at the Romanian Peasant Museum, Kiseleff Road Nr. 3, Sector 1, Bucharest.

Source of information: The alleged victims, ACCEPT staff and volunteers

Victim(s) involved: roughly 20 young persons

Type of the crime(s):

Allegedly committed by the aggressors:

- Instigation to discrimination; incitement to hatred and discrimination on grounds of sexual orientation (art. 317 and 369 of the Romanian Penal Code),
- the public display of fascist and xenophobic symbols as well as promoting the

- personality cult of those who perpetrated crimes against humanity (OUG 31/2002)
- the violent opposition towards the organizers of a public gathering and the law enforcement officers present there, preventing them from fulfilling their public security mandate. (art. 29 (2), 60/1991)

Allegedly committed by law enforcement officers:

- the abuse of public office by law enforcement officers present at the film screening, in light of their actions limiting the civil rights of those present on grounds of their sexual orientation

Perpetrator(s): roughly 40 people, mainly men

Brief description of incident with bias indicators: The 20 participants to the film screening organized as part of the 2013 LGBT History Month were explicitly verbally abused on grounds of sexual orientation and gender identity. The incident occurred during a one-month long festival aiming to enshrine LGBT rights as human rights in the societal consciousness of heteronormative Romania. The film screening was sponsored by the United States Embassy in Bucharest and was organized at one of the most highly regarded cultural centres in Bucharest, the National Peasant Museum. Their events hall often features theatre plays, concerts and other interactive or informal cultural activities.

The aggressors, significantly more numerous than those attending the event, physically blocked the access to the screening devices, and then verbally abused and threatened the participants by shouting homophobic chants like “Death to homosexuals” and displaying Nazi symbols and salutes and ultra-nationalistic messages. The participants were also photographed and filmed without their permission. And these footages were placed without permission on the internet. The screening could no longer continue.

During the event, law enforcement officers who were present did nothing to stop the aggressors: their homophobic abuse and fascist display went on undeterred. The law enforcement officers, instead of fulfilling their duties to ensure public order and security, were simply sitting idly outside of the cinema, in the courtyard of the museum.

Status of the case: ACCEPT requested on February 27th, 2013, the initiation of an internal investigation by the law enforcement division¹⁷ responsible for ensuring public order during the event, considering the blatant idleness of public authorities during the aggression. ACCEPT also supported penal complaints of 10 individuals that were filed to the Bucharest Police on March 4th, 2013, together with the video recordings of the abuse, photos of the abusers, and social media evidence of the aggressors’ boasting in light of their actions.

Developments [2014]:

There are concerns in relation to the way in which the investigation has been conducted.

The Head Prosecutor with the Bucharest Tribunal declined the competence to the Military Prosecution Department of the Bucharest Military Tribunal (March 15th, 2014).

The Military Tribunal decided to dismiss the criminal case against the Gendarmerie officers who were on site the evening of the incident, but failed to react [June 24th, 2014]; it also decided to decline its competence to the Prosecutor’s Office of the District 1 Bucharest Court, in relation to the complaints filed against a Police chief also present on site the evening of the incident.

On 21 October 2014, the Prosecutor’s Office issued an ordinance to dismiss the case filed by ACCEPT. While admitting that 40-50 out of the 60-70 persons in the cinema were affiliated / supporting the New Right, the case was dismissed based on a reasoning that *“the participants [in*

¹⁷ The General Division of the Bucharest Police and the General Division of the Bucharest Constabulary

the event] engaged in discussions regarding sexual orientation and religious and nationalist themes' and that there was 'no aggression from either one on the parties'.

The fact that the discussions actually consisted of death threats and the showing of fascist symbols, signs and gestures (i.e. - the Nazi salute) was completely disregarded.

On 15.12.2014 the Prosecutor's Office confirmed the initial reasoning, stating again that there was '*no aggression*' between the parties to the incidents, there was only an '*exchange of opinions with regard to movie projection and intolerance towards the LGBT community*'.

On 9 February 2015, a complaint was filed again by ACCEPT to the District 1 Court in Bucharest, against the Prosecutor's decision. ACCEPT emphasized that:

- Both the video as well as written statements from the witness show a clear incitement to hatred and discrimination (art. 369 Criminal Code) and that the threats ('*death to homosexuals!*') as well as other injurious statements do not constitute a mere 'exchange of opinions' and that the police forces on site would have had an obligation to intervene.
- The display of signs, symbols and gestures such as the Nazi salute are documented on film and constitute crimes (despite being initially ruled out by the Prosecutor as 'unsupported by evidence'). Short recordings from the scene of the incident were again submitted as evidence.

In March 2015, the Court decided to partially dismiss the case and only kept under investigation the claims regarding the display of Nazi and neo-fascist signs and symbols.

Impact on the victim(s) and the community: The victims and the LGBT community in general felt threatened and genuinely concerned that hate crime incidents would escalate following the incident. Considering the incident took place in a high profile public venue, under the supposed protection of law enforcement, the incident has the potential of setting a disconcerting trend: neo Nazis and religious zealots, who form a significant portion of the extreme right groupings opposing LGBT rights in Romania, feel secure, even entitled, to aggress members of the LGBT community.

Following this incident, but especially taking into account the evolution of the case, what remains of serious concern is the way in which this situation was handled by the Police and Gendarmerie (who failed to intervene) and even more so by the Court and Prosecutors Office, who dismissed the case on grounds of the absence of concrete [physical] aggression.

3. Developments in the case of a young man who was aggressed and harassed in a Police station, when trying to file a complaint

What happened: In July 2011, Mr. B.G. contacted Police Station no. 10 in Bucharest, to report an incident in a Club.

Instead of being protected by the Police they made fun of him, threatened him and aggressed him, presuming he was gay.

Date, time and location of the incident: July 2011, Sector 3, Bucharest.

Source of information: The alleged victim

Victim(s) involved: 1 person, a young man

Type of the crime(s): abusive behaviour from the Police with an aggravating circumstance of discrimination of account of sexual orientation.

Perpetrator(s): Police-men at the Police station no. 10

Brief description of incident with bias indicators:

Mr. B.G had been the victim of a crime in a club, and when he went to report it, he was made fun of, aggressed and threatened by the Police on account of his [presumed] sexual orientation, which was directly brought up by the Police. His report was not registered and he was thrown out of the

station.

Status of the case:

ACCEPT supported Mr. B.G. to file: a criminal complaint against the Police officers, a complaint for discrimination against the Police with NCCD, and to open a civil case against the Police, for discrimination and failure to sanction the conduct of the officers at internal level (within the Police), as well as failure to conduct an effective and efficient investigation to sanction hate crimes.

Developments [2014]:

In January 2014, the local Court (s3, Bucharest) confirmed the Prosecutors decision to dismiss the case against the officers for abusive behaviour on account of the fact that the reported deeds were not severe or serious enough to constitute crimes.

In 2014, the Supreme Court (The High Court of Cassation and Justice) forced NCCD to restart the investigation for discrimination against the Police Station. Initially, NCCD had dismissed the case for discrimination on account of sexual orientation, invoking they were not competent to decide in a case involving a police officer, since the Police as an institution can internally apply a sanction against one of its officers.

In February 2015, the local Court (s3, Bucharest) in the civil case asked the Bucharest Police Directorate to pay moral damages or 5000 EUR for discrimination on account of sexual orientation.

Impact on the victim(s) and the community:

The decision of the Supreme Court is extremely important as it sets a principle with the value of precedent in the area of combatting and sanctioning discrimination: the National Council for Combatting Discrimination [NCCD] cannot dismiss a case invoking it does not have competence to decide, when called to decide on acts of discrimination perpetrated by civil servants and other employees of public institutions. Even if those institutions have the capacity to sanction discrimination perpetrated by its staff at internal level that does not revoke or remove NCCD's right to sanction it according to the law.

Sweden

Report 'Homophobic, biphobic and transphobic hate crimes in Sweden' compiled by RFSL

Report compiled by By Kina Sjöström and Maria Tillquist, responsible for the RFSL Crime Victim Support. +46 8 50 162 900, forbund@rfsi.se, www.rfsi.se

Incidents of hate crimes registered by RFSL Crime Victim Support

RFSL Crime Victim Support is a national support service for LGBT persons in Sweden. This is not a report from all of RFSL's local branches. The sources of information are in all cases the victims, sometimes together with police or social services. We have only included incidents that we find credible.

We report 31 incidents in total, out of these we describe 15 in more detail below

- February 2014: Homosexual man in small town is being threatened to life by family members because he is gay. They threaten to kill him if he doesn't "change" or is being "cured". The man is too afraid to see any of his family and is suicidal.
- March 2014: Homosexual Roma male is stabbed with a knife and threatened with a gun because being homosexual. The incident was reported to the police and he got help from social services but there were difficulties finding a shelter for a male.
- April 2014, a homosexual couple are harassed because they are gay in a Swedish town. Their car is damaged and one of the men is attacked and physically assaulted when he is on his way home. The incidents are reported to the police.
- April 2014: Homosexual male couple harassed and verbally assaulted on public transport in a city. Because being gay. Reported to the police.
- May 2014. A homosexual couple is harassed and threatened by relatives and people from their native country because they are homosexual. The threats, that include death threats, is ongoing during 2014. The incidents are reported to the police.
- June 2014: A homosexual man is physically and verbally assaulted by a group of relatives outside his home in a Swedish City. Threats were made and the men continued to threaten to kill him by phone, because of his sexual orientation, several months afterwards. All the incidents were reported to the police, but never went to court. The man got help from the social services.
- July 2014: at refugee camp outside town in north of Sweden. Transgender person is physically and sexually assaulted, and harassed by co-habitants because of being trans. Not reported to the police but to an employee at the camp. Got help to move to another camp.
- August 2014: Homosexual woman physically attacked and got her arm broken by guard in the public transport system in a city. A male in her company was also attacked. Bias: race and gender expression. Reported to the police, under investigation.
- August 2014: Transgender woman 35 years old is physically abused and verbally and sexually harassed by unknown male late at night outside a nightclub. Reports to the police, but doesn't go to court because of lack of evidence even though there were photos.
- October 2014. A young transgender woman living in a Swedish refugee camp is sexually and verbally harassed and physically assaulted by other refugees in the camp. The incident is not reported to the police but to staff at the refugee camp.
- October 2014: Transsexual young male thrown out from his apartment by his brother because being transsexual. Tries to get help from the social services without success.
- November 2014: A homosexual man is physically assaulted by two men in a friend's apartment in a Swedish city, homophobic comments are made during the incident. The

incident is reported to the police.

- November 2014: Bisexual man and his friend were verbally and physically abused by a gang of men in the street. Because of their lgbt-identity. Reported to the police but did not go to court because of lack of evidence. Resulted in lost of trust for the legal system.
- November, 2014. A young homosexual couple is verbally harassed various times, because they are homosexual, by people living in their neighbourhood in a town of the south of Sweden. The incidents are not reported to the police.
- Ongoing threats and harassment during 2014. A homosexual man is harassed by phone and mail by relatives because they assume that he is gay in a Swedish city. The incidents are not reported to the police.
- During 2014 at least **5** incidents were reported from lgbt persons being harassed at different refugee camps in Sweden because of their sexual orientation or gender expression.
- RFSL Crime Victim Support have registered another **11** incidents of hate crime where we have insufficient information to make a detailed incident report.

Spain

Report on hate crimes targeted at LGBT people in Spain in 2014, compiled by FELGBT

Compiled by Jenifer Rebollo Norberto, Director of FELGBT, gerencia@felqtb.org

1. Students assaulting a classmate in a school in Gandia

What happened: At school some students harass and insult a gay student 15 years in Gandia

Date, time and location of the incident: January 15, 2014 morning in Gandia.

Source of information: Eyewitness

Victim(s) involved: a student of 15 years

Type of the crime(s): Physical aggression and insults

Perpetrator(s): 3 students age 18

Brief description of incident with bias indicators: 3 students age 18 hit in the face and other body parts and insult a child under 15 years.

Status of the case: The victim reported the case to the police but the state as the cause is unknown.

Response of local authorities: It is unknown

Impact on the victim(s) and the community: Impact on personal and social life of the victim and that of his family.

2. Two young boys are attacked by two individuals in Hortaleza street in Madrid

What happened: Two youths were beaten to be recognized as gay by two individuals on Calle Hortaleza in Madrid. The attackers got out of a car, as he said "queers, you going to find out." The attackers apparently showed signs of intoxication.

Date, time and location of the incident: March 3, 2014 in the morning in Madrid.

Source of information: Eyewitness

Victim(s) involved: Two young gays

Type of the crime(s): Physical aggression and insults

Perpetrator(s): 2 individuals older than 18 years

Brief description of incident with bias indicators: Two young people have been recognized as being attacked by two men in gay Calle Hortaleza. The attackers got out of a car, as he said "queers, you going to find out." The attackers apparently showed signs of intoxication. The bruises have attacked and needed medical care, the police came and gave support to victims.

Status of the case: The victims reported to the police, is unknown as is the case.

Response of local authorities: Police believe the attack as a hate crime

Impact on the victim(s) and the community: It is unknown

3. Girl is insulted and sexually harassed in the street by two individuals in Valencia

What happened: Two older men insult, humiliate and disqualify a Girl.

Date, time and location of the incident: January 2014 night

Source of information: Own victim

Victim(s) involved: Lesbian girl 34 years

Type of the crime(s): Sexual harassment and insults

Perpetrator(s): Two individuals over age

Brief description of incident with bias indicators: At night two individuals aged 25-30 years old intoxicated insulted in the street with derogatory ("queers ", "Dykes" "You what you need is a good cock") to a girl, people it is shown that around with absolute indifference to the fact.

Status of the case: The victim did not report the fact saying that he would not get anywhere.

Response of local authorities: There was no complaint.

Impact on the victim(s) and the community: The victim expresses a feeling of fear, humiliation, and helplessness, having an impact on their social and personal life, but I do not seek any psychological support.

4. Boy attacked in the street in Pontearreas (Pontevedra)

What happened: Boy 20 years is physically and verbally assaulted in the street by three individuals, causing physical injury.

Date, time and location of the incident: April 4, 2014 in the afternoon

Source of information: A witness

Victim(s) involved: Gay boy 20 years

Type of the crime(s): Physical aggression and insults

Perpetrator(s): 3 individuals older than 18 years

Brief description of incident with bias indicators: At 3 individuals older insulted and physically assaulted a boy of 20 years, causing bruises and a cut on his face that required seven stitches, a cut on the back and a black eye.

Status of the case: It is unknown, the victim complained to the police but do not know what state this.

Response of local authorities: It is unknown

Impact on the victim(s) and the community: The victim need medical care.

5. Student insulted by 3 boys in the town of Guardamar del Segura

What happened: In a school in Guardamar del Segura (Alicante) 3 boys insult to another because of their sexual orientation.

Date, time and location of the incident: December 2014 in the morning

Source of information: Own victim

Victim(s) involved: Boy 15 years

Type of the crime(s): Insults and verbal abuse

Perpetrator(s): 3 boys under 18, one classmate

Brief description of incident with bias indicators: Class 3 underage boys insult to another under 15 years, one of them is a classmate of the victim, secretly laugh of the, people had no reaction around this verbal aggression.

Status of the case: The police will not denounce

Response of local authorities: Unanswered

Impact on the victim(s) and the community: He had an impact on your personal and social life but received the support of friends and family.

6. Homophobic woman receives treatment in a health center of Torremolinos (Malaga)

What happened: A girl goes to a health center in Torremolinos GP and addresses her with a homophobic treatment.

Date, time and location of the incident: January 2014 in the morning

Source of information: Witness

Victim(s) involved: A girl of 21 years

Type of the crime(s): Homophobic treatment

Perpetrator(s): A doctor at the health center.

Brief description of incident with bias indicators: The girl went to a health center and as the primary care physician knew that the victim was a lesbian and that was with her was her partner, began to say that being a lesbian is something "unnatural" and ask why none of the two had "male friends".

Status of the case: The fact was denounced by LGBTI associations and ONG's.

Response of local authorities: It is unknown, he puts a claim in the health center itself.

Impact on the victim(s) and the community: He had repercussions through partnerships LGTBI.

7. Abuse of his father to his son at home in Madrid

What happened: A gay guy of 21 years receives physical abuse at home by his father

Date, time and location of the incident: During several days of February 2014 at home in Madrid.

Source of information: Witness

Victim(s) involved: Boy of 21 years.

Type of the crime(s): Physical violence, verbal abuse and violence

Perpetrator(s): His own father in a drunken state.

Brief description of incident with bias indicators: At home his father when in a drunken state, insults his son for his sexual condition and assaulted with blows to it.

Status of the case: It is not reported to the police because the victim lives at home and does not want to cause problems for his mother.

Response of local authorities: Unanswered.

Impact on the victim(s) and the community: Fear, stress, anxiety, only receives the support of family and friends.

8. Transsexual man receives discriminatory treatment in access to commercial services in Malaga

What happened: You are denied access and services to a pharmacy to a transsexual man in Malaga.

Date, time and location of the incident: October 2014 afternoon near his home in Malaga.

Source of information: Own victim.

Victim(s) involved: Transsexual man of 36 years.

Type of the crime(s): Discriminatory treatment.

Perpetrator(s): 2 employees of the pharmacy.

Brief description of incident with bias indicators: Man tries to access the pharmacy and two employees of this answer you in your pharmacy does not sell "things like that" (referring to prescription hormones) for "riffraff" like me, we're going against nature. Which is a shame everything we do people like me.

Status of the case: He did not denounce.

Response of local authorities: I did not report it because I thought it would not matter to the authorities.

Impact on the victim(s) and the community: There were witnesses to the incident that the victim looked very bad, he had to receive psychological support. He had an impact on your personal and social life.

9. Gay boy is insulted in the street at night in La Coruña

What happened: At night, a holiday, 3 individuals, insult a guy down the street.

Date, time and location of the incident: April 26, 2014 at night on the street in La Coruña.

Source of information: Own victim.

Victim(s) involved: Boy of 29 years

Type of the crime(s): Insults and verbal abuse.

Perpetrator(s): 3 individuals older than 18 years

Brief description of incident with bias indicators: Several youth groups retreating after a day of nightlife, is dedicated to insult him for his sexual condition.

Status of the case: Without complaint.

Response of local authorities: The victim made no complaint because it did not give importance to.

Impact on the victim(s) and the community: It had no impact because the victim did not give importance to and do not seek any kind of support or help.

10. Man receives insults and threats in the street in Sants (Barcelona)

What happened: At night a man receives insults and threats from another individual because of their sexual condition.

Date, time and location of the incident: February 14, 2014 at night in Barcelona.

Source of information: Own victim

Victim(s) involved: A gay man of 43 years.

Type of the crime(s): Threats and insults.

Perpetrator(s): An older guy 18 years.

Brief description of incident with bias indicators: In the street, at night a man, threats of violence and insults by other sexual condition.

Status of the case: The victim did not report the incident to the police.

Response of local authorities: The police came but did not lend support to the victim.

Impact on the victim(s) and the community: Very strong impact on your personal and social life, received support from ONG's, associations LGTBI and psychologist.

11. Assaulting a boy on the street in Almeria

What happened: Assaulted a boy in the street, causing facial injuries.

Date, time and location of the incident: July 29, 2014 afternoon in Almeria.

Source of information: Own victim.

Victim(s) involved: A gay boy of 29 years

Type of the crime(s): Physical aggression and threats.

Perpetrator(s): An older guy 18 years.

Brief description of incident with bias indicators: Threatened and assaulted a guy with a punch in the face that caused injuries, witnesses called the police.

Status of the case: The incident was reported to the police but it is unknown as is.

Response of local authorities: The victim felt rejection by the police.

Impact on the victim(s) and the community: The victim feels that there is no justice, impact on your personal and social life, the police took no statement from aggressor.

12. In Adeje (Tenerife) police officers assaulted some brothers to be dancing, pretending they are a couple.

What happened: A gay guy dancing with his brother pretending they are a couple and are reprimanded by a policeman.

Date, time and location of the incident: August 3, 2014 at night in Adeje (Tenerife).

Source of information: Own victim

Victim(s) involved: A gay boy of 36 years and his brother.

Type of the crime(s): Physical violence.

Perpetrator(s): An official of the police.

Brief description of incident with bias indicators: When I was with my brother dancing sensually together pretending to be a couple, the agent Esperto: do not fuss.

Status of the case: The incident was reported to the court.

Response of local authorities: The victim went to the police station but when I communicate the facts, dismissed the complaint process.

Impact on the victim(s) and the community: The victim felt rejection and ridicule by the police.

13. Boy is attacked on the floor of her friend in Murcia for a Muslim sir.

What happened: A boy and his friend are attacked and insulted by a Muslim master, neighbor friend of victim.

Date, time and location of the incident: September 25, 2014 in the afternoon on the floor of the transsexual friend of the victim, in Murcia.

Source of information: Own victim.

Victim(s) involved: A gay guy of 23 years and her transsexual friend.

Type of the crime(s): Physical violence, threats and insults.

Perpetrator(s): A Muslim man more than 18 years.

Brief description of incident with bias indicators: The attacker was an Arab by which first told my friends and my things in Arabic and the Quran something, and then we speak Spanish, insults like we were crap, damn queers, that in his country and would have killed us, and when I threw objects with a slingshot he said to me dies fagot dies. After the assailant threw objects at the victim, leaving bruises.

Status of the case: The incident was reported but the attacker will also denounce the victim and took him to trial in October 2014, we do not know what state is the cause.

Response of local authorities: The victim received a neutral treatment of the police.
Impact on the victim(s) and the community: The victim is afraid that the fact happen again and I leave both physical and psychological sequelae.

14. Two men assaulted a transgender woman in the street in Valencia.

What happened: A transsexual woman is assaulted in the street by two men over age.

Date, time and location of the incident: June 28, 2014 at night in the street in Valencia.

Source of information: Witness.

Victim(s) involved: A transsexual woman.

Type of the crime(s): Physical violence.

Perpetrator(s): Two individuals over 18 years.

Brief description of incident with bias indicators: On the street they assaulted a transgender woman, causing her elbow injuries and burns with a cut by the rubbing on asphalt.

Status of the case: The incident reported to the police but its current status is unknown.

Response of local authorities: The victim believes that the deal was unsuitable, both police and health professionals who cared.

Impact on the victim(s) and the community: Unsuitable received support LGBTI associations and ONG´s, suffered a strong impact on your personal and social life.

15. Night in a bar in Madrid a guy is insulted by a group of youngsters.

What happened: A boy is insulted by their sexual condition by a group of youngsters.

Date, time and location of the incident: April 11, 2014 at night in a bar in Madrid.

Source of information: Eyewitness.

Victim(s) involved: A gay man in his 20s.

Type of the crime(s): Insults and threats.

Perpetrator(s): A group of young of about 20 years.

Brief description of incident with bias indicators: In a bar, a group of young of about 20 years, using his superior, insulted and threatened another boy.

Status of the case: It is unknown

Response of local authorities: He did not report the incident

Impact on the victim(s) and the community: It is unknown