

Forgotten Victims

**International Conference on the Situation
of Victims of Hate Crimes/Hate Violence and
Victim Assistance in the Czech Republic
Prague, April 22 – 23, 2010**

CONFERENCE REPORT

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Hate Violence and Victim Assistance in the Czech Republic**

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Published by:

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Omega Design, s. r. o.

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Introduction

An international conference on the situation of victims of hate violence and hate crimes, as well as assistance for these victims, took place on April 22 and 23, 2010, in Prague. The conference was attended by experts from the Czech Republic, Slovakia, Germany, Russia, Poland, Ukraine, Romania and the Netherlands. For two days, people from the non-governmental sector, state administrations and the realm of academia dealt with issues concerning whether victims of hate violence are adequately supported, the form this assistance should take, what are its pitfalls, whether these obstacles can be removed and how this can be done as effectively as possible.

The content of the conference was arranged by the In IUSTITIA, o.s. and Kulturbüro Sachsen e.V. organizations. The event itself was organized by the Forum 2000 Foundation with financial support from the Foundation “Remembrance, Responsibility and Future” e.V. (EVZ). The conference was held under the auspices of the prime minister of the Czech Republic Jan Fischer.

A reminder of the importance of acting against hate violence was provided in an introductory paper by Michael Kocáb, the Czech Government Commissioner for Human Rights. The vital nature of this subject for the democratization process in post-war Europe was emphasized by Ralf Possekel, the program director for the Foundation EVZ.

The presentation of the results of a research project entitled “Hate Crimes – Forgotten Victims” comprised an important part of the conference. Thanks to initiative and financial support by the Foundation EVZ, this project was implemented in the Czech Republic by the Kulturbüro Sachsen e.V., In IUSTITIA, o.s., Tolerance a občanská společnost, o.s. and Romea, o.s. organizations.

A conference anthology contains contributions and keynotes from participants at the event. These papers are thematically focused on the areas that this meeting of experts dealt with, i.e. monitoring, counseling, and the prevention of hate violence. Introductory papers were presented by Klára Kalibová, Miroslav Bohdálék and František Valeš. Another contribution was then presented on the second day by Dominique John. The anthology also includes contributions from colleagues who participated in creating the content for individual workshops as well as summaries of the content of each particular workshop.

April 22, 2010

The conference was opened by the executive director of the Forum 2000 Foundation Oldřich Černý and the director of the Goethe-Institut Heinrich Blömeke. The program director of the EVZ foundation Ralf Possekel outlined how civic initiatives supported by the government are devoted to the issue of attacks against minorities in Germany.

The first contribution was given by Klára Kalibová from the In IUSTITIA Non-Governmental Organization (Annex 1). She presented the main pitfalls of the research. According to Kalibová, the chief difficulty consists of the absence of a uniform definition of hate violence or hate crime, which are conceived differently in each context. She favours the term “hate violence”, because not all of these acts are criminal, and not only does it concern physical violence, but also verbal violence, non-verbal violence, etc. Another pitfall is the fact that no special research is dedicated to this subject, unlike Western Europe or the USA, where this complex issue already has a kind of tradition.

At the opening of the conference, Klára Kalibová presented the term hate violence in the context of the reality of the situation in the Czech Republic. She defined the difference between hate violence and hate crimes. For the issue to be grasped and appropriately tackled by professions proffering assistance and the state administration, terminological certitude is the basis of mutual understanding. Hate crimes are crimes and transgressions whose predominant motive is hatred towards a group of people recognized by law. Therefore there is a dual danger to be considered in terms of the severity of sentence for these crimes. On the one hand, they represent a threat or damage to the life, health, and rights of the aggrieved individual. On the other hand, they significantly disrupt peaceful coexistence among the various groups of inhabitants in the Czech Republic. They also disrupt social harmony and provoke rancor throughout society. Hate violence is usually associated with (right-wing) extremism. This view diverts attention from the real essence of hate violence towards groups with extreme political leanings. At the same time, according to foreign surveys, hate violence is not far removed from the realm of the extreme right-wing. Furthermore, Klára Kalibová took exception to the absence of scholarship, research, and knowledge in the area of hate violence, which contributes to the underestimation of the problem. She recounted basic legislative obstacles or the arguments of opponents to legislation for hate violence. Last but not least, she indicated that the problem of hate violence is a complex, interdepartmental issue, and that it is impossible to achieve positive changes without the parallel support of research, hate violence monitoring, prevention, and the provision of aid to victims.

The survey entitled “Hate Crimes – Forgotten Victims” confirmed that the most threatened group in this respect in the Czech Republic are the Roma. It is apparent (although it could not be firmly proven) that behind them come alternative youths who are active against racism and extremism. The gay, lesbian, bisexual, and transgender community occupies a specific position. Sexual identity/orientation is not recognized as a hate motive under Czech rules of criminal procedure.

On behalf of Kulturbüro Sachsen e.V., Miroslav Bohdálék presented the formal aspect of the research as well as other results (Annex 2). He confirmed that nobody has systematically pursued the issue of hate violence in the Czech Republic and therefore no conclusive data exists on the subject. He also developed Klára Kalibová’s thesis that “ordinary” people, not extremists, are answerable for most hate violence.

In his paper, Miroslav Bohdálék focused on summarizing the results of the research survey entitled “Hate Crimes – Forgotten Victims,” which was conducted among Czech NGOs in the period from June 2009 to November 2009 (the research part of the work). There will be an evaluation of the survey by the end of September 2010. The aim of the survey was to map the situation concerning the provision of assistance to people threatened with hate violence from the point of view of NGOs. The target group comprised citizen’s advice bureaus, organizations assisting crime victims, and organizations whose clientele

includes people threatened with hate violence (members of ethnic, national or religious minorities, foreigners, handicapped people, alternative youths, people attacked because of their sexual orientation or identity, homeless people, drug addicts, etc.), even though they do not primarily provide services in even one of the aforementioned areas. Researchers focused on identifying the main problems that prevented NGOs from successfully providing assistance. In real terms, apart from one organization (In IUSTITIA), which had only been in existence for a few months at the time the research was conducted and which had reacted directly to the obvious demand for assistance to be given to victims of hate violence, it was ascertained that no one else is systematically helping these people in the Czech Republic. Assistance is more or less provided on a general level by advice bureaus for crime victims or as a once-off project implemented by an NGO. A number of NGOs had their first terminological encounter with the expression “hate violence” during the survey. At the same time, however, they were familiar with the content of the issue on a general level and were able to refer their existing clientele to advice bureaus for crime victims or the police. The presented research simultaneously comprised a mobilizing component in the form of personal, semi-structured interviews conducted among 23 selected NGOs. The purpose of the mobilizing interviews was not only to find out more detailed information, but also to encourage interest among specific organizations in the subject of hate violence and to initiate the establishment of a network of NGOs dealing with this issue. Based on the mobilizing interviews, 10 recommendations were produced in relation to hate violence. These are part of a research report published in September 2010.

The former Minister for Human Rights, Michael Kocáb, presented certain initiatives and strategies, which the state administration is employing in its effort to respond to the aforementioned deficiencies. He was skeptical in some respects, but positively evaluates the state’s rapid reaction to the arson attack in Vítkov, for example.

The lawyer František Valeš further developed the debate on definitions of hate violence as well as general concepts such as a group or violence (Annex 3). “We view hate violence as violence where the main or only motive of the perpetrator with regard to the victim is their membership of a certain group of people,” he said. This has two effects: the direct attack on the victim but also the attack on the group. Victims frequently perceive these attacks as an unsurprising fact of life. They are afraid of investigations because they feel marginalised.

In his paper, František Valeš focused on notes pertaining to specific legal aid provided to victims of hate violence. He emphasised the generally weak status of the victim aggrieved by a crime and the ensuing opportunities for exercising one’s rights and asserting one’s interests during criminal proceedings. He dealt with the issue of claiming compensation for damage in criminal proceedings, pointed out the impossibility of claiming appropriate satisfaction for the moral and mental injury that has been inflicted. František Valeš drew attention to the fact that mental and moral injury are regularly part of attacks motivated by hatred and that these injuries also persist long after the physical pain has subsided. He recalled that hate violence is nothing out of the ordinary for groups under threat (particularly Roma in the Czech Republic) and it becomes part of their living reality. He also mentioned bodies that are active in criminal proceedings and their key role in preventing secondary victimisation. The contribution of František Valeš was based on the information and know-how of the organisation In IUSTITIA.

The journalist Petr Uhl did not agree with the concept of hate violence, because a large portion of hateful conduct does not involve violent physical acts, but verbal ones. He said, “Things that I find extremely repulsive need not be crimes.” According to him, Czech society does not realize how it itself is racist and only considers extreme violence as racism.

In a subsequent discussion, questions were asked about the concept of hate violence in the USA and the impact of the new Czech anti-discrimination law.

Workshops

Five thematic workshops were organised on 22 April 2010 – the Police and the Investigation of Hate Crimes, Roma as a Group under Threat of Hate Violence in the Czech Republic, the LGBT Community as a Target Group for Hate Violence, Anti-Semitism, and Anti-Extremist Legislation and Legislation against Hate Violence. The workshops took the form of discussion groups, which generated information through mutual interaction between discussion participants, lecturers, and the moderator.

Workshop 1: Police and the Investigation of Hate Crimes / Hate Violence

Speakers: Miroslav Bohdálék, Zuzana Candigliota, Stanislav Daniel

Workshop No. 1, which was led by the representative of the League of Human Rights, Zuzana Candigliota, and the representative of the European Roma Rights Centre, Stanislav Daniel, primarily dealt with the role of the police and police investigations in cases of hate violence. Both main panelists agreed that there is a need to change the approach to the Roma population and to try to integrate them into society more. Stanislav Daniel illustrated the issue with his own story of when he was refused admission to a club in Slovakia because he is Roma. The police did not help with anything and swept the investigation under the carpet after a while. The panelists recommended employing Roma in the police who would understand these problems better and be more trustworthy to the Roma minority.

The police play a key role in shedding light on hate crimes. At the same time, contact between local police representatives and specific people exposed to hate violence is still at a pivotal moment. There is a high level of general mistrust of the police among marginalised groups (ethnic, sexual, religious, sub-cultural and other minorities). Measures that can be applied to strengthen confidence in the police are partly the responsibility of the police, but also leave scope for cooperation with NGOs. NGOs have sufficient expertise, which they can pass on to the police in the form of training focused on increasing cultural sensitivity, working with victims, working with a community under threat, etc. From the point of view of police work, the issue of hate violence is similar to the issue of domestic violence. Some of the tools that are successfully established in this area could also be applied to the subject of hate violence.

Workshop 2: Roma as a Group under Threat of Hate Violence in the Czech Republic

Speakers: Jarmila Balážová, Martin Šimáček, Lucie Horváthová, Karel Holomek

The second seminar focused directly on the Roma issue in Czech society. The moderator Jarmila Balážová encouraged a lively discussion on the discrimination, hate violence and extremism that the Roma minority has to contend with in the Czech Republic. Segregation in education was also mentioned and, as Karel Holomek put it, “there is racism hidden behind this”. Lucie Horváthová stressed that instruments do exist in the legal and social system and that it is simply necessary to make more use of them. Martin Šimáček underlined the fact that the acumen and participation of young people are important in this context.

The Roma constitute the most numerous Czech minority. Long-term and widespread discrimination in education, services and housing, as well as the negative attitude of the Czech public towards this minority, currently operates as a determinant in specific hate attacks. To a considerable extent, the social climate legitimises the perpetrators of violence directed at Roma. During the workshop, the discussion participants touched on the subject of socially excluded localities and the activities of the Agency for the Social Inclusion of Roma. They pointed to the low representation of Roma in politics and public life as well as the false image of Roma in the media that is partly a result of this fact. Traditionally, Roma are negatively depicted as maladjusted and at the bottom end of the social scale. At the same time, the people living in socially excluded localities comprise less than one third of the Roma population residing in the Czech Republic. Roma are becoming a target for organized attacks by right-wing extremists. In parallel

with this, there has been no sufficiently robust civic response that would condemn racism directed specifically at Roma. Mainstream political parties also “grab a free ride” on the “Roma” issue. Roma should participate more actively in public affairs, starting at the local level.

Workshop 3: The LGBT Community as a Target Group for Hate Violence

Speakers: Aleš Rumpel, Jan Swierszcz, Serhiy Ponomaryov, Olga Pechová

The third workshop was devoted to violence against members of the LGBT community in the Czech Republic, Poland and Ukraine. Research confirms that only a few of these victims turn to the police or the authorities because they fear a homophobic reaction. As Serhiy Ponomaryov put it: “Homophobia is always omnipresent in society – people can still be thrown out of work because of their homosexual orientation.” In all three countries, there have been negative experiences with gay parades where police have not protected the LGBT community from right-wing extremists or have even intervened against the marches themselves. Jan Swierszcz cited an example from Liverpool, where police are trained in similar cases of hate crime and are building a gay-friendly image.

Through the experiences of the Czech Republic, Ukraine and Poland, the discussion participants agreed that the biggest problem is the absence of protection for the rights of people threatened by and exposed to hate violence. Bodies active in criminal proceedings cannot rely on any real data. Consequently, as far as they are concerned, the problem does not exist. The reasons for this high latency primarily comprise of prejudices, fear of a homophobic reaction from the police, and a lack of confidence that the incident will be dealt with in an appropriate manner. Programs from abroad could potentially work well in practice in post-communist Europe. It is also necessary to increase awareness among the LGBT community about the significance of hate violence and to arrange adequate assistance for them in cases of verbal or physical attacks.

Serhiy Ponomaryov from Gay Forum Ukraine used his initial contribution to focus on the issue of investigating incidents motivated by intolerance towards the LGBT community. He made reference to the low number of officially documented crimes motivated by hatred towards this community. The reason for this is a combination of the victims’ own self-accusations, internalized homophobia, fear of being forcibly “outed”, and concerns regarding secondary victimization. They also misinterpreted the crime, believing it was not motivated by intolerance towards the LGBT community, and faced accusations that the aggrieved party was himself responsible for the attack or breaches of his rights to a fair process.

The psychologist Jan Świerszcz presented the results of up-to-date research conducted in Poland. Almost 50 % of lesbians and more than 50 % of homosexual men have experienced verbal incidents motivated by hatred. For the same reason, 14 % of women and 20 % of men became a target for physical violence. The main obstacles hampering the investigation of hate violence motivated by homophobia are prejudices on the part of investigators and involved parties as well as the victimisation process of criminal proceedings. As an example of good practice it is possible to cite the approach to homophobic violence in Great Britain (specifically Liverpool). Their approach includes training police on the specific characteristics of the LGBT community and incidents motivated by homophobia; creating a gay-friendly image for the police; sensitively investigating incidents ensuing from hatred, which involves ensuring the safety of victims; questioning victims in their own environment and regularly informing aggrieved parties of developments in the given case. At the same time, visible cooperation between the LGBT community and the police with liaison officers for investigating homophobic crimes has also proven its worth.

Olga Pechová’s contribution dealt with the situation of the LGBT community as a community threatened by hate violence in the Czech Republic. She presented current research conducted among gays and lesbians.

Workshop 4: Anti-Semitism

Speakers: Irena Kalhousová, Michal Frankl

A workshop on the subject of anti-Semitism led by Irena Kalhousová and Michal Frankl sought to define anti-Semitism in the Czech Republic and Europe. After several examples of European political caricatures, the discussion moved on to the state of Israel and how this issue was perceived by young intellectuals. According to the discussion participants, the phenomenon of “new anti-Semitism” comprises of the fact that young people support states emerging on a national basis but not if it concerns the creation of a Jewish state. Afterwards, the panelists discussed whether the media’s growing interest in anti-Semitism incited further manifestations of anti-Semitism and what role NGOs should play in regard to this issue.

The subject of anti-Semitism as one of the motives for hate incidents is still topical. At the same time, it is necessary to understand anti-Semitism in a specific context – in the context of the history, culture and politics of the given environment. Traditional expressions of anti-Semitism from the end of the 19th and the beginning of the 20th centuries still persist in the Czech milieu. These are primarily generated by supporters of the extreme right. The phenomenon of new anti-Semitism is also arising in connection with criticism of the policies of the state of Israel. The boundary between justified criticism and unjustified criticism that is the basis for an anti-Semitic incident is not completely tangible and it will always depend on the context. The media play an important role in actions against anti-Semitism and the activities of the extreme right. The extent to which the media should provide information about individual incidents or the activity of rightwing extremists is a contentious issue. The activity of NGOs in this area can consist of quantitative and qualitative research and informing the media.

Workshop 5: Anti-Extremist Legislation and Legislation Against Hate Violence

Speakers: Klára Kalibová, Alexander Verkhovsky, Kati Lang

In the fifth workshop, Kati Lang, Alexander Verkhovsky and Klára Kalibová compared anti-extremist legislation and legislation against hate crimes. In Germany, a strange situation exists whereby violent hate crimes are not legally registered, but strict laws apply against hate speech. Russia has many laws at its disposal, but these are not applied in practice. Nonetheless, according to Alexander Verkhovsky, the situation is gradually improving with the police. Klára Kalibová then drew attention to the other side of the coin, that anti-hate laws can restrict civil freedoms. It emerged from the discussion that it depends on the strength of civil society as to whether such laws are needed or not. At present, it is a point at issue as to whether they serve any purpose due to the development of the internet.

Based on the examples of three countries (the Czech Republic, Russia and Germany), a general comparison was made of the area of law that can be relevantly applied in cases of hate violence. In adopting and, in particular, using legal rules intended to eliminate extreme activities, it is necessary to also consider their possible encroachment on the civil rights and freedoms of the entire population and to proceed proportionally in this respect. The status of victims of hate violence is generally weak. Partially inadequate legislation is outweighed by the phenomenon of marginalisation and hate violence practiced by the authorities that are obliged to put legislation in favour of victims into practice. The Czech Republic could take inspiration from the institute of collateral action used in Germany and a compensation fund used for covering the needs of victims of hate violence. Hate violence through the perspective of victims should become a priority of the European Union even though legislative possibilities at the EU level are limited in view of the fact that it is a matter concerning the internal security of specific states.

Alexander Verkhovsky dealt with anti-extremist legislation and its possible misuse against civil liberties. In a manner similar to the situation in the Czech Republic, no legally enshrined definition of extremism exists in Russia. This gives the authorities who are active in criminal proceedings a broad scope for the application of the fundamental anti-extremist precepts of a law to fight extremist actions (the Law on Counteracting Extremist Activity). The valid legal rules can be misused to restrict freedom of religion or limit freedom of expression. This trend is particularly pronounced in online media, which is effectively obliged in real time to prevent all expressions of extremism and xenophobia. If they fail to do this, they are threatened with disbandment. The increased hypersensitivity of state authorities to some forms of xenophobia also appears problematic, which naturally impinges upon legal certainty. The existing ban on publicly wearing Nazi symbols is applied

completely without contextualization, against both neo-Nazis and anti-fascists. The approach of police bodies lacks any proportionality. In general, the enshrinement of the issue of hate violence corresponds to Czech rule of law.

According to a paper from Kati Lang, the central issue of the existing legal situation in Germany is the absence of a definition of hate violence. A court is only obliged to take the motivation of the perpetrator into consideration. Therefore, in all cases where motivation by hatred towards a group of people arises, there is no legal certainty that it will also be taken into consideration when a decision is taken on guilt and punishment. In contrast with the absence of a definition, in the federal criminal code there is a quite broadly conceived ban on verbal expressions motivated by hatred. The instrument that an aggrieved party can successfully use to exercise his rights in criminal proceedings is collateral action, (*Nebenklage*), which among other things allows for an appeal against a decision on punishment. The aggrieved party who suffered physical or mental damage may also exercise his claim directly against the state under certain conditions.

April 23, 2010

The second day was opened by Dominique John (Opferperspektive) with a presentation on the activity of organizations who work with victims of violent crimes by rightwing extremists. The presentation also dealt with recent changes in political discourse in Germany (Annex 4). The future of these organizations is uncertain, because the new government points to violence linked with leftwing extremism and political support for victims from marginalized groups could be undermined. Even so he remained optimistic: “We know what we are doing. Our research offers valuable data to academics and the media, and this strengthens us.”

Dominique John focused on the status of victims of hate violence through the perspective of aid organizations. He dealt with the term right-wing extremist violence (Rechtsextreme Gewalt) and he defined it contextually with respect to German practice. He emphasized the need for victims to be guided by a criminal procedure and the advantages of mobile advice bureaus for hate crime victims whose employees could provide advice according to the client’s needs (e.g. in their home).



Workshops

Workshop 1: Monitoring Hate Violence

Speakers: Tanja Katsbert, Agnieszka Mikulska, Stanislav Daniel

The first workshop on Friday, April 23 was devoted to NGOs monitoring hate crimes. The panelists Agnieszka Mikulska and Stanislav Daniel emphasized the need to monitor police investigations of these crimes. The police are frequently unable to distinguish violence motivated by hate. This issue continued to dominate the debate along with the problem of insufficient resources for NGOs and the need to share data and the results of research.

Monitoring hate violence is particularly crucial in places where the problem is underestimated by state administration bodies. Unofficial data from NGOs provides an alternative picture of the situation and may draw attention to the discrepancy between the latent and reported level of criminality. Preconditions for the successful acquisition of data include choosing a suitable methodology, the possibility of implementing this collection on a more a long-term basis (with respect to the organization's finances and capacities), gaining trust within communities under threat of hate violence, and motivating individuals who have experienced a hate-motivated incident to at least report the event to an NGO. In regards to monitoring, the most progressive NGOs are in Russia, Poland and Germany. Comprehensive monitoring is currently not carried out in the Czech Republic and Slovakia. One issue that appears particularly problematic are the expectations on the part of the clientele, who for understandable reasons demands relevant assistance after reporting an incident. That is why some NGOs do not carry out monitoring; because they are aware of their capacity limits. Monitoring and the related qualitative analysis of hate violence are crucial for possible legislative changes. In the specific case of the Czech Republic, this applies to legislative changes connected with strengthening protection for people who are attacked due to their sexual orientation/identity or state of health.

Workshop 2: Counselling for Victims of Hate Violence

Speakers: Klára Kalibová, Irena Bihářiová, Serhyi Ponomaryov, Markus Pape

Assistance for victims was the theme of the second workshop. Irena Bihářiová presented the organization *Ludia proti rasizmu* (People Against Racism), which organizes a campaign in Slovakia that ridicules right-wing extremists. "There is also a need for media education in Czech schools, so that students are able to properly evaluate the information they get from the media," said Klára Laurenčíková from the Czech Ministry of Education, Youth and Sports, "Research shows that Czech students and pupils espouse intolerant opinions."

The discussion participants agreed that it is necessary to elevate the status of victims of hate crimes. A victim is often afraid to report a crime in order to avoid encountering a xenophobic reaction. "Russian society is very hostile and xenophobic," said Marie Manotskova from Russia's SOVA centre, "If I were a victim, I would be afraid to go to the police as well." By way of a managed discussion, the experiences of practitioners dedicated to providing legal, socio-legal and psychological counseling to victims of hate violence in the Czech Republic, Slovakia, Germany, Russia and Ukraine were exchanged. Counseling has been most successfully developed at the non-governmental level in Germany. It is currently being established in the Czech Republic and Slovakia. The services that victims of hate violence request comprises of comprehensive legal and social consultancy as well as psychological support. In implementing, or in considering the implementation of consultancy services, NGOs are forced to consider similar pitfalls. A key factor precluding the development of counseling is funding for individual projects and the low level of philanthropy in post-communist Europe and Germany. Organizations are effectively reliant on state or EU sources of funding, but these are not utilizable in a number of cases because of high administrative demands, cross-border cooperation and pre-financing of projects. Other limits include security restrictions, limited human resources and a partially legislative situation. It is necessary to provide victims of hate violence with a comprehensive package of services and to simultaneously focus on increasing the

sensitivity of the general public and political figures to this issue. Ideally, the work of NGOs involved with the issue of hate violence would encompass timely prevention, education, monitoring and individual activity.

Workshop 3: Prevention of Hate Violence

Speakers: Dana Moree, Maria Grjasnow, Monica Vasile

The third workshop focused on prevention. Maria Grjasnow introduced the Network for Democracy and Courage, which organizes seminars at German secondary schools. Rather than official authorities, young, trained volunteers discuss topics such as prejudice and xenophobia with students. The situation in Romania was presented by Monica Vasile. She mainly spoke about the segregation of Roma children in schools. In further discussions on this issue, the participants also broached the subject of media and politics.

Preventive projects have the potential to reduce the number of incidents motivated by hatred. They should, by nature, be aimed at the whole of society. At the same time, it is also crucial to support projects that are focused on consolidating civic attitudes and values, or civic courage and responsibility. If victims of hate violence encounter an unsupportive or negative reaction from those around them, it significantly increases their chances of secondary victimization. Community work, particularly work at the peer level, has proven to be a successful tool in Germany for the prevention of hate-related incidents. In comparison with once-off seminars that confront the issue head on, work with the community takes longer, but the results are longer-lasting and more effective. It is necessary to increase sensitivity throughout society to individual expressions of racism and xenophobia, even verbal ones.

The conference closed with a panel discussion on a number of initiatives to deal with hate violence. Panelists discussed the experiences of the government and non-governmental sectors with issues such as financial support and the role of the media and government. “If we want to criticize – we have to be involved,” said Viktória Mlynárčíková from Open Society Foundation Slovakia, who reiterated the need for the non-governmental sector to participate in the policy making process. The debaters had plenty of items to criticize, ranging from the considerable level of inefficacy on the one hand to the fruitless and unnecessary effort expended on the other. Nonetheless, it was not all criticism. Jan Urban stated that the last 20 years had seen Czech society make considerable progress. “Nonetheless”, he warned, “we should not rest on our laurels, we ought to keep going. We have a constant fight on our hands, and if we do not move forward the Nazis could return.”

“If the aim of this conference was to meet, get to know each other better, exchange views and experiences and agree on cooperation, then I am convinced that the conference achieved its purpose,” concluded Oldřich Černý.

Conclusion

Besides sharing new information and NGO best practices, one benefit of the international conference was that it raised the profile of the issue of hate violence in central and eastern European countries. It demonstrated that some themes, problems and, above all, the state of civil society (particularly the unwillingness of the general public to appropriately deal with racism, xenophobia and intolerance) are common to the countries of Central and Eastern Europe. In this respect it is possible to establish cross-border cooperation.

In terms of assisting victims of hate violence, the finances and capacities of counseling centers are still a crucial point. In view of the low level of philanthropy, it appears that NGOs providing services to victims of hate violence will also be dependent in the future on financial subsidies from state and EU funds. In a situation where assisting victims of hate violence or preventing this violence is not a state priority, NGOs are finding themselves in a difficult position, and people threatened by and exposed to hate violence are without adequate help and support.

The international conference was one of the first major events drawing attention to the state of assistance for victims of hate violence in the Czech Republic and the main pitfalls that marginalized people and the organizations helping them have to contend with. In an ideal future, similar conferences should map positive trends concerning the practices employed in the Czech Republic and the reality of the situation here.



Annexes

Annex 1: Miroslav Bohdálék

The project “Hate Crimes – Forgotten Victims” – Study results

In the following paper I will first focus on the course of the project, the design of the study and the methodology used. In the second part I will focus on summarizing the most important conclusions, and finally I will mention several recommendations that we have formulated based on the results.

1. The course of the project and the study methodology

In June 2009, the project Hate Crime – Forgotten Victims was launched in the Czech Republic. Part of the project was a study designed to map out the situation of hate violence victims in the Czech Republic and the potential to provide them assistance. The study was carried out by a working group made up of the German organization Kulturbüro Sachsen e.V. and the Czech partner organizations In IUSTITIA, Romea, o.s., and Tolerance a občanská společnost, o.s. It was initiated and financed by the German Foundation “Remembrance, Responsibility and Future” e.V.

The study took place in several stages. The first phase consisted of a quantitative e-mail survey of over 400 organizations in the Czech Republic, which was then followed up with a qualitative study in the form of semi-structured, “activation” interviews with 24 experts. The activation component played a major role in the study. The goal was not just to describe the current situation for victims of hate violence, but also to map out the potential of the non-profit sector in this area and to support already active organizations. Thus, in November 2009, a two-day internal seminar was held for the organizations involved. This seminar along with today’s international conference aim to allow organizations and individuals involved in the study to familiarize themselves with the results and to provide a platform for an exchange of experiences and ideas.

1.1 E-mail survey

Dates

22–24 June 2009 – questionnaires sent out

25 June –14 July 2009 – answers received

Respondents

A total of 446 organisations from around the Czech Republic were contacted with a short questionnaire. These organisations either worked with potential hate crime victims themselves or were community organisations of various minorities. The contacts came either from our own sources or from the websites of the organisations. Forty-nine of the e-mails came back as undelivered and 49 were responded to, which totals 12.3 % of those successfully contacted.

Questionnaire evaluation

This study cannot be seen as representative and nor can these results be generalized, as the sample of respondents was skewed by various influences. It nevertheless provided us with interesting insights that we made use of in our subsequent qualitative study. The questionnaire was introduced with our working definition of the term “violence motivated by hate” and contained eight brief questions.

71 % (35 respondents) come into contact with victims of hate crimes in their work. The attacks were targeted against the following groups:

- 9 x Roma
- 8 x a particular social group (e.g. the homeless, the socially weak, alternative youth)
- 5 x race or nationality
- 5 x health (e.g. people with HIV)
- 4 x foreigners
- 4 x people with a different sexual orientation
- 4 x domestic violence (3 times against women, once against an elderly person)

All the potential groups that we presented in our definition of hate violence were mentioned. The only exception was Muslims, who were not explicitly mentioned, but it can be assumed that they are hidden under the category of foreigners. Due to the strong distortion of the research sample the frequency of individual groups is not particularly relevant. What is important is that the answers also included the elderly, AIDS sufferers, alternative youth, gays and lesbians and others. Of the 35 organizations that come into contact with victims of hate crimes, 22 declared that this contact occurs less than once a month. Only one organization (OPU) claimed that this contact is daily.

27 organizations offer targeted counseling; for the majority this includes a wide spectrum – from help lines through psychiatric or legal counseling. This counseling is not always however on the topic of hate crimes; ordinary clients turn to the given organisation with their problem and over the course of this contact they also mention their experience with a hate crime. The counseling offered is not specifically intended for this topic.

Four organizations or individuals stated that they actively seek out such clients. They usually present their activities through a network of associated organisations. These organisations intend to continue to devote themselves to this topic or intensify their activity in this regard (“if the number of this type of client were to increase we would react by offering further services”).

In the case that they cannot help themselves, the informants most frequently redirect clients to smaller local organizations, Bílý kruh bezpečí and the police.

Summary

The return rate of this study corresponds to the method used (e-mail survey). From our perspective, however few of the organizations whose answers we wanted or whom we considered important responded. A disproportionate number of responses came from civic counseling centers (9 responses) and shelters (6 responses). On the other hand, we received only 4 responses from Roma organizations and 4 responses from organizations working with foreigners. About 5-6 organizations were contacted on the basis of the evaluated questionnaire with a request for an activation interview. These were organizations that we had not originally counted on but which had shown that they could be of use for our qualitative study, thereby fulfilling one of the main goals of this survey, which was mapping out relevant organizations and individuals in more detail.

This survey also confirmed the working group’s expectation that there are very few organisations in the Czech Republic that give an indication of offering counseling for victims of hate crimes.

1.2 Activation interviews

In the second phase, the working group decided for a qualitative study in the form of an “activation interview”. This method has a long tradition in community work. In contrast with standard questionnaire methods, the questions in an activation interview are open and are meant to motivate the informant to elaborate themselves. The questions thus serve only as a starter and the informant has more opportunity to say what they themselves consider important rather than what the interviewer wants to hear from them. The core of an activation interview lies in investigating the personal standpoints, opinions, interests, and

capabilities of the informant. The goal is thus not only to point out existing problems, but also to generate possible solutions and above all to cultivate the informant's willingness to take part in those solutions. In the presence of certain general conditions, the activation interview can then significantly contribute to the development of democratic methods of "bottom-up" solutions.

In the end, interviews were carried out with 24 informants. As some of them did not agree with having their names made public and in some cases they did not want their organization's name made public either, we decided to make the interviews completely anonymous. All interviews were recorded and transcribed for the purposes of evaluation. The transcription was not always word-for-word and for this reason some quotes are only a summary of what the given individual said. Some important quotes are presented word-for-word.

Time frame

August to October 2009

Interviewers

Miroslav Bohdálék (Kulturbüro Sachsen e.V.), Markéta Kovaříková

2. Evaluation of activation interviews

Structure of results

1. Definition and significance of hate violence
2. Monitoring of hate violence
3. Counseling for victims of hate violence
4. Counseling methodology
5. Victims of hate violence
6. Prevention
7. Role of the police
8. Society and public opinion
9. Structural problems and solutions

This structure approximates the most important topics that we identified in processing the interviews. In the following section I attempt to outline some interesting aspects of the study using quotes from the interviews. These quotes are not intended to cover all the topics of the given chapter.

Definition of hate violence

"In terms of racially motivated or police violence, we are here for everyone. We even had a case of a member of the right-wing scene that the police assaulted excessively, and we dutifully helped him write up a complaint. It's important to know that for us it's a matter of principle. That the law must apply to all, otherwise there is no rule of law." (ROZ6, 144–147)

I do not want to deal with an exact definition in this section, we will get to that. You yourselves know that there is an ongoing discussion over whether it is better to use the term hate violence or hate crimes, or right-wing extremist violence, as is used in Germany. What I'm interested in right now is what impact the use of a certain definition has.

In my opinion, it is important what the goal is in formulating this definition. My goal is support for victims of this violence. One of the aspects that does not show up in the definition is the asymmetry of this type of violence. The victim is disadvantaged against the perpetrator due to their membership in a certain group. Roma, drug addicts, foreigners, the homeless, and other groups have a worse position in front of the police, the public, and the law, which is one of the reasons why support should take the side of these victims. And it's also a reason why, for myself personally, a neo-Nazi or right-wing extremist is not a victim of this type of violence. The rule of law and its amenities are fully available to him, but not my support.

It could lead to victims and perpetrators meeting in one centre, which would fundamentally threaten the trustworthiness of that organization.

Counseling for victims of hate violence

“You can see that for more long-term work there should be a person there to motivate people. Only a person who has been working with them at a local level for a long period knows how to do that. ... So this needs to be joined up a little bit and it won’t be easy. Like when someone beats someone up somewhere and there isn’t anyone there, who’s there all the time, living with them and not just commuting. Just someone who knows them and lives there with them. So this can only be done through these local organizations.” (ROZ6, 71–78)

This quote clearly shows the necessity of creating a wide-ranging network of organisations working together. Without this cooperation, a central organisation has no chance of achieving success, no matter how professional and well-trained their counselors are. Local initiatives can serve as a first contact point: they advocate the issue, pass along clients and can even provide basic counseling. On the other hand, it is not realistic for us to train hundreds of professional counselors. The current problem is that local counseling centres and organisations that deal with groups targeted by hate violence are aware of this problem, but they have only a murky idea of what counseling means and what their role in this process could be.

Victims of hate violence

“Definitely Roma, alternative youth, the ones that are different somehow. The homeless, foreigners – particularly those with a different skin colour because they are confused for Roma.” (ROZ14, 149–150)

There is a wide range of hate violence victims in the Czech Republic. The preceding quote emphasises two aspects, with the main one being that the most endangered group in the Czech Republic is the Roma. For them, hate violence is often an everyday occurrence that markedly influences the quality of their lives. The other aspect is that it is often those who differ from the norm that become victims. Whether it is by the color of their skin, their sexual orientation, or their manner of dress and behavior. So a victim is not only attacked for racist reasons, there are also frequent attacks against homeless people or so-called alternative youth.

Prevention

“Right, it’s not fully clear with these campaigns what the impact is and who the target group is. I say that the biggest problem is the racist mother-types. They work in the public sector, they shut Roma children away into institutions, as teachers they siphon them off into separate schools ... And they’re not even the mothers of those skinheads, there’s plenty of them too. So these, if someone was to focus on them, they’d murder off half the population...” (ROZ6, 240–243)

Prevention here does not only mean media campaigns, although those are also very important according to some informants. This quote however demonstrates the necessity of expanding preventative projects and education, not just for schools and young people, but also for other professions, such as police officers, civil servants, educators, social workers, etc. These people have a direct influence on how our society works. It is not just brutal assaults on the street that count as hate violence, but also a wide spectrum of insults, degradation and “wrongings”, as it appeared in several interviews. If there are people in these critical professions who become “perpetrators” themselves, or at least do not take the victim’s side, then even the most professional counseling cannot help.

The role of the police

“What I can’t understand is why they check them in the night every two hours in some thrown together shelter so that they can’t get a good night’s sleep, so that they leave. ... People don’t do it because they’re aware that they’re violating the law against camping. So they’re hardly about to report that the police officer was vulgar, that he poured water on them, that he sliced open their tent and so forth. ... The value of these people’s testimony is also very low; often they’ve drunk something as well, so they don’t even really know where it happened.” (ROZ10, 131–136)

This quote emphasises the negative role of one of those professions that should be unambiguously on the side of the victim. In many instances mentioned by the respondents, that is not the case. The quote describes one concrete case of hate violence where the perpetrators were municipal police officers. Although such cases are not rare, the greatest problem that the informants mentioned was the unwillingness or lack of interest on the part of specific police officers to deal with cases of hate violence and also their incapacity for empathy and sensitive communication with victims. This leads many people to a lack of trust in the police, and many cases are thus not reported at all.

3. Recommendations

On the basis of an assessment of both studies and discussion at the internal seminar and within the working group, we put together a set of recommendations that in our opinion could improve the situation for victims of hate crimes in the Czech Republic. They are predominantly general recommendations that could and should be made more complete in further steps and put into practice. This phase is not however part of our project.

1. Add the perspective of hate crime victims to the public discourse
2. Move away from the right-wing extremism angle
3. Implement independent monitoring
4. Present the particulars of counseling for hate crime victims
5. Create a network of cooperating organizations
6. Use existing contacts and potential for training and internships for counseling centers
7. Necessity of further educating professionals (police, social workers, media)
8. Launch an exchange of experiences between the academic and non-profit sectors
9. Break up the ingrained departmental division on the part of government institutions – support for victims of hate violence as a cross-sector problem
10. Moving from one-off activities to new prevention concepts for the general public
11. Utilize and appreciate the professional potential of non-profit organizations

These recommendations can be summarized in four main categories:

Public discourse

There is an absence of public discussion on this topic in the Czech Republic. The cases that appear in the media are primarily described from the point of view of the perpetrator – that is to say through the lens of right-wing extremism. Only in exceptional cases, such as with the arson attack in Vítkov, is more space given to the victims. These cases, however, do not facilitate reflection on the everyday racism that has deep roots in the general public and is not only the domain of a narrow group of right-wing extremists. The perspective and experiences of those who are made victims of hate violence must be brought into the public discourse. Only in this way can change be achieved.

Counseling for hate violence victims

There is great potential in the Czech Republic and a wide spectrum of organizations that work with groups threatened by hate violence. This potential must be used to create a network of organizations working together that should be aware of various aspects of counseling (psychological, social, legal). Not all are capable of providing professional legal counseling, but today there are many organizations that are capable of providing psychosocial counseling. They are not aware of it, however, or they do not see it as necessary.

Hate violence monitoring

The lack of hate crime monitoring is seen as a major shortcoming. This criticism is directed at both State bodies – for inadequate official monitoring, as well as at our own ranks. The primary reason for the non-existence of independent monitoring is the lack of capacity, in terms of both financing and staffing. Various organisations collect data in their field, but these data are not pooled centrally because there is no one willing to put in the time and energy. On the other hand, these individual organisations rightfully expect that their data and the energy put into collecting them should be financially compensated. No one has the resources for that however. Experiences from Germany, for example, show that high-quality independent monitoring has motivated State institutions to professionalise their own data collection methods. This should be a priority in the Czech Republic. More precise data would also help spark public debate about the issue of hate violence.

Further education

One aspect of this is the necessity of professionalisation and further training on the part of counseling centers, as indicated in the second point above. Another aspect is further education in related professions – of police officers, civil servants, social workers, and even psychologists and lawyers. In connection

with this there is a need for cooperation between the academic and non-profit sectors. The theme of hate violence could and should also become a component of current tertiary education for these professions, for example even in the form of internships in non-profit organisations (counseling centres), which are a boon for both the student in question and for the non-profit, which acquires a theoretical impulse for their work. Universities can follow specific projects and draw on the data gathered.

Annex 2: Klára Kalibová

“One country’s hate crime is another’s hooliganism. We have 55 states in the OSCE and many different opinions as to what constitutes a hate crime.” (Ambassador Christian Strohal, ODIHR Director)

Hate violence in context

In order for us to relate to the problem of hate violence over the next two days, I think it would be appropriate to define this term contextually, keeping aware of the current terminological problems resulting from:

- the non-existence of a universally recognized and useable definition;
- the non-existence of a homogenous public for whom the term is intended, or the non-existence of a homogenous group of professionals who use the term hate violence;
- the relative absence of scholarship and research in the given field, at least in the Czech Republic and Central Europe;
- the socio-cultural and geopolitical differences between individual countries.

In light of the heterogeneity of today’s audience – professionals from non-government organisations, state administration and the police – I will not approach the term in a purely legal sense, but I will attempt to make several introductory remarks that my colleagues can pick up on in their individual workshops and deal with in more detail.

1. Hate crime vs. hate violence

First of all I would like to define this conference as a conference dealing with hate violence and not merely hate crime. We thus acquire much more maneuvering room, not being forced to refer to the valid legislation of a specific country and being able to discuss the deeper context and possibilities for effective prevention of hate violence.

In its various incarnations hate crime is essentially defined as “...crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter, forcible rape, aggravated assault, simple assault, intimidation, arson, and destruction, damage or vandalism of property...” (U.S. Hate Crime Statistical Act)

“Any criminal offence, including offences against persons or property, where the victim, premises or target of the offence are selected because of their real or perceived connection, attachment, affiliation, support or membership with a group. A group may be based upon their real or perceived race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or other similar factor.” (OSCE/ODIRH)

It is clear from this definition that the judicial system, state bodies and international organisations focus only on behavior that crosses into the territory of a criminal act. This approach is understandable, as the state is primarily focused on protecting its citizens against the most dangerous cases of hate violence. On the other hand it is also rather narrow, and for the purposes of the academic discussion that is to take place over the next two days it is needlessly constricting.

The debaters would very quickly start discussing regional criminal law standards, describing whether these standards contain provisions that punish deeds motivated by hate more severely; whether there is a procedural chance for the victim/damaged party to claim their legitimate rights in criminal proceedings; or, if the debate were to continue, whether there are possibilities for application in a civil trial.

We can thus consider hate violence to include a wide spectrum of incidents ranging from non-verbal through verbal to violent. The fact that we label a more or less limitless range of potential conflict situations as hate violence does not mean that they must all be criminalized. We do however rid ourselves of the professional blindness that dictates that we are to deal with the issue of crimes motivated by hate only from a certain specific moment defined by law, the intensity of the attack and characteristic signs of the victim.

If we refer to hate violence, it allows us to explore and take a position on the problem as a whole, meaning to investigate in a wider context whether there are tools other than legal ones that are useable for a proactive approach to violence based on the prejudice of individuals against whole groups of people.

Specifically, the term “hate violence” allows us to deal with and come to terms with such aspects of hate violence as the issues of:

- protection for groups of people other than those defined by law;
- provision of assistance to victims of hate violence other than legal aid;
- prevention of hate violence;
- the role of civil society and non-governmental organisations in relation to hate violence;
- the responsibility of political representation and government officials in relation to hate violence;
- the general atmosphere in society and societal demand as pre-determinants of individual hate incidents.

2. Hate violence vs. extremist violence – de-extremisation

The following part relates to the situation in the Czech Republic. It is possible, however, that similar observations in various incarnations could be found from other countries of Central and Eastern Europe in the following discussions as well.

For conflicts where the motivation is hatred toward representatives of specific groups of people, the term racial or inter-ethnic violence was used at first in scholarly discussion in our country. This terminology, though understandable at certain stages of development, unsuitably narrows the issue. When it is used, people threatened by non-racial or inter-ethnic violence are left outside the attention of experts. Typically these are youth sub-cultures which, based on the available information, we consider the second most vulnerable group threatened by hate violence.

Also frequently used in the Czech Republic is the term “extremist violence”, evidently under influence from German terminology and scholarship, particularly in materials and strategies from the Ministry of the Interior or police forces. Again, this term draws attention away from the core of the hate violence in the sense that it evokes the conclusion that it is violence that is:

- either perpetrated exclusively or primarily by extremists;
- or extreme in some way, in other words not abundant, infrequent.

We can remark on the first conclusion that the amount of hate violence perpetrated by extremists or, if you will, organized supporters of a hate group, whether defined by adherence to the extreme right or left, amounts to 10-15 percent. These data come from foreign studies, but we must add from experience that this approximates the situation in the Czech Republic as well. (Or we can turn to the only study carried out in the Czech Republic, which however only deals with inter-ethnic violence, which identified supporters of the far right as perpetrators in 19 % of cases.)

If we wanted to search for the reasoning behind the second conclusion, that this violence is somehow not abundant and infrequent, then the crime of rape would also have to be characterized as such, showing a similarly low frequency as extremist crimes in the official statistics.

“Extremisation” of hate violence, or the introduction of the duality of extremism – hate violence, carries with it another pitfall, namely the fact that when we denote any kind of behavior as “extreme” then we are automatically shifting it out of the centre of societal interest. At the same time, labeling the problem as a problem perpetrated almost exclusively by extremists serves to justify society as a whole with the conviction that “violence with this motive cannot be committed by a normal person; it’s an exception.”

3. The issue of hate violence and its “right to exist” in science and in practice

I would like to present the basic criticisms that are repeatedly leveled against the academic public that deals with research, assistance and prevention related to hate violence, and which in some cases complicates relevant discussion.

3.1 Hate violence/hate crime is the same as other violence. There is no reason to “give preference” to minorities. Let’s treat everyone the same.

Hate violence is demonstrably specific in that it is cumulatively directed against several values that democratic society acknowledges as worthy of protection. It’s specific nature leads primarily to legislative protection and thorough implementation of the legislation in practice, and secondly to the necessity of a specific approach from assisting professions toward persons threatened by or exposed to hate violence.

One hate attack goes against four values at once:

- the individual interest of the specific person, whose life, safety and dignity it threatens and disrupts;
- the community that the specific person represents in the eyes of the attacker/society;
- other communities that are also potentially in danger for the same reasons (Roma-Vietnamese, Jews-Muslims);
- the peaceful coexistence of society as a whole.

In terms of the specific attack victim, the specificity of hate violence, or the specificity of victimisation, is based on the fact that the motive for the attack was a personal characteristic that it is not possible to change, or which it is not fair to demand be changed. To be more concrete, for the victim to avoid being attacked, they would have to stop being themselves – change the color of their skin, their ethnicity, sexual orientation, health condition, or change the schedule of their life. Some studies also cite a higher level of brutality as characteristic of hate violence cases, including repeated attacks, torture, and mutilation or disfigurement of the victim.

In terms of threatened communities, be they threatened primarily, meaning communities that represent the victim in the eyes of the attacker, or secondarily, meaning communities that share a common characteristic with the victim (nationality, ethnicity, religion), the specificity of hate violence is reflected in the fact that society’s inability to protect these communities resonates. If a representative of the minority becomes a victim of general criminality, for example theft, the community need not react to this circumstance. In the case of hate violence the situation is different, as anyone from the endangered community could soon encounter a similar incident. The feeling of uncertainty and apprehension escalates and the feeling of danger grows. The outcome can vary.

In terms of the peaceful coexistence of society as a whole, the specificity of hate violence consists of the increased potential for escalation of intergroup violence (verbal and physical) and the potential for retaliatory attacks. In contrast with regular crime, where vengeance is generally not taken into one’s own hands, incidents of hate violence can motivate the victims themselves, or more likely others from the potentially threatened group, to resort to reciprocal attacks.

It is evident from the above that dealing with the issue of hate violence and adopting specific legislation for hate crimes is in the interest of society for peaceful coexistence. Criminal law standards are thus not construed so as to give preference to a certain group/minority, but rather to mete out a punishment in order to ensure society is secure from attacks against another due to their personal characteristics.

3.2 The issue of hate violence and the adoption of hate crime legislation is the result of the activities/pressure of advocacy groups defending the rights of minorities. It does not correspond to the interests of society as a whole and gives preference to minorities.

A relatively popular argument of opponents of the issue of hate violence and hate crime legislation is based on political-historical circumstances. The term hate violence/hate crime came into use around the mid-seventies and early eighties in the USA, spreading to Europe a decade later.

From a certain perspective it can be considered the result of increased activities of scholars and human rights activists. But only to the extent that they were the first to begin noticing the specific problem of hate violence. They acquired their knowledge via their clientele, or through the communities in which they naturally and regularly operated. They made these ideas public and visible and pushed for the disproportionate reality of these groups threatened by hate violence to be improved. Exploration and understanding of this problem was then naturally reflected in attempts to change legislation and its application in practice, in particular in terms of investigating specific incidents of hate violence.

The central argument for the adoption of hate crime legislation is thus:

- the specific and symbolic nature of hate violence (described above);
- the disproportion between the fact that natural legal principles and constitutionally established rights, in particular the right to equality and dignity, are not clearly applied by laws. To be more specific, the fact that constitutional norms guarantee rights and freedoms to all without regard to sex, race, skin colour, language, creed and religion, political or other persuasion, etc., are toothless in practice because they lack any application in criminal law.

Generally speaking, a legislative change is only possible if a society-wide consensus is reached. From this perspective it is essentially impossible for a numerically weaker minority to push through the adoption of a certain legislative measure on its own. It can only influence such a move, but not bring it about. The main motive and reason for adopting hate crime legislation is the realisation that the protection of society as a whole against behavior that directly attacks fundamental constitutional rights begins with the protection of individuals who are momentarily in the greatest danger.

4. Data collection

State administration, bodies active in criminal proceedings, international organisations (OBSE, FRA), the academic sector and non-governmental organisations all accent the necessity of collecting data regarding the frequency of hate violence incidents.

However interesting data collection is, and although it can be a starting point for conclusions and measures, in some cases it can seem an end in itself. The main arguments for official data collection are:

- identifying the state of hate violence;
- identifying trends in hate violence;
- comparison between individual countries;
- a starting point for concrete recommendations and measures.

Brief notes on the individual points:

Identifying the state and trends

It is not possible to identify the state and trends of hate violence through data collection alone. There is an extremely high latency rate for this type of crime or incident, sometimes put as high as 90 %. The cause for this high latency level is a combination of distrust in the police and justice system, fear of the subsequent proceedings (generally criminal), fear of revenge by the perpetrator, fear of condemnation by the community and other aspects specific to the individual groups that are vulnerable to hate violence (fear of a forced coming-out, the fact that the victim is an illegal immigrant, language barriers, etc.).

Comparison between countries

The basis of this argument is that, by virtue of their existence, international or European regional organisations can influence the practices of member states, whether of the Council of Europe or the European Union. To begin with, it should be noted that comparing the situation in dozens of different countries is considerably problematic due to differing terminology and legal handling of the problem of hate crime. At the same time, it must be pointed out that countries that keep very good data-collection systems, i.e. that know how to seek out incidents of hate violence, identify them and properly classify them in terms of hate crime legislation, are regularly ranked among the countries with the highest criminality motivated by hate.

Statistical data in and of itself tells us nearly nothing about the reality of a specific country, region or all of Europe. Without high quality analyses that reflect socio-cultural and socio-demographic differences and the resulting differences in the problem of hate violence, the blanket collection of data remains toothless and unusable for the needs of specific changes in the given areas.

Here I would like to make a brief note of why non-governmental organisations generally collect data that reflect the state of hate violence in the given area. If we leave aside data required by donors, i.e. data that represents and quantifies the organisation's activities in a certain period in favour of a certain pre-defined target group, the main argument for collecting alternative data is in order to counter the official statistics and extrapolate demands for changes in practices, funding, attention and the adoption of measures.

5. Hate violence as a complex problem

The study and today's conference carry the same title – Forgotten Victims. We chose this title deliberately as we wanted to indicate one of the distinctive characteristics of that state of knowledge about and assistance for victims of hate violence – their apparent non-existence.

Personally I see the issue of hate violence as a complex issue, not isolated purely to its legal, psychological and social aspects. I see it as an issue in which four areas play a comparable and complementary role:

- identification – monitoring and analysis;
- support and aid or assistance for victims;
- prevention;
- advocacy on behalf of endangered groups, improvement of the legislative environment, systemic improvement of implementation practices.

If these 4 factors are not achieved simultaneously, or if we are not at least aware of the way they are interconnected, it will be very difficult to effect any change in the field of hate violence.

Annex 3: František Valeš

Hate Crimes/Hate Violence in the Czech Republic: Definition, Cases, the Victim's Point-of-View

1. Introduction – Definition of Hate Crime/Hate Violence

In Czech specialist terminology, no term has yet been established that corresponds to the English expressions Hate Crime/Hate Violence. Professionally, I call this phenomenon hatred ensuing from violence, and I prefer using the term “violence” as opposed to “crime” (see below).

The defining signs of violence ensuing from hatred, which are the reason for the increased attention that needs to be devoted to this phenomenon, comprise the following:

- the sole or main (predominant) motive or reason for an attack on a victim is the fact that they belong to a group of people, and
- the group of people is any group of people that can be demarcated on the basis of common typical characteristics, either real or imagined.

The perpetrator attacks a victim precisely because they are a member of a certain group of people regardless of the actions of the victim. For the perpetrator, the important thing is that through the victim, he is attacking this entire group whom he feels hatred towards on the basis of xenophobic or stereotyped attitudes. The object of the attack becomes an entire group of people, not just the specific individual who is actually attacked. The victim's membership of a group of people can be real, or it can be imaginary in that the perpetrator mistakenly believes the victim belongs to the hated group (e.g. based on their style of dress, he infers that the person is an anti-fascist or anarchist). Furthermore, he considers a person's specific close relationship to a group of people to be membership of such a group, particularly when this relationship takes the form of solidarity, affection or support (e.g. the victim works for an NGO involved in providing assistance to ethnic minorities).

Membership of a group is very broadly defined. The most important attributes that characterise it are:

- the colour of one's skin, nationality, ethnic origin;
- faith, religion, secular status;
- political affiliation or convictions;
- gender, sexual identity or orientation;
- age, state of health;
- background, possessions, social group, a typical subculture (in particular, this concerns homelessness, drug addiction and prostitution).

In terms of membership of a group, it is especially necessary to emphasise so-called alternative youth as a working term for people who are different by virtue of their lifestyle but also by virtue of their alternative mode of dress, etc. This is a group where one can anticipate the pertinent threat of this type of violence regardless of whether the alternative style is only the “expression” of an image or the expression of a certain political conviction (e.g. anti-fascism, anarchism). With the perpetrator, it is possible to anticipate the possibility of an attack for both political (or imagined political) reasons and apolitical reasons. This can be directed, for example, against the “debauched/amoral” way of life that is inferred by virtue of the victim's image.

A concomitant defining sign on violence ensuing from hatred is a form of attack that is directed towards a person, their property or another item of value and it is carried out in any way and with any kind of intensity. This can therefore concern violence in the form of:

- murder, killing;
- mental and physical violence;
- bullying, including cyber-bullying;
- intimidation, threats, extortion;
- verbal violence – supporting and promoting hate movements, including genocide denial, defamation, inciting violence, verbal harassment;
- damage to property;
- non-verbal violence – e.g. symbols, graffiti, gestures, gesticulation.

In terms of its definition, it can concern violence of any intensity. In specific cases, however, in order to apply this definition, it is necessary to proceed on the basis of the principle of proportionality, i.e. with less serious or intense forms, it is not possible to make judgments independent of context or to separately criminalise any form of hateful behavior. For the most part, individual forms in practice manifest themselves in combination with others, or rather, forms of low intensity accompany forms that are more serious or dangerous.

1.1 The perspective of the victim as a defining symbol of hate violence

In the case of hate violence, the status of the victim of such behavior has particular significance when it derives from the fact that the basic motive for the attack is particularly or solely their belonging to a certain group of people. The victim becomes a victim of hate violence on the basis of an unalterable personal attribute (which is either completely unchangeable if they acquired it through birth, or only changeable under difficult circumstances that cannot be justly demanded in connection with the threat of hate violence, e.g. one's lifestyle or political convictions). A person threatened with this type of violence is therefore any member of a "risk" group of people, whereby they cannot practically take any measure to prevent an attack. They are chosen randomly. They effectively cannot protect themselves. The attack is often unexpected.

The motive of the attack is also reflected in the effect observed by the perpetrator. One talks of the so-called double (or triple) effect of an attack:

- an individual: the object of the attack is an individual, i.e. a specific person damaged by violence;
- a group of people or a community: naturally the perpetrator is not attacking an individual because of his individuality or actions. On the contrary, the attack is aimed at an entire group; the specific victim is actually only an instrument for threatening or intimidating an entire group of people, which the victim is a member of;
- society: the attack also infringes the basic principles on which a democratic society or state is founded, particularly the principle of protecting human rights and the principle of prohibiting discrimination.

Under these circumstances, the victim is in a passive position. Moreover, the perception or feeling that the attack on him was simply a means of attacking wider values partly makes it harder for the victim to come to terms with the attack, or the action of the perpetrator is hard for him to understand, and it partly increases the risk or damaging nature of such actions. In this context, a typical accompanying phenomenon of hate violence is the moral injury done to the victim, which is linked to feelings about how "pointless" or even absurd the perpetrator's actions were in addition to their inscrutability and the actual impossibility of ruling out the fact that it might happen again.

1.2 Why I use the term "hate violence"

Violence is a more precise term than the word crime (as in "hate crime"), particularly because it covers a much wider range of situations, and therefore reflects the reality of the situation to a greater degree. In particular, I consider the following criteria to be important:

- a) the implication of the impact of the attack on the victim;
- b) the definition of a non-hate-based motive in applicable law;
- c) the subsidiarity of criminal law.

Ad a) The position of a hate crime victim is specific to a great extent (as mentioned above). The actions of the perpetrator have an impact on their situation regardless of whether they are germane in terms of criminal law (e.g. because the actions cause a lower level of social damage or do not correspond to the attributes of a crime in accordance with criminal law) or whether they are classified as a crime by state authorities. Classifying the perpetrator's actions as a crime is not relevant from the point of view of assessing the impact of these actions on the victim or in terms of their victimisation, even though this also occurs in the case of less serious attacks.

Ad b) Criminal law, particularly Act No. 40/2009 of the Collection of Laws (the Criminal Code) defines the motive of hatred in a considerably narrower manner than the definition given above, particularly with respect to specifying the groups of people or group characteristics, which the hatred of the assailant is aimed at. Essentially, except for the wider concept of the crime of defamation pursuant to Section 355 of

the Criminal Code (the attribute of nation and language in addition to the stipulated attributes) and incitement to hatred pursuant to Section 356 of the Criminal Code (a class or another group of people in addition to the stipulated attributes), this solely concerns:

- race, ethnic group, nationality;
- political conviction;
- religion or secular status.

In the light of these characteristics, therefore, the Criminal Code regulates the specific facts of the case for crimes whose essential attribute is the motive of hatred towards a group of people (this is connected with the protection of human rights and democratic values), i.e.:

- the establishment, support and promotion of a movement aimed at suppressing a person's rights and freedoms;
- the defamation of a nation, race, ethnic group or another group of people;
- incitement to hatred against a group of people or incitement to restrict their rights and freedoms;
- violence against a group of inhabitants or individuals.

Besides this, the Criminal Code regulates the qualified facts of the case for crimes for which the motive of hatred for the given attributes is the reason for the greater detrimental nature and seriousness of the crime, particularly:

- murder;
- serious injury to health;
- deprivation of personal freedom; restriction of personal freedom; abduction;
- extortion;
- damage to the property of another;
- abuse of authority by an official.

If the motive of a crime is membership of another group of people (typically membership of the so-called alternative youth, subcultures or characteristics of the victim based on things such as sexual orientation or identity, state of health, gender, etc.), this fact can only be adjudged in criminal cases as an aggravating circumstance, i.e. a reason for imposing a punishment in the upper limits of the severity of sentence. One glaring omission in this context is the fact that sexual orientation or identity is not a qualified hate motive.

Ad c) In addition to this, it is not possible to overlook the fact that criminal law and criminal legal prosecution is only a subsidiary instrument in the resolution of social conflicts, and the civil legal protection of victims takes precedence over it. Consequently, it is not always necessary for an attack ensuing from hatred to be resolved using the instruments of criminal law. Moreover, victims of hate violence themselves are not always interested in having the actions investigated within the framework of criminal proceedings. Support and assistance for the victim is particularly important after an attack is committed (in some cases this is simply in the form of primary intervention, e.g. being able to talk about the attack to another person/expert and for them to listen). Interest in a criminal prosecution is not an essential part of their expectations.

2. How hate violence is perceived by the people under threat – from the testimony of victims

In regards to defining hate violence and, in particular, underlining the significance and specificity of this unlawful phenomenon, I consider the experience and testimony of victims and people threatened by such actions to be important. I am basing this on my personal experience of providing legal services and assistance to victims of hate violence with the NGO In IUSTITIA, o.s. A substantial majority of clients were members of the Roma ethnic group (who, incidentally, comprise the group that is most threatened with hate violence in Czech society). Nonetheless, their perceptions can be transposed to any other group of people threatened with hate violence.

Common knowledge

Hate violence is perceived as common knowledge by the people who are threatened by it, i.e. as something that is looming or which they expect “anytime anywhere”. If they actually become victims, it does not surprise them. On the other hand, it is connected with constant fear and feelings of humiliation as

well as having to constantly confront the xenophobic mood of society. Typically, in this context, the Roma speak of the fact that they encounter hatred in various forms on practically a daily basis (most frequently it is verbal, e.g. when getting on a tram, a client expects beforehand that all the passengers would reach for their wallets, or someone would at least begin talking about “darkies”. She would be completely certain that nobody would offer her their seat even if she were in an advanced stage of pregnancy). At the same time, they also cannot and do not expect any support or assistance from the public, e.g. from passers-by in the event of an attack, even one of higher intensity. On the contrary, they expect (and their personal experience supports the correctness of such expectations) that the perpetrator or assailant will be tacitly supported, or the victim will be ignored or disregarded. (A client has described a case where her child was constantly shoved by a fellow passenger on a bus. When she subsequently protested, all the passengers stood up for the assailant and the clients were eventually thrown off the bus by the driver who threatened to call the police on them). These feelings, particularly in the case of Roma in Czech society, are further consolidated by experiences pertaining to discrimination (when the boundary between discrimination and hate violence is difficult to distinguish or becomes blurred in some cases), typically in terms of the attitude to employment or the provision of services.

Reluctance to report an attack

In many cases, dealing in any way with an attack ensuing from hatred is seen as completely pointless by victims and people under threat of such attacks. They fear that reporting an attack will not produce any resolution. They do not trust state authorities (particularly the police). They assume that the police will shelve their report or not deal with it at all. Moreover, in connection with the previous point, they do not expect that anyone will be interested in helping them in any way. At the same time, they fear that their testimony will be more likely to be used against them, because the police will suspect them of making the entire thing up or of provoking the attack (e.g. as a result of prior unlawful or “amoral” behavior) or they themselves will be suspected of being the perpetrator. This is based on their own experience or experiences shared in the community, where such practices routinely occur. In addition to this, they are afraid of the xenophobic attitude of the police. Moreover, in some cases, reporting an attack and the hatred behind its motive is connected with disclosing a sensitive group identity (e.g. coming out in the case of sexual minorities, or membership of a subculture such as drug addiction). They also expect an insensitive approach on the part of police officers or other officials. At the same time, in some cases there is also a reluctance to advise them with regard to procedural laws or they are merely told what is happening in the case. They fear that they will not be provided with protection from the perpetrator. It is possible to consider the following on the basis of these feelings or of this situation:

a) the marginalisation of hate violence by the authorities who are active in criminal proceedings or by other public institutions

The actual experience of communities threatened with this type of violence shows that not enough attention is paid to it, or the authorities who are active in criminal proceedings typically downplay it and the hatred motive or the criminality of hateful behavior are not adequately qualified. At the same time, I am of the opinion that it was only the brutality and significance of an arson attack in Vítkov, including the immediacy of its impact (causing serious injury to the health of a child) which stimulated enough interest among the public and the media to initiate increased interest and activity from the state authorities in these matters. In parallel with this, some things still persist which cannot sufficiently support the willingness of victims to request assistance, namely:

- completely unresolved attacks – e.g. the fact that the authorities active in criminal proceedings neglected their obligation to prosecute perpetrators of hate violence committed in October and November 2008 during incidents in neo-Nazi demonstrations in Litvínov-Janov (given that this case is particularly significant, it is not possible to rule out the notion that this is simply the tip of the iceberg);
- attacks that were blatantly disregarded – it is possible to cite the following from case paperwork as an example: clients, instructors and children at a Roma camp were subject to a verbal hate attack by guests in a restaurant. When a police patrol was called out they said: “Why have you called us, when they didn’t do anything?” (And after an investigation lasting several months and following the identification of the perpetrator, the case was shelved and transferred to proceedings dealing with an administrative infraction); clients who were attacked and beaten by a group of neo-Nazis were accused of an affray together with one of the attackers (until the court classified the behavior of the attacker as hate violence against a group of the population and the victims were released from arraignment).

b) marginalisation by the public and political representatives

As has been mentioned, the public is very cautious in its attitude to hate violence attacks. Groups threatened by this violence with its approval or with violence that is downplayed by the general public are a frequent experience. What is particularly malignant, however, is some of the responses of politicians to suspected cases of hate violence. One example of this is the reaction of Senator Liana Janáčková to an arson attack in the settlement of Ostrava-Bedřiška, in which the victims were stigmatized as defaulters and debtors. It is also not possible to forget the attitude of some media outlets, which downplay any hate attack on the one hand, and denigrate certain communities on the other.

c) the secondary victimisation of victims

The willingness to report a hate attack by people threatened by these attacks is further reduced by experiences of the responses to such reports, which – notwithstanding the frequently poor results of investigations (as has been described) – has other negative impacts on the victims, starting with the need to constantly revisit the trauma that has been experienced whilst also including the lack of any support (particularly legal and psychological assistance) and being exposed to accusations that the victim themselves is the perpetrator or that the violence was at least provoked by their undesirable conduct.

d) the passive status of the victim or aggrieved party in criminal proceedings in general

The victim generally has very limited opportunities to influence criminal proceedings in terms of applicable law. In conjunction with the real obstacles that he is confronted with in the practices of state authorities, this circumstance also seriously influences the victim's interest in actively dealing with a hate violence attack.

Annex 4: Dominique John

Victim Assistance – the Needs of the Victims and the Counseling Organizations

I would like to divide my talk to you into three parts. First of all I would like to give you some information about how a certain form of assistance for victims of right-wing attacks has developed in Germany. Or to be more precise: in East Germany. Secondly, I will give you an overview of the content of this approach. And thirdly I would like to summarize some experiences, which – I believe – are worth looking at and which perhaps can be discussed more deeply in the workshop later on.

Back to the first part: Since the beginning of the 1990s Germany has seen a sharp rise in attacks against migrants and refugees, as well as against people on the political left, antifascists and people with an alternative background. During this period thousands of people have been injured. Houses have been burned down, small businesses have been smashed. There is evidence that at least 120 people have been killed since 1990.

The perpetrators belong in many cases to the extreme right. But it would be wrong to say that most of them are organized in the sense that they are members of a right-wing party. It is more accurate to describe most of the perpetrators as people who are sub-culturally involved in an extreme right-wing movement.

These attacks do not happen only in East-Germany. There are many cases in the western part of the country too. However, acts of violence motivated by right-wing ideology, racism or anti-Semitism have mainly been seen in East Germany.

Why is that?

a) Compared with the number of people living in the eastern part, there are more attacks per capita there than in the western part of the country.

b) If – let's say – you have been attacked on the street out of racist motivation, because you are seen by the perpetrators as a migrant, it makes a big difference whether you remain alone with this experience or whether you have support from society. It makes a difference whether there is some kind of solidarity for you as a victim of a right-wing motivated attack, or whether you generally have the feeling that you live in a hostile environment. Right-wing motivated attacks are worst when the victim is alone, when there is no solidarity from civil society and when the victim feels that the attack is only the tip of an iceberg.

The certain form of victim counseling we have developed within the last 10 years has to do with this situation, with this lack of solidarity. It has to do with the fact that the people being attacked belong to groups within society who are often discriminated against or can be described as marginalized groups.

If we look back to the end of the 90s it can be said that the first steps to support victims of right-wing motivated violence were taken by grass-root-organizations. Especially in East Germany, the situation was so bad that the support for victims can partly be described as a kind of self-defense. In the years 2000/2001 the political discourse concerning actions being taken against right-wing extremism was changing. The liberal left government set up some state programs to support the development of civil society in East Germany. Within this change of discourse, the situation of victims of right-wing attacks played a bigger role. From 2002 these central government programs made it possible for 8 organisations to start to work and develop programs to counsel and support victims of right-wing motivated attacks.

Before I give you some idea of the programs of these organisations, I should like to mention:

- firstly, that all these organisations are based only in East Germany and Berlin;
- secondly, that these organisations have resources enabling them to employ 4 to 8 staff members, either part time or full time.

But let me briefly describe the approach of these organisations. Besides the fact that the services offered are very low-threshold, there are three key areas of work which can be summarised:

- a) counseling and empowerment;
- b) raising awareness and monitoring;
- c) local intervention.

a) Counseling and empowerment

The primary objective is to support and empower the victims as individuals as well as their social group. The main target is to enable the individuals and communities affected to acquire the resources and abilities to deal with the consequences of an attack and to move on with their lives.

Allow me to briefly summarize what the counseling comprises:

- individual psycho-social counseling and, if needed, crisis intervention;
- in cases of trauma, assistance in obtaining access to therapy and rehabilitation;
- we organize access to lawyers;
- we give advice and guidance through legal and court proceedings;
- we escort victims to doctors and other institutions;
- and we assist in filing applications for victim compensation and other monetary support.

These services are free of charge. It is voluntary, confidential and, if requested, anonymous. It is also important to mention that filing a police report is not a precondition for using the counseling services.

b) Raising awareness and monitoring

I do not want to speak too much about monitoring since we will have a workshop on this topic after this session. But I do want to stress that for us, monitoring and publishing are both very important parts of the support for victims of hate crime. Every project involved is using its web page to regularly publish short notes about cases of right-wing motivated attacks which have been researched. The notes include a date; a very short description about what has happened; information about the perpetrator, the possible motive, the victim; and – very important – the source of information. Once per year the counseling organisations publish statistics about their findings which are then compared with statistics published by the police. And also once per year we collect this data to publish a centralised independent data collection for the whole of East Germany.

Since we have done this now for several years I may say that we are accepted as a serious alternative resource of information used by journalists or, in some cases, for academic research.

c) Local intervention

Thirdly, we have the additional goal of developing local strategies with our clients and contributing to the long-term social integration of different community groups. We call this strategy “local intervention.” Each local intervention is case-specific and it is coordinated with the victim.

These interventions have two main objectives. One is to engage municipalities on behalf of hate crime victims and support local communities, politicians and other officials in taking a clear stand against right-wing manifestations.

In addition, we aim to bring together local actors to support the victim and potential victims.

These three fields of action, 1) counseling and empowerment, 2) monitoring, and 3) local intervention, can be described as the key areas of the organizations that work with victims of right-wing motivated attacks.

I am far from believing that these structures I have just described could be copied to other countries like Poland or the Czech Republic. However, I believe that there are some experiences we have seen in recent years that should be looked at if there is interest in setting up support structures for victims of hate crimes.

I would like to stress 5 points. These are not going to be exhaustive, but perhaps we can discuss further points later in the “Victim Assistance” workshop which starts after this session.

The first point is the question of **mobility and counseling**: many of the victims of right-wing motivated attacks belong to marginalised groups of society. Often they lack resources and information. This is one reason why it doesn’t make much sense for counseling units to sit in an office and wait for somebody to turn up. A counseling service for victims of hate crimes should be pro-active and mobile. It should be able to do research and meet the clients in their hometowns. Only this mobility and flexibility gives you the standing to work with the clients in their social and political environment.

The second point is the **necessity to work in a network of specialists**. Counselors for hate crime victims should be trained and should have basic knowledge in certain fields. This includes knowledge, for example, about the code of criminal procedure or how to support a victim in dealings with the police. He or she should be able to find a way to speak with a client about anxiety, stress or trauma. Nevertheless,

periodically there is a need for specialist, let's say for lawyers or for trauma therapists. Therefore it is necessary to work on and obtain a network of specialists who can be activated for the clients.

Thirdly; most of the time, **counseling and empowerment of victims assume the character of a long-term process**. Rarely are there situations where counselors meet a client only once or twice. If you take court proceedings into account, it can happen that you stay in touch with a client for several years. This leads to the need for internal documentation and reliability for the clients.

Fourthly; **independent monitoring and publishing** have the potential to stimulate public debate about hate crimes. But the precondition is that the monitoring and the information published has to be well investigated and well-founded. If this is the case – if the monitoring is of high quality – state institutions can come under pressure so they have to professionalise their own data collection, which again can stimulate public debate.

The fifth and last point is **the need for substantial political support for organizations** that work with victims of hate crimes. Support and counseling for victims of hate crimes cannot be described only as social work. It is also political work. People become a victim of hate crimes because they belong to a social group that the perpetrators dismiss. Mostly they belong to social groups who are marginalised. I am very much convinced that one can only provide good counseling and empowerment for marginalised individuals and groups when the organisation is accepted as a serious partner on various levels. Therefore, it is important to invest energy and resources in the set-up with substantial political support.

Before I come to the end of my contribution I would like to make a short remark about the changing political environment in Germany. I spoke before about central state programs which made it possible that this certain form of counseling and support has developed within the last 10 years. Since the elections in 2009 we face a new conservative-liberal government. This government has shifted its focus from targeting right-wing extremism to all kinds of extremism. The idea behind this is the logic that a democratic centre is threatened by right-wing extremism, as well as left wing extremism or Islamism. Within the last year this new conservative discourse has started to change the perception of what is threatening democracy. I do not want to go too deeply into this discussion but I want to make clear that with the change of this discourse the approach to supporting and counseling victims of right-wing motivated violence has come under pressure.

Speakers List

Balážová Jarmila, President, Romea, Czech Republic
Bihárióvá Irena, Lawyer, Ľudia proti rasizmu (People against Racism), Slovakia
Bohdálek Miroslav, Coordinator of Cross-border Projects, Kulturbüro Sachsen e.V., Germany
Candigliota Zuzana, Lawyer, League of Human Rights, Czech Republic
Černý Oldřich, Executive Director, Forum 2000 Foundation, Czech Republic
Daniel Stanislav, Roma Activist and Reseacher, European Roma Rights Centre, Hungary
Frankl Michal, Head, the Shoah History Department, Jewish Museum in Prague, Czech Republic
Grjasnow Maria, Sociologist, Project Adviser, Network for Democracy and Courage, Germany
Hammer Franz, Officer for Community Work, Kulturbüro Sachsen e.V., Germany
Holomek Karel, Roma Activist, Chairman, The Association of Romanies in Moravia, Czech Republic
Horváthová Lucie, Anthropologist, Program Leader, Romodrom, Czech Republic
John Dominique, Political Scientist, Opferperspektive (“Victims’ Perspective”), Germany
Kalhousová Irena, Analyst, Association for International Affairs, Czech Republic
Kalibová Klára, Lawyer, In IUSTITIA, Czech Republic
Katsbert Tanja, Expert on Ukrain Projects, European Exchange, Germany
Kocáb Michael, Commissioner for Human Rights, Office of the Government, Czech Republic
Kovalčík Martin, Media Coordinator, People in Need, Czech Republic
Lang Kati, Adviser for Victims of Hate Crimes, Opferberatung, The Regional Centre for Education, Integration and Democracy (RAA), Germany
Laurenčíková Klára, Deputy Minister, Ministry of Education, Youth and Sports, Czech Republic
Mikulska Agnieszka, Ethnologist, Helsinki Foundation for Human Rights, Poland
Mlynárčíková Viktória, Program Manager, Open Society Foundation, Slovakia
Moree Dana, Researcher, Lecturer, Faculty of Humanities, Charles University, Czech Republic
Otáhalová Lucie, Coordinator, Working Group for Sexual Minorities, Office of the Government, Czech Republic
Pape Marcus, Journalist, Czech Republic/Germany
Pechová Olga, Psychologist, Philosophical Faculty, Palacký University, Czech Republic
Ponomaryov Serhiy, Scholar, LGBT Rights Activist, Gay Forum, Ukraine
Possekel Ralf, Head of Programs, Foundation “Remembrance, Responsibility and Future”, Germany
Rumpel Aleš, Director of Queer Film Festival Mezipatra, Czech Republic
Ryšavý Zdeněk, Executive Director, Romea, Czech Republic
Swierszcz Jan, Social Psychologist, Campaign against Homophobia, Poland
Šimáček Martin, Director, Agency for Social Inclusion in Roma Localities, Office of the Government, Czech Republic
Uhl Petr, Journalist, Czech Republic
Urban Jan, Journalist, Czech Republic
Valeš František, Lawyer, Czech Republic
Vasile Monica, Centrul Romilor pentru Interventie Sociala si Studii (Romani Center for Social Intervention and Studies), Romania
Verkhovsky Alexander, Director, SOVA Center for Information and Analysis, Russia

Organizers

Forum 2000 Foundation



Mission

The Forum 2000 Foundation was established in 1996 as a joint initiative of the Czech President Václav Havel, the Japanese philanthropist Yohei Sasakawa, and the Nobel Peace Prize Laureate Elie Wiesel.

Forum 2000 Foundation's aims are:

- to identify the key issues facing civilization and to explore ways in which to prevent the escalation of conflicts that have religion, culture or ethnicity as their primary components;
- to provide a platform to discuss these important topics openly and to enhance global dialogue;
- to promote democracy in non-democratic countries and to support civil society, respect for human rights and religious, cultural and ethnic tolerance in young democracies.

Main Projects

Forum 2000 Conference

The annual Forum 2000 Conference is the most significant project of the Foundation. In thirteen years it has evolved into a successful and widely recognized conference series, which provides global leaders with a platform for open discussion about crucial global issues. Past participants include: Bill Clinton, Frederik Willem de Klerk, H.H. the Dalai Lama, Wole Soyinka, Madeleine Albright, Nicolas Winton, Shimon Peres, and a number of other political, intellectual, spiritual, and business leaders.

Shared Concern Initiative

The SCI is an open and informal group of recognized personalities representing various cultures, historical backgrounds, religions, and traditions. In the interest of fostering principles of good governance, respect for human rights, and tolerance, the SCI endeavors to address, by the issuance of joint-statements, the important challenges of today's world with the understanding that changes towards the better can be effectively promoted with a common voice.

Members of the Initiative are: H.R.H. El Hassan bin Talal, H.H. the Dalai Lama, Frederik W. de Klerk, André Glucksmann, Vartan Gregorian, Václav Havel, Hans Küng, Michael Novak, Shimon Peres, Yohei Sasakawa, Karel Schwarzenberg, George Soros, Desmond Mpilo Tutu, Richard von Weizsäcker, Grigory Yavlinsky.

Interfaith Dialogue

Interfaith dialogue and multi-religious assemblies have been an integral and permanent part of the Forum 2000 project and culminate every year in the framework of the Forum 2000 Conference. Through frank dialogue, participants work for better collective understanding of global issues, explore the role of religion today and search for ways to increase mutual cooperation and understanding.

NGO Market

NGO Market is a one-day event organized by Forum 2000 where different non-governmental organizations can present their activities, communicate with the general public and potential sponsors and get useful know-how about successful NGO management.

More information about Forum 2000 Foundation at www.forum2000.cz.

The Foundation “Remembrance, Responsibility and Future”



In remembrance of the victims of National Socialist injustice, the Foundation “Remembrance, Responsibility and Future” works to promote human rights and understanding between peoples. It also upholds its commitment to the survivors. The Foundation is thus an expression of the continuing political and moral responsibility of the state, industry and society for the wrongs committed in the name of National Socialism.

The Foundation supports international projects in the following areas:

- a critical examination of history;
- working for human rights;
- commitment to the victims of National Socialism.

The Foundation “Remembrance, Responsibility and Future” was established in 2000, primarily to make payments to former forced laborers. The payments programs were completed in 2007. The Foundation’s capital of EUR 5.2 billion was provided by the German Government and German industry. A total of EUR 358 million was set aside as Foundation capital in order to finance project support. The Foundation finances its long-term funding activities out of the income generated by this capital.

Activity Areas and Objectives

A critical examination of history

- Anchoring the history of forced labor under National Socialism firmly in the European memory and communicating the life experience of the victims
- Promoting understanding of the different portrayals of history in Europe
- Raising awareness of the Jewish contribution to European history

Working for human rights

- Fostering commitment to democracy and human rights through history learning
- Initiating international projects that combat right-wing extremism, anti-Semitism and modern forms of forced labor, and which work to protect the victims
- Developing capacity among the descendants of minority groups persecuted under National Socialism

Commitment to the victims of National Socialism

- Engendering respect for the life histories of those persecuted under National Socialism and strengthening their involvement in society across generations
- Promoting willingness to help the victims at local and international level
- Encouraging the development of models for providing humans support and care for the elderly

More information about Foundation “Remembrance, Responsibility and Future” at www.stiftung-evz.de.



In IUSTITIA

In IUSTITIA was established as a legal organization which is the first of its kind in the Czech Republic to deal in a targeted manner with all aspects of hate crime. It brings public awareness, expert discourse and political discussion to the issue of hate crime. The organization consistently promotes the principles of a democratic state respecting the rule of law including equality of all people in their dignity and rights. For the benefit of its clients, hate crime victims, it exercises the right to judicial and other legal protection.

In IUSTITIA provides legal assistance to particular individuals exposed to hate crime. In its aim to improve their access to justice, it focuses on the areas of criminal, administrative and civil law. Considerable attention is paid to compensation for damages caused by hate crimes.

In IUSTITIA's aim is to protect communities threatened by violent racism and neo-Nazism. It seeks to optimize practices of state administration in the area of rights to assembly.

By monitoring legislative activities, In IUSTITIA analyses the Czech legal code in the context of European Union law and international law. These legislative analyses then result in specific changes to existing legislation, which will improve the position of people threatened by hate crime as well as their access to justice and to adequate restorative judicial tools.

In IUSTITIA seeks to improve the practices of the investigative, prosecutorial and adjudicative bodies in hate crime cases, especially in revealing and investigating hate crimes. Criminal offences involving the organization of hate crimes and physical attacks motivated by hatred should take priority and be addressed with due care.

In IUSTITIA's focus is on education and on reinforcing pro-democratic attitudes among the public. Increased attention is paid to young people. The founders of the organization have long been publishing on the issues of the far right and hate crime.

In IUSTITIA participates in preparing studies and analyses for the European Union Agency for Fundamental Rights (FRA), which cooperates with Czech and foreign non-governmental organizations. It helps to combat racism and xenophobia in the Czech Republic and in Europe.

In IUSTITIA cooperates with the media on the basis of partnership. It draws attention to hate crimes as a societal problem that poses a threat to at least ten per cent of people living in the Czech Republic.

More information about In IUSTITIA at www.in-ius.cz.

Kulturbüro Sachsen e.V.



Kulturbüro Sachsen e.V. (KBS) is an independent non-profit organization. Since 2001 KBS has run the project of the Regional Mobil Consultation Teams (MBT) with the financial support of the German federal government and the free state of Saxony.

KBS advises and supports local NGOs, youth initiatives, church communities, networks as well as local governments and businesses in Saxony. The aim of the organization is to strengthen active democratic civil society and provide an alternative against everyday racism and established right-extremist structures. The motto of KBS is: "Working for a democratic culture means working against right-wing extremism".

More information about Kulturbüro Sachsen e.V. at www.kulturbuero-sachsen.de.

