The present document has been created with the greatest care, but it does not and cannot claim to be complete. Please send feedback and suggestions for amendments to Boglarka Fedorko, at boglarka@tgeu.org or tgeu@tgeu.org.

While the guidelines aim to provide information on the online monitoring system developed by TGEU, HURIDOCS and partners, it is strongly recommended that you seek advice from TGEU before starting to use it. Contact TGEU at boglarka@tgeu.org or tgeu@tgeu.org.

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The publication’s findings and conclusions stated herein are those of the author and do not necessarily reflect those of the United States Department of State or the Ministry of Education, Culture and Science of the Netherlands.

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Introduction

Since 2008, Transgender Europe (TGEU) has been a pioneer in research on trans people’s experience of violence and crime: its Trans Murder Monitoring (TMM) Project has documented 1,518 cases of murdered trans persons in five years (89 in Europe).\(^1\) In 2012, the EU Fundamental Rights Agency’s (FRA) LGBT survey\(^2\) also identified transgender persons as particularly vulnerable to hate crimes and unlikely to report them. One of the most shocking results is that 35 per cent of the respondents had been attacked or threatened with violence in the five years before the survey was carried out.

The results also shed light on the extent to which trans people face bias-motivated discrimination in different areas of life, including employment, education, healthcare, housing and other services. Transgender respondents, as well as lesbian and bisexual women, were more likely than gay and bisexual men to have been discriminated against on the basis of their gender in the 12 months preceding the survey. Furthermore, almost a third of responding trans persons felt discriminated against in their employment or job search in the 12 months prior to the survey. Every fifth transgender person also reported discrimination in healthcare settings, which rate is twice as high as among those who don’t identify as transgender.

The FRA concludes that the most frequent reasons for not reporting were a belief that “nothing would change”, a lack of knowledge about how or where to report an incident and fear of homophobic or transphobic reactions from the police. In line with the FRA’s recommendations on focusing on improving the reporting rates of hate crimes and improving systematic recording, TGEU has gradually been placing more emphasis on monitoring and reporting transphobic incidents in the form of discrimination, hate speech and hate crimes. By working together with LGBT and trans groups and NGOs within the framework of the ProTrans project (see more in The ProTrans project section), we wish to provide systematic and credible data needed to improve public policies to prevent and tackle discrimination and violence against trans people.

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1) For more information on the project, see http://www.transrespect-transphobia.org/en_US/vvt-project/tmm-results.htm
VIOLENT INCIDENTS AGAINST THE TRANSGENDER COMMUNITY

In this section, we highlight some aspects of violence that particularly affect transgender people, drawing from TGEU data and other evidence from civil society.

DOMESTIC VIOLENCE

Transgender people live in a societal climate that marginalises gender variance and allows crime and violence against transgender persons to flourish. For many, rejection, bullying and violence start in the family of origin. The continuously felt threat of violence negatively affects transgender individuals’ ability to pursue their personal development and fulfillment. In one case, the father of a young trans woman chained her and locked her up in a cellar for eight months, beating her daily with a rubber pipe and suppressing any social contact. In the end, he forced her into a marriage. “When I had to go to the toilet, he put a rope around my neck and then controlled me from a distance. He did the same when I took a shower…. After eight months, he forced me to marry someone, not legally, but more as a religious ceremony…. My patience ran out and I attempted to commit suicide”.3 It is often not possible to turn to others for help, as “disclosing domestic violence would often result in coming out, as the causes for the domestic violence would become public”4, with all the adverse consequences that this situation would entail. Moreover, the ongoing strain on an often isolated individual without access to transgender peers or suitable support often results in serious mental-health issues for trans individuals and their communities.

VIOLENCE AND HARASSMENT IN PUBLIC

Many trans people continue to find themselves exposed to verbal and physical assault in public. In its Transgender EuroStudy (2008),5 TGEU found that 79 per cent of respondents had experienced some form of harassment in public, ranging from transphobic comments to physical or sexual abuse. This number was confirmed by the Transphobic Hate Crime in the European Union report published by Press for Change in 2009.6 The OSCE (Organization for Security and Co-operation in Europe) confirmed that homophobic hate crimes and incidents often show a high degree of cruelty and brutality. They often involve severe beatings, torture, mutilation, castration, even sexual assault. They are also very likely to result in death. Transgender people seem to be even more vulnerable within this category. Many documented cases, which reveal the high rate of violence against transgender persons, have been reported by human-rights activists. Perpetrators of violence against transgender persons are clients (in the case of trans sex workers), gangs, police and other individuals. The statistics of TGEU’s Trans Murder Monitoring Project show an alarming trend, illustrated, for example, by the increasing number of reported murders in Turkey in recent years (2008: 4, 2009: 7, 2010: 6, 2011: 6, 2012: 7). In Europe, further reports were received of a total of 89 murdered trans people in five years.7 The research into these cases suggests that trans murder victims in Europe are frequently migrants or sex workers, and often both.

There is little appropriate reporting about violence against transgender persons, as has been described by researchers in the Transrespect versus Transphobia Worldwide report, published by TGEU. “Apart from the lack of information and the inappropriate and obfuscating reporting by the media, hesitant prosecution of the perpetrators and especially lack of evaluation of the perpetrators’ motives by the police and courts often pose a challenge for the TMM, which relies on media reports and court decisions”. Because many acts of violence and murders against trans persons go unnoticed, they remain unpunished.

5) The entire study can be read at http://tgeu.org/Eurostudy
6) The entire study can be read at http://www.ucu.org.uk/media/pdf/6/transphobic_hate_crime_in_eu.pdf
7) More results from the project are available at http://www.transrespect-transphobia.org/en_US/tvt-project/tmm-results.htm
IMPUITY AND STATE-SPONSORED VIOLENCE

In cases of violence, transgender persons’ access to justice mechanisms is limited for two reasons. First, transgender survivors often do not trust judges or do not have the financial means to cover the costs of legal proceedings. And second, many transgender persons do not have the required information about how to respond to incidents of violence. Those seeking justice are often faced with a reluctant and ill-equipped judiciary. As TGEU research has shown, trans people are particularly vulnerable where there is widespread impunity, since transphobic incidents are not properly investigated.

In many countries, such as Turkey and Greece, the majority of trans women have few economic opportunities other than engaging in sex work. This occupation increases their exposure to violence, particularly from the police. Unfavourable legislation surrounding sex work and the above-described negative attitudes of law-enforcement bodies towards transgender sex workers have a major impact on these individuals’ safety and security. Supposedly “neutral” legal measures such as public morality and public-order legislation, anti-vagrancy laws, anti-homosexuality laws, anti-prostitution laws, nuisance laws, etc. are used by law-enforcement personnel to prosecute trans people on the grounds of their gender identity or gender expression.

As a trans-rights activist from Turkey reports, “The majority of physical attacks and killings are directed at trans* sex workers, as they are pushed into insecure environments at the margins of society, where the police and/or judicial authorities legitimize the violence they face through their actions”. Inappropriately low sentences for perpetrators send a further discouraging signal to the transgender community. Another factor involved in failing to prosecute transphobic hate crimes is that trans women are often treated as men by the criminal-justice system:

- Attacks on trans women by men are implicitly regarded as “male-on-male” attacks rather than male-on-female attacks. Trans women’s vulnerability as women and as trans women is overlooked. In many cases, trans women are regarded by the police as the cause of the incident, rather than the victim.
- The legal definition of rape, which is often based on gender, genitals, etc., often excludes trans women.

Another common pattern is that judges rule that the victims engaged in “unjust provocation”, exculpating perpetrators and further confirming social prejudices.
The ProTrans project

These guidelines have been compiled within the framework of the ProTrans project, initiated by TGEU in 2013 and supported by the U.S. Department of State and the Ministry of Education, Culture and Science of the Netherlands. This project aims to better protect trans people and their communities in Central, Eastern and South Eastern Europe against violence and impunity. To this end, five trans rights organisations are working together with TGEU in a two-year project to increase their capacities in monitoring, victim support and advocacy.

The participating organisations are the following:

- Gayten-LGBT, Serbia (www.transserbia.org)
- GenderdocM, Moldova (www.lgbt.md/eng)
- Labrys Kyrgyzstan, Kyrgyzstan (www.labrys.kg)
- Red Umbrella, Turkey
- Transvanilla, Hungary (www.transvanilla.hu)

The project started with the development and implementation of a systematic yet simple monitoring system in an inclusive process by participating trans rights organisations and TGEU to monitor transphobic incidents. The monitoring form has been drafted in a process of three in-person meetings with ProTrans project partners and TGEU member organisations’ representatives from:

- ACCEPT Association, Romania (http://accept-romania.ro/)
- Trans Aid Croatia, Croatia (http://www.transaid.hr/)
- MIT - Movimento Identità Transessuaie, Italy (http://www.mit-italia.it/)
- TransInterQueer e.V., Germany (http://www.transinterqueer.org/)

In conjunction with the monitoring, project partners offer community-based support services for survivors of violence and increase legal literacy about possibilities for redress among the transgender population. The project provides local partners with the necessary means to pursue legal action and use domestic redress mechanisms. As a result, the legal literacy of transgender people is increased, as is their confidence in seeking legal or other forms of redress for the infringement of their rights.

After analysing the results of the joint data collection, TGEU and partners will engage in fact-based advocacy to increase public awareness of domestic authorities’ responsibility to provide appropriate ad-hoc and long-term responses and to address European stakeholders (policy makers, equality bodies, human rights NGOs and journalists) in order to make them aware of the systematic maltreatment faced by transgender persons.
The monitoring tool

The development of the monitoring tool has been supported by HURIDOCS, an international NGO helping human-rights organisations use information technologies and documentation methods to maximise the impact of their advocacy work. HURIDOCS develops tools and techniques and provides advocates with customised training and support.9

The tool developed is a customised form in OpenEvsys, a free and open-source software application that human-rights NGOs use to record and analyse information on human-rights violations. The form, which records information on the transphobic incident (by capturing important aspects of the incident itself, the victim, the perpetrator and the follow-up actions after the incident took place – for the entire form see Annex: The monitoring form), aims to be comprehensive, but at the same time makes it possible to record only key facts in the event that there is no detailed and/or first-hand information available on a case, e.g. the source of information is the tabloid media. Therefore, users can choose how detailed to make the information they collect, depending upon the data available and existing resources for data entry.

Several security measures make OpenEvsys a secure tool for trans human-rights defenders to use:

- It is hosted with an encrypted https:// account, and an external analysis has shown that its code is secure.
- OpenEvsys allows the creation of different types of users who have access to all or parts of the database (data entry, analysis, administration) and who can carry out all or some specific tasks (reading, creating, updating, and/or deleting records).
- Furthermore, users can mark cases as confidential so that they can only be accessed by themselves and other users selected by them.
- OpenEvsys contains two features to further enhance security that can be set up by individual users: Google Authenticator, which requests a 6-digit code available on the user’s smartphone, and Yubikey (http://www.yubico.com/), which works with a physical authentication device that is slotted into the USB slot of the computer used.
- In addition, ReCaptcha, which protects against attempts by automated software to obtain access to the database, can be set up for all users under the Admin-System settings.

Additional security tools: https://securityinabox.org/

Chapter Ten, Security of communications and information technology

User manual: HURIDOCS’s user manual provides assistance in using the various functions of the program (e.g. data entry, analysis):

Videos about the program are also available: https://www.huridocs.org/openevsys

9) For more information on HURIDOCS, see https://www.huridocs.org/
BASIC PRINCIPLES OF DOCUMENTING TRANSPHOBIC INCIDENTS

In this section, we give a brief overview of some considerations to keep in mind when starting a systematic monitoring activity.10

In order to provide firm data for governments, international bodies, local authorities or any other stakeholders, data need to be compatible with the national data-collection standards and legal categories in use. Because criminal codes, anti-discrimination laws and other legal tools vary greatly between jurisdictions, it is challenging to apply uniform definitions of discrimination, various types of crimes or hate speech in a single multi-country database. Therefore, we are using a common classification system to determine the category of the transphobic incident in question, which is also in line with OSCE ODIHR (Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe)11 standards (detailed in the next section on page 21-23).12

Civil-society groups might rely on various data sources when monitoring incidents (victims, witnesses, police, media, NGOs, etc.). If the aim is to produce credible data, it is essential that the data collected is based on direct evidence as much as possible. Therefore, reports that come to our attention should be verified if possible; e.g. besides the victim’s reports or media articles, we should also ask witnesses about their perceptions, if any. Proper follow-up is especially important if our source of information is a newspaper or any other less credible media outlet.

Hate-motivated incidents differ from other forms of crimes in that they target a whole group by selecting individual victims by their (perceived) membership in that group. These incidents thus have a profound impact on entire communities.

In order to highlight this aspect and the affectedness of the transgender community, sufficient attention needs to be paid to document the bias aspect of the crime. Several indicators might suggest that bias was involved when the perpetrator committed the act (e.g. offensive language used, offender characteristics, such as belonging to a group, etc. – more on bias indicators on page 25-26).

It is also very important to choose carefully from existing mechanisms for receiving reports of transphobic incidents. The most common mechanisms are:

- setting up an online reporting form that enables victims to report directly and anonymously if they wish13
- phone hotline (providing support by skilled phone case workers)
- face-to-face meeting with victims
- media monitoring

Groups need to think through the resources they have, the needs of the community and socio-cultural factors when deciding on which monitoring mechanism to use. Both face-to-face interviews and the operation of a phone hotline require great capacity to assist victims of transphobic incidents.

When setting up a consistent monitoring system, victims’ needs and rights also need to be catered for. Victims need to know what details of their incident will be shared and with which third parties, and they need to consent to provide their details for civil-society organisations’ recording. Legal complications might arise from the relevant data-protection legislation, which must therefore be studied carefully before engaging in data collection. Victims have the right to know what will happen with the documentation of the incident they have reported and the exact steps that will take place during the monitoring process. In order to avoid unmet expectations, those who agree to share their stories need to be aware of the limitations of fact-based advocacy, too.

TGEU’s monitoring tool aims to ensure the greatest degree of confidentiality of victims with enhanced security measures, e.g. no storage of names. But those groups or NGOs that sign up for this tool must also aim for maximum security in their own data-collection practices, complying with national standards and the specific needs of local community members.

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10) The list is not exclusive. For further information, please consult the following materials:
- ILGA-Europe’s human-rights documentation tools: http://www.ilga-europe.org/home/how_we_work/developing/resources_on_capacity_building/tools
11) ODIHR supports government officials in designing and developing monitoring mechanisms and data collection on hate crimes.
12) http://www.osce.org/odihr/39821?download=true
13) One example to be used is the form of Transgender Equality Network Ireland, available at https://transequality.wufoo.eu/forms/stad-2014/
Monitoring transphobic incidents

This section explains each field of the online monitoring form (for the entire form, see Annex: The monitoring form), by providing guidelines on how to record data. If you wish to access the system, please get in touch with the Project Manager of the ProTrans project at boglar-ka@tgeu.org.

The code that you have to apply for the incident will be assigned to you by TGEU after it has provided you with access to the system.

Guidelines
No names should be recorded here, even if they have been released by the media. If you want to store names for your internal organisational purposes, use secure software, e.g. Keepass.

Entry
Be sure to code precisely and try to give multiple violations consecutive numbers (for instance, when a victim of harassment turns to the police and suffers further abuse).

Examples
SER_GAYTEN_001

Gender identity
The victim’s felt gender identity, only if it is known.

Guidelines
If known, age can be a factor to be taken into consideration, for instance when analysis wants to distinguish between children and youth victims.

Entry
Select the relevant identity/identities. If it is not on the list, use the text field to specify “other”.

Examples
MTF – Cross-dresser

Connection with LGBTIQ community
The victim’s involvement in the LGBTIQ movement and events.

Guidelines
In some cases (for instance, in a series of attacks against the activists of an organisation), it might be important to record the victim’s affiliation with LGBTIQ organisations, venues or the movement.

Entry
Select how involved the victim was in the LGBTIQ movement. If they worked for an LGBTIQ or trans group or organisation, specify which one.

Examples
Participate in Pride.
Entry
Be concise in entering information and aim not to use more than 3 or 4 sentences. This way, the data on the various cases can easily be synthesised and compared. If there is relevant follow-up (police intervention, court case initiated, etc.), try to include some information on it.

Examples
A 16-year-old trans woman was barred from entering a female toilet in a shopping mall in city X by a security guard, who asked for her ID and then spoke to her in a discriminatory and offensive manner. She reported the incident to the Scottish police, who started investigating the case.

or

A transgender man was attacked by two unknown perpetrators after he and his band performed at a club in city Y. He was hit in the face with a bottle, then followed to his car and beaten. At the police station, police officers made derogatory comments about his clothing. The case was not registered as a hate crime.

Guidelines
In sensitive cases, confidentiality might be required. Opting for a confidential case means that the case won’t be visible for other users.

Entry
Select yes or no.

Examples
Yes.

Guidelines
An abstract of the transphobic incident contains the most important aspects of the event (what happened where and to whom). It also briefly describes the bias indicators (what indicates that the incident was hate-motivated – driven by transphobia, whorephobia, etc.).

Entry
Select a date from the calendar. You can enter the date manually in the following format as well: yyyy-mm-dd.

Examples
2014-09-01

Guidelines
Indicate the date when the incident occurred. If multiple similar incidents occurred, indicate that in the comment section.

Entry
Select a time of day (morning, afternoon, evening, night).

Examples
night (9 pm to 5 am)

Guidelines
Indicate the time when the incident occurred.

Entry
Select a country.

Examples
Croatia

Guidelines
Select the country where the incident occurred.
### Guidelines
Provide the location where the incident took place. You can be specific, giving the exact place (for instance if you aim to draw a map with locations to be avoided after Pride marches, using former locations of incidents), or you can just choose a county and region if you don’t wish to reveal the identity of the victim (in the case of a small village where only one trans person is known to the community, e.g.).

### Entry
Search for your location using a location name or latitude, longitude coordinates (format: 38.19, 85.61), or click on the map to pinpoint the correct location.

### Examples
Szeged, Hungary

### Guidelines
Categorise the location where the incident took place.

### Entry
Select from the predefined categories. If the location is not on the list, specify the type of location.

### Examples
Restaurant, bar, club

---

**Type of incident**

Choose the type of incident that took place.

### Guidelines
Classify the incident according to the following tables. If multiple violations took place, select all of them. Note that all hate crimes involve a hate and bias motive towards a group; therefore, if you choose any of them, you don’t have to indicate discrimination as well.\(^{14}\)

<table>
<thead>
<tr>
<th>Category</th>
<th>Subcategory</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homicide (murder)</td>
<td></td>
<td>• Any attack on a person that causes loss of life.</td>
</tr>
<tr>
<td>Extreme physical</td>
<td>Serious bodily harm</td>
<td>• Any attack on a person that potentially causes serious physical harm.</td>
</tr>
<tr>
<td>violence</td>
<td></td>
<td>• Any attack on property, for example by arson or petrol bombs, where there is the potential for people in the property to be killed, for instance if the building is inhabited or occupied at the time of the attack.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Bombs, including letter bombs. This includes any viable device that either detonates or is defused, and therefore was life-threatening. It also includes any device that is assessed to have been intended by its sender to be viable, even if after analysis it is found that it was incorrectly constructed and therefore would not have gone off.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Kidnapping.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Shooting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Attack with weapon or any other object that can be used to harm.</td>
</tr>
<tr>
<td>Sexual assault</td>
<td></td>
<td>• An act of sexual violence can be committed by the victim’s partner (married or not), previous partner, family member or co-habitant.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Rape</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Sexual assault</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Sexual exploitation by a helping professional, i.e. sexual contact of any kind between a helping professional (doctor, therapist, caregiver, teacher, priest, professor, police officer, lawyer, etc.) and a client/patient.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Sexual harassment, including unwelcome sexual advances, requests for sexual favours and other verbal or physical conduct of a sexual nature.</td>
</tr>
<tr>
<td>Assault</td>
<td></td>
<td>• Any physical attack against a person or people that does not pose a threat to their life and is not serious. This would include lower-level assaults.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Attempted assault that fails, due to self-defence, or if the victim runs away.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Throwing of objects at a person or people, including where the object misses its target.</td>
</tr>
</tbody>
</table>

\(^{14}\) The tables describing the different categories of hate crimes, hate speech and discrimination are adapted from

- ILGA-Europe’s human-rights documentation tools: http://www.ilga-europe.org/home/how_we_work/developing/resources_on_capacity_building/tools
## Hate speech and discrimination:

These incidents may or may not qualify as crimes under national law. They are elements of a LGBTI-phobic context, as a result of which it is important to monitor them.

<table>
<thead>
<tr>
<th>Category</th>
<th>Subcategory</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hate speech</td>
<td>Public hate speech</td>
<td>Verbal or written abuse in public, e.g. by a politician.</td>
</tr>
<tr>
<td></td>
<td>Cyber Hate</td>
<td>Hate speech channelled via the Internet and/or social media.</td>
</tr>
<tr>
<td>Abusive behavior</td>
<td></td>
<td>This type of behavior may often fall short of constituting a criminal offence; however, it is important to monitor it.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Verbal abuse, whether face-to-face or via telephone or phone messages. This includes abuse that is mistakenly directed at, or overheard by, people who are not members of LGBTI communities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Written abuse (including mobile-phone text messages, graffiti and targeted letters (that is, those written for, sent to or about a specific individual).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This includes written abusive comments about LGBTI communities or persons that are sent to individual people, regardless of whether they are members of LGBTI communities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This abuse is different from a mass mailing of abusive leaflets, emails or other publications, which are dealt with in the separate &quot;Abusive literature and music&quot; category.</td>
</tr>
<tr>
<td>Abusive literature and music</td>
<td></td>
<td>Mass-produced abusive literature or music that is sent to more than one recipient. This covers mass mailings rather than individual cases of hate mail, which fall under the &quot;Abusive behavior&quot; or &quot;Threats&quot; categories, depending on the content.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Literature that is abusive in itself, irrespective of whether or not the recipient is a member of LGBTI communities.</td>
</tr>
<tr>
<td>Discriminatory incidents</td>
<td></td>
<td>Any form of discriminatory incidents that are not considered a crime.</td>
</tr>
</tbody>
</table>
Monitoring transphobic incidents

Entry
Select from the list.
You can select multiple.

Examples
Sexual assault

Guidelines
Discrimination, hate speech and hate crimes are all motivated by bias. In many cases, there are multiple (perceived or known) characteristics of the victim that provided the basis for hatred and bias. In the “bias indicator” field, you can read more about how to identify indicators of bias.

Entry
Select one or multiple categories.

Examples
Age + Gender identity/ gender expression

Guidelines
Discrimination, hate speech and hate crime are all motivated by bias. As the hate motive implies that the incident was committed not primarily against the victim, but against a whole community based on the bias related to the individual victim’s (perceived) belonging to a group, it is crucial to prove and document this aspect. In order to assess whether an incident was motivated by bias, the following bias indicators can be used:15

Bias indicators

<table>
<thead>
<tr>
<th>Bias indicator</th>
<th>Questions that can help determine if a bias indicator is present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim perception</td>
<td>Does the victim perceive that the incident was motivated by bias? Keep in mind that the victim does not always understand that s/he may have been victimized in a bias-motivated attack. Victims often search for other reasons to explain an attack because their sexual orientation, gender identity or gender expression represents an aspect of themselves that is not generally possible to change.</td>
</tr>
<tr>
<td>Witness Perception</td>
<td>Does the witness perceive that the incident was motivated by bias? Victim perception and witness perception may be different. Both need to be considered.</td>
</tr>
<tr>
<td>Difference between suspect and victim in terms of racial, religious ethnic/national origin, gender, sexual orientation, etc.</td>
<td>Do the suspect and victim differ in terms of sexual orientation, gender identity or gender expression? Has the victim recently moved to the area in which the incident took place? Was the victim engaged in activities of LGBTI communities at the time of the incident? Is the victim, although not a member of LGBTI communities, is a member of an advocacy group that supports members of the LGBTI communities, or was the victim in the company of a member of LGBTI communities? Is the victim associated to a member of the LGBTI communities (e.g. married, or a family member)? Is the victim’s sexual orientation, gender identity publicly known?</td>
</tr>
<tr>
<td>Location and/or timing</td>
<td>Was the victim in or near an area or place commonly associated with or frequented by members of the LGBTI communities (e.g. an LGBT bar, venue)? Did the incident happen near locations related to the perpetrator’s group (e.g. headquarters of extremist organizations) or any hot spots for hate crimes? Did the incident occur on a date of particular significance for the LGBTI communities (e.g. day of LGBT pride march)?</td>
</tr>
<tr>
<td>Language and word used, including written statements, gestures, graffiti, visible signs of the suspect</td>
<td>Did the suspect make comments, written statements or gestures regarding the victim’s background? Were drawings, markings, symbols or graffiti left at the scene of the incident? Did/does the suspect wear any visible sign (tattoo, clothes, haircut) to deduce his/her membership to a specific group opposed to LGBTI communities?</td>
</tr>
<tr>
<td>Organised hate groups</td>
<td>Were objects or items left at the scene that suggest the crime was the work of paramilitary or extreme nationalist organisations? Is there evidence of such a group being active in the neighbourhood? Did any organized hate group claim responsibility for the crime?</td>
</tr>
</tbody>
</table>

15) The source of the table is: http://ilga-europe.org/media_library/ilga_europe/how_we_work/ilga_europe_as_a_funder/tools/types_of_crimes_bias_indicators
In all cases, the victim’s perception of the incident should be the defining factor in determining whether it was motivated by bias or hate. A victim of a transphobic hate crime does not necessarily have to identify as a trans person (e.g. the perpetrator perceives them to be a trans person because they work for a trans group) to perceive the crime to have been motivated by hatred or bias. Therefore, it is not sufficient to state that the victim was a trans person for the incident to be classified as a bias-motivated incident.
Type of perpetrator

The type of perpetrator(s).

Guidelines
Indicate whether the perpetrators belonged to organised hate groups, the police, the army, etc., and whether they had a relationship with the victim (family, workplace, etc.).

Entry
Select one or multiple.

Examples
Co-worker

The description of perpetrator(s).

Guidelines
Provide any relevant and known details on the perpetrators, e.g. identifiers (for instance, tattoos), based on which you believe the incident was hate-motivated. Do not store names in the system, but separately in a safe location, as perpetrators’ name should not be revealed as long as they have not been convicted.

Entry
Give a 2 to 3 sentence description of perpetrator(s), including number of perpetrators, age, perceived gender, relationship to victim, etc.

Examples
Two men between 25 and 30, wearing the local football team’s jersey with swastika tattoos. Witnesses have seen them before in the area.

The impact of the incident on the victim and/or community.

Guidelines
Provide details on the incident’s impact on the mental and physical health, personal life, living and job conditions of the victim and the community.

Entry
Give a 2 to 3 sentence description of how the mental and physical health, personal life, living and job conditions of the victim and the community have changed due to the incident.

Examples
The victim was hospitalised with severe injuries. The local trans group held a protest in front of the police station in District 12 of Gurian.

The victim's need for medical care.

Guidelines
Indicate whether medical care was needed after the incident.

Entry
Select yes or no.

Examples
Yes.

The reaction of medical staff.

Guidelines
Indicate whether service was provided and categorise how medical professionals treated the victim.

Entry
Select one of the options.

Examples
Yes.

No medical care provided – distrustful

Other support received

Other support received by victim.

Guidelines
Indicate if any other support was received (e.g. from a psychologist, friend, family, etc.).

Entry
Select one or multiple. Specify if not on the list.

Examples
Friends.

Indicate whether the incident has been reported to the police.

Guidelines
Indicate whether the incident has been reported to the police.

Entry
Select yes or no.

Examples
Yes.
If no, reasons for not reporting to the police

Reasons for not reporting to the police.

Guidelines
Indicate why the victim did not report the incident, if known.

Entry
Select a reason or specify “other”.

Examples
Fear of violence and humiliation.

If multiple violations in case, link to other record

Multiple violations.

Guidelines
Indicate whether, apart from the primary incident, the victim has suffered from further abuse from the police or medical staff.

Entry
Provide the code of the other incident (from the name (code) field) recorded in the system.

Examples
NOR_NTO_013

Response of local authorities to the incident(s).

Guidelines
Describe statements made by public officials in press releases and/or meeting with representatives of the targeted community.

Examples
No

Reporting to other organs

Indicate whether the incident has been reported to other organisations or institutions.

Guidelines
Indicate whether the incident has been forwarded to any institutions, NGOs, monitoring bodies, etc.

Entry
Select yes or no.

Examples
No

Organisations and institutions (other than the police) that have received the report of the incident.

Guidelines
Indicate what institutions, NGOs, monitoring bodies, etc. have received the report of the incident.

Entry
Select one or multiple and specify in the text field. If not on the list, specify.

Examples
International – OSCE

Indicate whether the incident has resulted in court proceedings.

Guidelines
Indicate whether the incident has resulted in court proceedings.

Entry
Select yes or no.

Examples
Yes
Description of court case and decision if legal proceedings were initiated.

**Guidelines**
Provide details on the court case and decision.

**Entry**
Give a 2 to 3 sentence description of the parties that provided legal support for victim, the legal process, the court decision, appeals, etc.

**Examples**
The police recorded the case as a hate crime on the basis of gender identity and charged the two offenders identified by the witnesses with sexual assault.

**Violation status**
Status of the case indicating whether it has been confirmed as an incident or if it was a likely, unlikely or possible violation.

**Guidelines**
Determine – based on the follow-up on the case – whether the details of the incident have been confirmed or if it is an unlikely, possible or likely incident.

**Entry**
Select from the list.

**Examples**
Possible

**Supporting Documents**
Upload any materials that can be relevant to the incident (witness testimonies, media articles, hospital records without sensitive information, press releases, etc.).

**Guidelines**
Upload any materials that can be relevant to the incident (witness testimonies, media articles, hospital records without sensitive information, press releases, etc.).

**Entry**
Provide a document title, name of the creator and a short description of the file. Indicate the language of the document.
Glossary of Terms

**Advocacy**
The deliberate process of influencing those who make or have responsibility for implementing policy decisions. As such, the word “advocacy” is quite pliable and is used variously to suit organisational agendas. It is understood in terms of the work an organisation does and the fundamental mission of the organisation.

**Bias indicators**
Criteria that can assist law-enforcement professionals in determining whether a particular crime should be classified as a bias/hate crime. These criteria are not all-inclusive, and each case must be examined on its own facts and circumstances.

**Bias motivation**
A bias or hate crime or hate-motivated incident can be based on one of the following motivations: race/ethnicity, religion/faith, nationality, age, disability, sex, sexual orientation, gender identity, or other grounds.

**Data collection**
Data collection implies determining what information is needed and establishing the means to acquire it. Fact finding and monitoring are part of this process. Methods include a wide range of tools such as surveys, interviews, questionnaires, etc.

**Documentation**
The term “documentation” can have different meanings, depending on the geographical context or the field in which it is employed. It is important to stress that documenting is a process that includes different steps, which can vary depending on the goal of the documentation. Generally, documentation is the process of organizing and classifying the collected data such that it is accessible in the short and long term. It implies categorising the collected data according to certain criteria (such as the profile of victims/perpetrators; categories of incidents; bias indicators). This makes the data accessible and creates possibilities for analysis. Analysing data includes elaborating statistics, charts and graphs to make findings more visible. Good documentation is the basis for good reporting and dissemination to actors (government authorities, European/international institutions, human-rights institutions, etc.) that can take action. Good documentation can also be used to create effective advocacy tools, such as educational materials, articles, and posters that support the changing of attitudes.

**Gender identity**
Gender identity refers to each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms. (Yogyakarta Principles 2007)

**Hate crime (or bias crime)**
Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people. This could be based, inter alia, on gender, gender identity, sexual orientation, ethnicity, religion, age or disability. A hate crime comprises two distinct elements:
- It is an act that constitutes an offence under the criminal law, irrespective of the perpetrator’s motivation; and
- In committing the crime, the perpetrator acts on the basis of prejudice or bias.

Thus, the perpetrator of a hate crime selects the victim based on the victim’s membership or perceived membership in a particular group. Where the crime involves damage to property, the property is chosen because of its association with a victim group and can include such targets as places of worship, community centres, vehicles or family homes.

**Hate speech**
Forms of expression that are motivated by, demonstrate or encourage hostility towards a group or a person because of their membership in that group. Since hate speech may encourage or accompany hate crimes, the two concepts are interlinked. States differ considerably as to which forms of expression can be limited or prohibited because of their hateful nature.

**Monitoring**
A broad term describing the active collection, verification and use of information to address human-rights problems over time. Human-rights monitoring includes observing and gathering information about incidents and events (elections, trials, demonstrations, etc.); it has a temporal quality, as it generally takes place over an extended period of time. In the speci-
fic context of hate crimes, the purpose of monitoring is to document violence motivated by hatred and to draw the attention of national authorities or international organisations to the violation of recognised human rights. Monitoring ultimately aims to collect sufficient evidence of hate crimes to convince authorities and the public that something has to be done to improve the situation. Monitoring is also done to ensure that the authorities are adhering to the law, guidelines or agreements. It can also show trends over time.

Transgender or trans people
Transgender or trans people have a gender identity that is different from the gender assigned at birth. This includes people who intend to undergo, are undergoing, or have undergone gender reassignment as well as those who prefer or choose to present themselves differently from the expectations of the gender assigned to them at birth.

Transphobic incidents
The term describes acts motivated by prejudice/bias/hatred against trans people ranging from those that are merely offensive to those that constitute criminal acts. Although hate-motivated incidents do not always involve crimes, such incidents often precede, accompany or provide the context of hate crimes.

Victim of a homophobic or transphobic hate crime/incident
A victim of a hate crime/incident is a person who has suffered any incident, which may or may not constitute a criminal offence, that is perceived by the victim or any other person as being motivated by prejudice or hate based upon their sexual orientation, gender identity or gender expression. The perception of the victim or any other person is the defining factor in determining whether an incident constitutes a homophobic or transphobic hate crime.