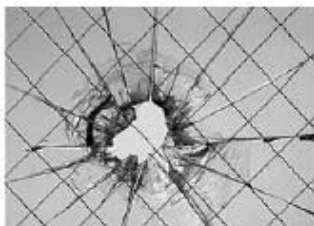


Violence Motivated by Sexual Orientation and Gender Identity Bias

Hate Crime Survey

Continuing violence motivated by hatred and prejudice based on sexual orientation and gender identity bias is an intimidating day-to-day reality for people across Europe and North America. Discriminatory official policies and hateful rhetoric against LGBT persons create a climate of prejudice that can lead to impunity in cases of violence motivated by sexual orientation and gender identity. Human Rights First's reporting focuses on the incidence of hate crime in Europe, the former Soviet Union, and North America. The report is available at www.humanrightsfirst.org/discrimination.

- ◊ The victims include people who describe themselves as lesbian, gay, bisexual, or transgender (together, "LGBT"), as well as others who are targeted because they do not conform to stereotypes of gender identity—in a number of incidents, attackers wrongly identified the victims as gay.
 - Anti-LGBT incidents are characterized by levels of serious physical violence that in some cases exceed those present in other types of hate crimes.
 - Underreporting of anti-LGBT incidents is particularly severe and remains extremely high. Public opinion surveys reveal that a vast majority of such incidents are never reported to the authorities.
 - Based on the available evidence from government and nongovernmental sources, LGBT hate crimes form a substantial percentage of the total amount of violent hate crime.
- ◊ Few countries track and provide official statistics on crimes motivated by sexual orientation bias.
- ◊ Very few countries list violent incidents against LGBT persons as a form of hate crime in their criminal law provisions. Only 13 of the 56 OSCE participating states have legislation that allows for bias based on sexual orientation to be treated as an aggravating circumstance in the commission of a crime.
- ◊ Nongovernmental monitoring, combined with incident reports available from the media, have reinforced official findings that homophobic violence is both frequent and of particular brutality.



- ◊ The response of governments to LGBT hate crime is generally even less than is the case in other forms of hate crime. In some instances, official policies and practices appear to be fueling intolerance and possibly contributing to the problem or the lack of government response.
- ◊ Gay pride parades and events in a number of countries in Eastern Europe in the past several years have resulted in political diatribes attacking people of minority sexual orientations, inadequate police protection, and acts of harassment and violence against the participants.
- ◊ The way in which recent gay pride events transpired in some countries—including **Croatia, Estonia, Latvia, Poland, and Romania**—suggest that the authorities took additional precautions against violent disruption in comparison to previous years. In other countries—such as **Moldova** and the **Russian Federation**—the authorities themselves continued to contribute to the danger faced by the participants in gay pride parades. In another group of countries—notably **Bulgaria, the Czech Republic, Hungary and Slovenia**—incidents of violence occurred despite apparently significant police preparations to protect the marchers. In a number of cases, the police were able to identify the violent protestors as being affiliated with organized extremist groups.
- ◊ The international response to hate crimes against people because of their sexual orientation or gender identity is hindered by the fact that these forms of discrimination are not well-integrated into the international human rights and anti-discrimination bodies and mechanisms.
- ◊ Consensual same-sex acts among adults are criminalized in two countries of the Organization for Security and Cooperation in Europe (OSCE), as well as at least eighty Member States of the United Nations.
- ◊ There is a need for immediate initiatives to fight violence motivated by sexual orientation and gender identity bias. Effective national strategies against violent hate crimes have to encompass violence on the basis of sexual orientation, and these need to be integrated into multilateral efforts as well. Human Rights First has recommended the implementation of our **Ten-Point Plan** to combat hate crime, which calls for:
 - ***The adoption of hate crime laws for violent crimes committed because of the victim's race, religion, ethnicity, sexual orientation, gender, gender identity, mental and physical disabilities, or other similar status;***
 - ***Vigorous law enforcement response to individual incidents;***
 - ***Cooperation between the police and affected communities;***
 - ***Systematic official monitoring, data analysis and public reporting.***

Human Rights First is a leading human rights advocacy organization based in New York City and Washington, D.C. Since 1978, we have worked in the United States and abroad to create a secure and humane world—advancing justice, human dignity, and respect for the rule of law. All of our activities are supported by private contributions. We accept no government funds. Since 2002, Human Rights First's Fighting Discrimination Program has combated discrimination by seeking to reverse the tide of racist, antisemitic, anti-immigrant, and anti-Muslim violence and other bias crimes across the fifty-six countries of the Organization for Security and Cooperation in Europe (OSCE). Our 2008 Hate Crime Survey, available online, documented a rise in hate crimes across many parts of Europe and North America. Our web-based Hate Crime Report Card

tracks official reporting systems as well as hate crime laws and their implementation in all fifty-six OSCE states.