

# CROATIAN EXPERIENCE IN PREVENTING AND COMBATING HATE CRIMES

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## LEGISLATIVE DEVELOPMENTS

- In 2006 a definition of hate crime was introduced in to the Criminal Code (OG 71/2006)
- In 2013 new Criminal Code was adopted: “Hate crime is a criminal offence committed because of race, colour, religion, national or ethnic origin, disability, gender, sexual orientation or gender identity of another.”
- Unless a more severe penalty is explicitly prescribed, such conduct shall be taken as an aggravating circumstance

## LEGISLATIVE DEVELOPMENTS

- These include criminal offence of aggravated murder, female genital mutilation, bodily injury, serious bodily injury, aggravated assault, serious crimes against sexual freedom and provoking riots
- The Law has also recognized gender identity as one of the ground of discrimination
- Above mentioned covers offences committed against property and not just against a person

## WORKING GROUP FOR MONITORING OF HATE CRIME

- Was set up in January 2010
- Drafted Protocol – Rules of Procedures in Hate Crime Cases (adopted by the Government in 2011)
- It defines obligations and content of cooperation of all competent authorities

# WORKING GROUP FOR MONITORING OF HATE CRIME

- It provides tools for data collection and data monitoring
- The aim is also to protect the possible hate crime victims

Hate crimes - statistics					
Criminal offences					
Ministry of Interior reported criminal offences in total	Ministry of Interior resolved criminal offences	State Attorney's Office – processed in relation to Art.87.§21	State Attorney's Office – processed without Art.87.§321	State Attorney's Office – rejection / cancellation of prosecution	Final judgment + sanction

Hate crimes - statistics			
Misdemeanours particularly marked in relation to the motive of hatred			
Number of misdemeanours in total	Rejection of bill of indictment	Number of verdicts of release or of abandonment	Final judgment + sanction

## POLICE-NGO COOPERATION

- January 2006 – Croatia joined LEOP on Combating Hate Crime (ODIHR/OSCE)
- It was tailored to the Croatian experience and practice
- We took TTT approach
- Main goal – to raise awareness in dealing with hate crime, increase law enforcement capacity for hate crime detection, investigation and prosecution and build partnership among police and NGO's

## POLICE-NGO COOPERATION

- Four Sections:
  1. Introduction to Hate Crimes
  2. Responding to Hate Crimes
  3. Investigating Hate Crimes
  4. Hate Crimes and Community Wellness and Recovery

## POLICE-NGO COOPERATION

- Comprised all 20 Police Administrations
- Inter-institutional and international cooperation
- case studies, role-play, interactive
- Added new content: Mediating in community conflicts as a model of preventive police work

## POLICE-NGO COOPERATION

- Active participation of LGBT NGO (Kontra and Iskorak) – “The role of NGO’s in combating hate crimes “
- ways of NGO participation in combating hate crimes:
  - On observational – researching level
  - In reporting criminal offences
  - In preserving and collecting evidence

## POLICE-NGO COOPERATION

- On counselling level
- Working with a victim
- In the rehabilitation of the perpetrator

## POLICE-NGO COOPERATION

- Huge media interest
- NGO and police common goals:
  1. establishing communication with trained police officers throughout the country
  2. building up the platform of mutual actions against hate crimes

## POLICE-NGO COOPERATION

3. improving the cooperation between NGO and police in detecting and investigating hate crimes
4. most important – raising awareness on homophobia and LGBT rights as human rights

## IMPLEMENTATION OF THE TRAINING

- MOI RH undertakes various activities:
  1. “Train the trainers” system
  2. Hate crime is integrated in the National police curriculum – at all levels
  3. Additional specialized training carried out by the trainers in Police Administrations

## IMPLEMENTATION OF THE TRAINING

4. Round tables and lectures given by hate crime trainers
5. Cooperation between relevant state authorities in collecting, processing and disseminating data
6. NGOs – police partnership at all levels (state and local) which has been accepted as our policy

## POLICE CONDUCT

- Instructions by the Police Director General to all the police regarding systematically monitoring and recording hate crimes
- “track record”
- Each case marked as “Urgent – Hate Crime”



## POLICE-NGO COOPERATION

- Project PROGRESS “Together against discrimination to LGBTIQ persons” in 2011 (for 200 trainees at the basic police training)
- Additional training for police officers in PA Splitsko-dalmatinska in 2011

## POLICE-NGO COOPERATION

- Project “Preventing and combating hate crimes against LGBT persons” in 2013
  - public campaign – posters and leaflets
  - public actions in four major cities

# POLICE-NGO COOPERATION

**PRIJAVI NASILJE!**

**STOP ZLOČINIMA IZ MRŽNJE NAD LGBT OSOBAMA**

PRAVNI TIM ISKORAKA I KONTRA  
098 228 398  
POLICIJA - 112

— PRETUČENA SAM I DORILA SAM PRIJETNJE SMRČU JER SAM TRANSRODNA OSOBA.

— NAKON ŠTO SE U GRADU SAZNALO DA SMO LEZEJSKI PAR SAZRIJEVI SU NAM PROZORI NA AUTOMOBILU, A NA NAŠOJ KUĆI ISPISANE SU PRIJETEĆE PORUKE.

— DOKTOR MI JE ODBIO PRIJAZNI NITNU LJUČENČU POMOĆ NAKON ŠTO SAM MU REKAO DA SAM GEJ.

— PRETUČILI SU ME JER SAM SE DEŽALA ZA RUKU I ČUROM DOK SMO ŠETALE GRADOM.

— VEĆER UOČI PRIDE-A MALOJUTNICE IZ SUSJEDNIVA ODBILE SU NAS RUCICAMA I KAMENJEM I PRIJETILI DA ĆE NAS NA PUTU DO PRIDE-A ISTUČI.

Ovo su samo neki od primjera zločina iz mržnje nad LGBT (lezbijarna, gejevna, biseksualnim i transrod- nini) osobama. Ako se to i vami dogodilo - informiraj se, prijavi zločin iz mržnje i bori se za svoja prava!

**\* Što je zločin iz mržnje?**

Zločin iz mržnje je svako kazneno djelo počinjeno prema pojedincu i zbog njegove/njzine spolne orijentacije ili rodne identiteta.

Pravo na život bez diskriminacije i pravo na život bez nasilja ubrajaju se u osnovna ljudska prava. Republika Hrvatska je kroz svoje zakonodavstvo uvela stroge kaznenjere za zločine iz mržnje.

Neki kaznena djela opisana u Kaznenom zakonu, a kod kojih je počinjenje iz mržnje uvedeno kao kvalifikatori (teži) obilježja:

- Tjelesna ozljeda, Članak 177.
- Teška tjelesna ozljeda, Članak 198.
- Odobno teška tjelesna ozljeda, Članak 199.
- Priglasje, Članak 193.
- Teška kaznena djela protiv spolne slobode, Članak 94.
- Izaazivanje nereda, Članak 324.
- Javno poticanje na nasilje i mržnju, Članak 325.
- Teško ubojstvo, Članak 111.
- Sakaćenje ženskih spolnih organa, Članak 116.

**SOS KARTICA\***

Pravni tim Iskoraka i Kontra te poziva da prijaviš zločin iz mržnje  
pravni@kontra.hr  
098 228 398  
Policija - 112

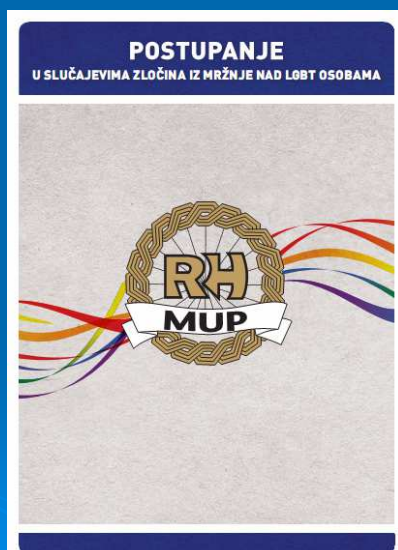
# POLICE-NGO COOPERATION

- Interactive workshops of LGBT NGO Kontra and Iskorak regarding hate crimes and LGBT rights as human rights for the police students of the professional undergraduate studies of criminal investigations
- part of the official curricula

## POLICE-NGO COOPERATION

- 3 modules
  - Substantive Criminal Law
  - Police Psychology
  - Psychology of Aggressiveness

## Brochures



## POLICE-NGO COOPERATION

- Joint appearances at conferences, expert meetings and projects
- Project with CMS and Zagreb Pride “Together for LGBT equality” in 2013
- Symposium “ Education against LGBT discrimination” in the Police Academy (2015)

Thank you for the attention!

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