



WORKSHOP REPORT - GREECE

INTER-AGENCY CO-OPERATION ON ADDRESSING HATE CRIMES

Warsaw
06 JUNE 2018

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Background information

In February 2017 the OSCE Office for Democratic Institutions and Human Rights (ODIHR) launched a two-year project titled “Building a Comprehensive Criminal Justice Response to Hate Crime” to help improve the skills of, and collaboration among, criminal justice professionals and the civil society on addressing hate crimes within each of four OSCE participating States – Bulgaria, Greece, Italy and Poland.¹

ODIHR’s implementing partner in Greece was the Ministry of Justice, Transparency and Human Rights. The project activities in Greece focused on the development of the Agreement on Inter-agency Co-operation on Addressing Racist Crimes in Greece (Agreement), which strengthened the co-operation between the institutions and the civil society in the areas of data collection, reporting, investigating and adjudicating hate crimes as well as victim support.² Project activities also focused on the implementation of ODIHR’s Prosecutor and Hate Crime Training (PAHCT) programme in co-operation with the Prosecutor of the Supreme Court in December 2017 in Athens.³

In order to present the project activities and results, ODIHR together with the Ministry of Justice organized a workshop in Athens on 6 June 2018. The event was composed of two parts of which the first one was dedicated to the signing ceremony of the Agreement while the second focused on the presenting the lessons learned and discussing potential ways forward. The event gathered 52 participants, of which 28 women and 24 men. These included high-level signatories of the Agreement as well as practitioners and representatives of the civil society, hate crime experts and National Contact Points of OSCE on Hate Crimes from Greece and the United Kingdom.

The lessons learned and best practices of the project activities in Greece contributed to the development of a methodology on interagency co-operation plans to address hate crime, which is a part of a broader toolkit developed under the project.

ODIHR announced the event on its website and promoted it through Facebook and Twitter.⁴

Signing ceremony of the “Agreement on Inter-agency Co-operation on Addressing Racist Crimes in Greece”

Ms. Maria Giannakaki, General Secretary for Human Rights at the Ministry of Justice, Transparency and Human Rights of Greece and the President of the National Council for Racism and Intolerance delivered the opening remarks. The keynote speaker, Ms. Anastasia Christodouloupoulou, 3rd Deputy Speaker of the Parliament, expressed hope that signing the agreement would serve as a best practice to other states. Mr. Stavros Kontonis, Minister of Justice, Transparency and Human Rights, emphasized the obligation of the state to provide conditions for peaceful coexistence of its inhabitants and discussed recent changes in institutional framework in Greece and efforts to tackle hate crime in Greece.

¹ Project description available at: < <https://www.osce.org/projects/criminal-justice-response-hate-crime> >

² The Agreement on Inter-agency Co-operation on Addressing Racist Crimes in Greece (in Greek and English) is available at: < <https://www.osce.org/projects/criminal-justice-response-hate-crime> >

³ Prosecutors and Hate Crimes Training (PAHCT) programme description is available at: < <https://www.osce.org/odih/pahct> >.

⁴ The news item on the event is available at: < <https://www.osce.org/odih/383694> >

Ceremony of signing the Agreement followed. The signatories included:

- Mr. Vassileios Peppas, President of the Supreme Court
- Ms. Xenia Dimitriou Vassilopoulou, Prosecutor of the Supreme Court
- Mr. Stavros Kontonis, Minister of Justice, Transparency and Human Rights
- Mr. Andreas Xanthos, Minister of Health
- Mr. Dimitrios Vitsas, Minister of Migration Policy
- Mr. Nikolaos Toskas, Alt. Minister of Interior
- Mr. Dimitrios Kranis, Director General of the National School of Judges, Vice-President of the Supreme Court
- Mr. Georgios Stavropoulos, President of the National Commission on Human Rights, Honorary Vice President of the Council of State, on behalf of the Racist Violence Recording Network⁵
- Mr. Philippe Leclerc, United Nation High Commissioner for Refugees (UNHCR) representative in Greece, on behalf of the Racist Violence Recording Network
- Ms. Kalliopi Theologitou, National Point of Contact of OSCE/ODIHR on Racist Crimes for Greece

Mr. Georgios Stavropoulos, President of the National Commission on Human Rights and Honorary Vice President of the Council of State, emphasized the importance of civil society involvement in the creation of the agreement.

Ms. Xenia Dimitriou Vassilopoulou, Supreme Court Prosecutor, pointed out the need to recognize hate crimes. At the same time, she emphasized the need not only to punish crimes, but also to provide support to the victims. She announced a series of coordinated measures undertaken by the Prosecutor's Office to address the problem of hate crimes:

- appointing 18 specialized hate crime prosecutors to all major prosecutorial offices in the country;
- instructing all prosecutors to flag hate crimes in their case management system as "RV" ("racist violence")
- signing a Memorandum of Understanding with ODIHR on implementation of PAHCT and extending the hate crime training programme to all the Greek regions;
- implementing trainings for judges and prosecutors on gender-based hate crimes with the Council of Europe;

Ms. Xenia Dimitriou Vassilopoulou also committed to intensifying the actions in addressing hate crimes in the future.

Mr. Philippe Leclerc, representing UNHCR Greece and the Racist Violence Recording Network, pointed out that the agreement was a formal step in co-operation between state authorities and civil society, which was well represented in the drafting process. He emphasised the need for continuous dialogue between the institutions involved in preparation of the agreement and ensured this continuity on behalf of the Racist Violence Recording Network.

Ms. Maria Giannakaki underlined the need to make practical use of the Agreement.

⁵ The Racist Violence Recording Network (RVRN) is an extensive coalition of 45 civil society organizations established in 2011 on the initiative of the National Commission on Human Rights and the United Nations High Commissioner for Refugees. The RVRN prepares annual reports of hate crimes in Greece based on inputs received from its members according to a unified methodology. The RVRN annual report for 2017 is available at: <http://rvrn.org/wp-content/uploads/2018/03/Report_2017eng.pdf>

Ms. Kalliopi Theologitou, National Point of Contact of OSCE/ODIHR on Racist Crimes for Greece, added that bringing victims of hate crimes into focus was of high importance.

Presentations and discussions

Opening remarks and presentation of the project

Ms. Maria Giannakaki delivered opening remarks and provided an outline of measures undertaken by the Greek authorities in addressing hate crimes. Ms. Cristina Finch, Head of Tolerance and Non-Discrimination Department at ODIHR, expressed hope that the signed agreement would strengthen the co-operation between the authorities and the civil society and would represent a basis for improved data collection, reporting, investigating and adjudicating hate crimes. Mr. Tome Shekerdjiev, Project Manager at ODIHR, presented the overview of the “Building a Comprehensive Criminal Justice Response to Hate Crime” project.

Experiences, good practices and lessons learned in establishing inter-agency co-operation on addressing hate crimes

Ms. Margarita Ilieva, the expert responsible for drafting the paper compiling the activities in Greece, presented her findings on the lessons learned in the process of drafting the Agreement.⁶ Ms. Ilieva provided a context in which she set the document: the need for enhanced co-operation and capacity building to address hate crimes in Greece, insufficient existing measures and an increase in the number of hate crimes in the country documented by international organizations. She underlined the need for a comprehensive strategy to tackle the problem.

Ms. Ilieva outlined the process that led to the creation of the inter-agency agreement, highlighting its characteristics: facilitating role of the Ministry of Justice, inclusion of the judiciary and civil society, national ownership of the process, continued direct exchange between the stakeholders in round table type discussions, as well as introduction of a neutral expert responsible for drafting the document.

Ms. Ilieva underlined the lessons learned in the process of drafting the agreement such as the understanding that a co-ordinated approach integrating civil society’s perspectives in the process is essential. She also pointed out the personal involvement of the Prosecutor of the Supreme Court, the increased visibility among criminal justice actors, the commitments to improve internal institutional practice in a number of institutions, all of which leading to culture change of the approach towards hate crime.

Finally, Ms. Ilieva underlined the need to secure the sustainability of the Agreement either through the working group or through incorporation of the working group into the National Council against Racism and Intolerance. She also suggested that capacity-building activities must go hand in hand with the Agreement and that the trainings be extended to those who wish to enter the prosecution service, judges, and police officers.

⁶ The compilation paper is available at: <<https://www.osce.org/odihr/402248?download=true>>

Ms. Tina Stavrinaki, Assistant Coordinator at the Racist Violence Recording Network, added that the extended process of drafting the Agreement resulted in institutions being able to familiarize themselves with the provisions of the agreement in an adequate way.

Ms. Maria Rossidi, Special Advisor in the General Secretariat for Transparency and Human Rights at the Ministry of Justice, explained that the political will to address the problem and the atmosphere of co-operation between the state and civil society were present in Greece. She asked how other countries could secure these favourable conditions.

Mr. Aleš Gião Hanek, Hate Crime Officer at ODIHR, responded that conditions were different in every country, but personal commitment of individuals working for key institutions proved to be important. He also underlined that turning the provisions of the Agreement into functioning policies could prevent the potential loss of political will in Greece.

Ms. Maria Giannakaki pointed out that the art. 13 of the Agreement had been of particular significance, as it foresaw the continuation of the works and meetings of the working group at frequent intervals (once a month) under the auspices of the Ministry of Justice.

Further steps to foster greater inter-institutional co-operation on addressing hate crimes

Mr. Christos Petrakos, legal expert for drafting the agreement, presented the core parts of the agreement.

Mr. Tome Shekerdjiev, Project Manager at ODIHR, underlined that actors who do not usually belong to the criminal justice system were included in the process of drafting the agreement, such as the Ministry of Health (providing support to victims, under reporting of disability hate crimes) and the Ministry of Migrations (socio-political realities). This, according to him, added to the comprehensiveness of the document. He also underlined that the effectiveness of the Agreement relied on the commitment of its parties.

Ms. Maria Rossidi, Special Advisor in the General Secretariat for Transparency and Human Rights at the Ministry of Justice, delivered a presentation on recommendations for improving the recording and retaining data concerning hate crimes. She pointed out that reporting relied on police officers that needed professional knowledge on what was a hate crime in order to record it, as well as a well-functioning IT system allowing for disaggregation of gathered data. She explained that in case of Greece a circular for the police on hate crimes had been in force since 2014. Ms. Rossidi explained the procedure of recording hate crimes in Greece in detail and admitted that problems in that procedure existed since even in cases when the police officer characterized the act as hate crime, the police did not forward the relevant data recorded to the prosecutors or the court received the case file without proper labelling. These gaps made it difficult to identify the hate crime cases.

Ms. Rossidi underlined that the Ministry was interested in trainings on the rights of victims aimed at judges, prosecutors, police and civil society organizations, as well as strengthening the co-operation between the Ministry and civil society organizations and developing a database of hate crimes.

Mr. Konstantinos Paraskevaïdis, Vice Prosecutor of the Supreme Court of Greece, presented the structure and content of the Training of Trainers in Greece according to ODIHR's PAHCT programme. Mr. Stamatios Daskalopoulos, Prosecutor of the Court of Appeal of Larisa, spoke of his experience in cascading the PAHCT trainings to colleagues from his prosecutorial area. Mr. Lampros Tsogas, Head of Prosecutor's Office in Thessaloniki, shared information about his training initiative in Thessaloniki, where he trained 20 high school professors in addressing hate crimes.

Mr. Tome Shekerdjiev, Project Manager at ODIHR, thanked for the effort presented by the Ministry in securing that the appropriate information reaches the courts. He underlined the need to be able to disaggregate data on protected characteristics in order to provide a more targeted response to hate crimes reflecting the needs of different communities. Moreover, he thanked for organizing the subsequent trainings for prosecutors right after the December 2017 PAHCT session.⁷ He also proposed other capacity building activities in Greece, namely training and raising awareness of university professors.

Mr. Aleš Gião Hanek, Hate Crime Officer at ODIHR, enumerated the OSCE commitments on addressing hate crimes undertaken in 2009: to enact specific hate crime laws, to train police, prosecutors and judges, to collect data on hate crimes, to provide support to victims and to cooperate with the civil society. While the institutions could implement the commitments in many ways, as he pointed out, the implementation was often selective rather than comprehensive. He underlined that the signed agreement was a great example of the latter method.

Mr. Paul Giannasi, Head of the Cross-Government Hate Crime Programme and National Contact Point of OSCE on Hate Crimes for United Kingdom, presented the British experience in addressing hate crimes. He enumerated the main elements of an effective policy: increased reporting, data, training the civil society, functioning systems and importance of leadership. He presented hate crime as an early indicator of tension and demonstrated its correlation with political events.

Mr. Giannasi showed the UK police website <http://www.report-it.org.uk/home> that served as a reporting mechanism. He pointed out the importance of trusting civil society organizations that they share the state's objectives, which is an element of the response in addressing hate crimes. He also underlined the importance of training and awareness raising activities, as well as the availability of resources on addressing hate crimes internationally. He added that the UK police had formal and informal agreements with vulnerable communities, basing on which they send regular reports to the police stations.

Mr. Giannasi offered the UK bilateral support to the Greek authorities in the form of study visits of criminal justice professionals to London, professional pairing as well as sharing policy and practice.

Ms. Tina Stavrinaki, Assistant Coordinator at the Racist Violence Recording Network, expressed interest in the techniques of police and civil society data comparison. She presented the network composed of 45 civil society organizations, its activities (providing shelter to victims, issuing recommendations, raising concerns about legislation, trainings) and its methodology on data collection based on interviews with the victims. Ms. Stavrinaki

⁷ More information available here: < <https://www.osce.org/odihr/360271>>.

expressed an opinion that the state must continue to act against hate crime and she defined the network's role as support provider (supporting victims, facilitating reporting, monitoring legislation). She underlined the necessity of turning the working group into a permanent task force.

Ms. Kaliopi Theologitou, Prosecutor and National Contact Point (NCP) of OSCE on Hate Crimes for Greece, pointed out that the NCP had seen important improvements in addressing hate crimes in Greece over the past years, such as easier data collection procedures. She also expressed an opinion that the NCP should not be limited in its tasks to collection and submission of data, but should also be responsible for transfer of information and best practices. She also proposed that the text of the agreement be updated when need arise, and that the trainings on hate crimes reach different stakeholders and be based on specific cases and that protection of victims be consolidated in order to avoid secondary victimization.

Mr. Aleš Gião Hanek, Hate Crime Officer at ODIHR, confirmed the support to the Greek authorities on behalf of ODIHR: continuation of PAHCT trainings in Greece, proposed implementation of TAHCLE, as well as recommended the joint police and prosecutors trainings. He pointed out that ODIHR has developed a programme called INFAHCT (Information Against Hate Crime Toolkit) to increase reporting, improve recording and registration and provide tools to improve ways in which authorities work with data.⁸ Moreover, he announced the launch of ODIHR's practical guide on engagement with victims of hate crimes in 2019. He also proposed to issue a circular for prosecutors containing guidance to ensure uniform prosecution of hate crime cases (in parallel to trainings) and expressed ODIHR's support in that process.

Mr. Tome Shekerdjiev, Project Manager at ODIHR, thanked the participants for their presence and for allowing to learn and share the Greek experience across the EU and the OSCE. He wished successful implementation of the agreement to the Greek partners.

Conclusions

The participants of the event agreed on a number of key issues. The central themes that emerged during the workshop were the importance of comprehensive inter-agency co-operation in combatting hate crime and the need to involve civil society in the process.

Furthermore, the following issues were proposed:

- Continuation of PAHCT trainings in Greece;
- Implementation of the TAHCLE programme and joint police-prosecutor trainings in Greece;
- Issuance of a circular for prosecutors containing guidance to ensure uniform prosecution of hate crime cases (in parallel to trainings);
- The need for improvement of the process of registration and reporting of hate crimes;
- The need to disaggregate data on protected characteristics in order to provide a more targeted response to hate crimes;
- The need of protection of victims in order to avoid secondary victimization;
- The necessity to turn the working group into a task force;

⁸ Information Against Hate Crimes Toolkit (INFAHCT): Programme Description is available at: <https://www.osce.org/odihr/INFAHCT>.

- Take advantage of bilateral support from the United Kingdom (study visits of criminal justice professionals to London, professional pairing, sharing policy and practice);
- Implementation of trainings on the rights of victims for judges, prosecutors, police and civil society organizations;

The participants expressed their hope that the tools produced together would serve as a model and inspiration for other EU and OSCE countries to develop new comprehensive approaches to addressing hate crime.

Annex 1 – Workshop agenda

NATIONAL WORKSHOP

**of the Ministry of Justice, Transparency and Human Rights in co-operation with the
Office of Democratic Institutions and Human Rights of OSCE on the project**

“BUILDING A COMPREHENSIVE CRIMINAL JUSTICE RESPONSE TO HATE CRIME”

Athens, 6 June 2018

MEGARON CONFERENCE CENTRE,

Rooms MC2 and MC3

First Session

**Signing of the “Agreement on inter-agency co-operation on addressing racist crimes in
Greece”**

(Room MC2)

9:15- 10:00 Opening remarks:

Anastasia Christodouloupoulou, 3rd Deputy Speaker of the Parliament
Stavros Kontonis, Minister of Justice, Transparency and Human Rights

**10.00-11.30 Signing Ceremony of the “Agreement on inter-agency co-operation on
addressing racist crimes in Greece”**

Statements of the Signatories

Vassileios Peppas, President of the Supreme Court

Xeni Dimitriou Vassilopoulou, Supreme Court Prosecutor

Stavros Kontonis, Minister of Justice, Transparency and Human Rights,

Andreas Xanthos, Minister of Health

Dimitrios Vitsas, Minister of Migration Policy

Nikolaos Toskas, Alt. Minister of Interior

Dimitrios Kranis, Director General of the National School of Judges, Vice-
President of the Supreme Court,

Georgios Stavropoulos, President of the National Commission on Human
Rights, Honorary Vice President of the Council of State, and Philippe Leclerc,
UNHCR Representative in Greece, Representatives of the Racist Violence
Recording Network

Kalliopi Theologitou, National Point of Contact of OSCE/ODIHR on Racist Crimes for Greece

11.30-12.00 Coffee Break

Second Session

**“Building a Comprehensive Criminal Justice Response to Hate Crime”
project activities in Greece**

(Room MC3)

12.00 – 12.30 Opening remarks

Maria Giannakaki, Secretary General of Transparency and Human Rights at the Ministry of Justice

Cristina Finch, Head of the Tolerance and Non-Discrimination Department at ODIHR

12:30- 12:45 Presentation of project activities

Tome Shekerdjiev, Project Manager, ODIHR

12:45- 14:00 Presentation and discussion of the products developed within the activities in Greece (moderated by Tome Shekerdjiev, Project Manager, ODIHR)

- **Agreement for inter-agency co-operation on addressing hate crimes**
Christos Petrakos, legal expert for drafting the Agreement
- **Recommendations for improving the recording and retaining data concerning racist crimes**
Maria Rossidi, Special Advisor in the General Secretariat for Transparency and Human Rights at the Ministry of Justice
- **Capacity building of the prosecutors to address hate crimes**
Constantinos Paraskevaidis, Vice Prosecutor of the Supreme Court of Greece
Stamatios Daskalopoulos, Prosecutor of the Court of Appeal of Larisa

14:00- 15:00 Lunch

15:00- 15:30 Outlining experiences, good practices and lessons learned in establishing inter-agency co-operation on addressing hate crimes and improving the recording and retaining data concerning racist crimes

Margarita Ilieva, expert responsible for producing the national compilation paper

15:30-16:30 Facilitated discussion: Further steps to foster greater inter-institutional co-operation on addressing hate crimes (moderated by Ales Giau Hanek, Hate Crime Officer, ODIHR)

Paul Giannasi, Head of the Cross-Government Hate Crime Programme and National Contact Point of OSCE on Hate Crimes for United Kingdom

Kaliopi Theologitou, Prosecutor and National Contact Point of OSCE on Hate Crimes for Greece

Tina Stavrinaki, Assistant Coordinator, Racist Violence Recording Network

16:30 Concluding remarks

Tome Shekerdjiev, Project Manager, ODIHR

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