

HOMOPHOBIA AND TRANSPHOBIA BASED HATE CRIMES IN TURKEY

2019 REVIEW



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1. FOREWORD

Hate crimes are a type of right violations that require multi-layered readings and interventions. That's why they're also called "political crimes" or "message crimes." For a productive struggle, the design of protection, prevention, and justice processes should be addressed not only in the legal system but also as political and psychosocial measures. In addition to inclusive regulations in the penal code, awareness-raising campaigns and training, specialized units in the security and criminal justice system, and specialist institutions that undertake a total combat strategy, coordination of different institutions, and structuralization of public-civil society dialogue are essential.

Hate crimes are also complicated as phenomena. The characteristics of targeted individuals and social segments, perpetrators, the current socio-political environment, and the active fault lines formed between the social groups need to be analyzed in-depth. The relations between these actors and dynamics need to be defined. The Homophobia and Transphobia Based Hate Crimes in Turkey Report, which has been published since 2013 by Kaos GL, carries great importance among the efforts to meet this need. The information acquired by Kaos GL in light of this research reveals different but complementary elements of hate crime as a phenomenon. These findings are summarized in the Key Findings section of the research report, but the most prominent ones are worth mentioning here.

Most hate crimes can be qualified as lynchings

According to the research findings, in two-thirds of homophobia and transphobia-based hate crimes, the perpetrators consist of two or more people. In 41 of the 150 cases reported last year, i.e., in more than a quarter of them, perpetrators were more than three people. This finding sheds light on a few comments. First, members of the hegemonic and majority group are committing these crimes as a show of force against LGBTI+ people. Although there is a single individual targeted by the crime, they are cooperating in these political crimes to "send a message" to an entire LGBTI+ community and to consolidate their power over them. Besides, in doing so in a mob, in the words of Prof. Dr. Melek Göregenli, "they share the responsibility of the crime." In a sense, they legitimize the crime by collectively committing these actions, which are blatant crimes under the penal code. They even transform the crime into a punishment for LGBTI+ persons.

Crimes are generally committed in public and in front of witnesses

Another notable finding of the research is the places where the crimes are committed. Schools, hospitals, dormitories, hotels, restaurants, cafes. Police stations. The vast majority of cases take place in public places, in front of witnesses. While the witnesses do not react in half of the cases, in a quarter of the cases, they favor the attackers. The only place that we haven't mentioned above is the home. Domestic violence that LGBTI+'s are exposed to is the other side of the issue. Individuals who think they can become targets anywhere are experiencing a deep sense of "exclusion" and "insecurity." The extreme anxiety that people feel in their own homes or public places because of their sexual orientation, gender identity, or sexual characteristics are riveted by insecurity and even fear of public institutions, especially law enforcement. Because of that, a very small number of hate crimes are reported to the police.

Police treat many cases indifferently or disdainfully

According to the results of the 2019 survey, only 26 of the 150 cases were reported to the police. As the reason for not reporting, the most stated reasons are "not believing that the application will work," "avoiding being exposed to the family or media by the police," and "not wanting to be discriminated against by the police." These responses illustrate the distrust of LGBTI +s towards government bodies, specifically to the police. They prefer not to go to the police, in order not to be further violated, even when they are exposed to explicit crimes such as physical violence, sexual harassment, threats, blackmail, deforcement, and even rape. Unfortunately, the answers to the question of how the police reacted in the reported cases make this preference partially understandable. Approximately half of the 26 cases reported in 2019; the police acted "unconcerned" and about one-third "humiliating or rebuffing." This finding points to the origins of homophobia and transphobia-based discrimination, which are institutionalized as well as social. In most cases, the police see criminals as excusable and victims as deserved.

The solution is in universal human rights law and pluralist, participatory democracy

Individuals are not the only target of hate crimes. Through individuals, these crimes are targeting the culture of the coexistence of different social segments, which are seen as "undesirable" and society as a whole, i.e., the pluralist democracy itself. That's why the regulations in the penal code or court decisions are not enough. Yet there is no such effective legislation or law on hate crimes

against LGBTI+ individuals or other social groups. Protection, prevention, monitoring, reporting, reconstituting, and awareness-raising policies are defective. Most importantly, the current government does not have a strategy to combat hate crimes.

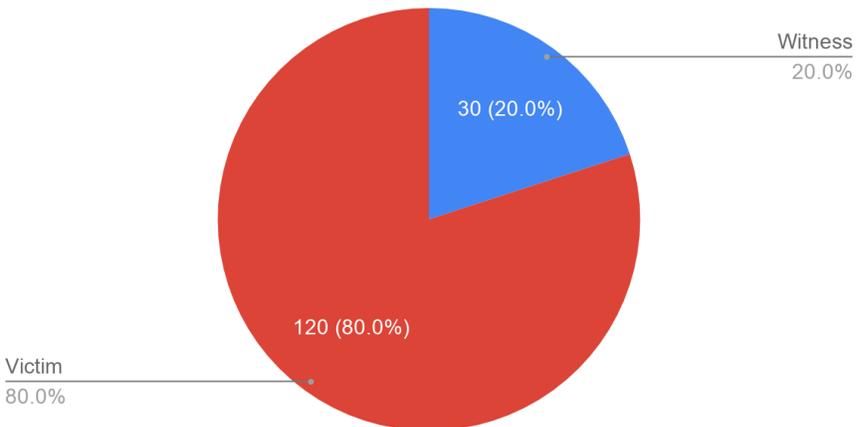
Then what should be done? Of course, creating a hate crime legislation and policy framework that refers to OSCE standards is one of the first steps that need to be taken. Article 122 of the Turkish Penal Code is far from meeting these standards in its current form. It is not possible to mention any other legal or political measures. There is a lot to be done, and it transcends the limits of this article. Still, lasting success will be possible by handing over the right of political participation of groups targeted by hate crimes. In other words, LGBTI+s and other groups that are rendered as “disadvantaged” should have a say in political and bureaucratic decision-making mechanisms. They should be encouraged to do that. For example, the work can be initiated with a multilateral National Strategy for Combating Hate Crimes, of which the LGBTI+ organizations should be included as shareholders. The strategy should prioritize public-civil society cooperation. LGBTI+s and other “disadvantaged” segments will continue to become targets of hate crimes unless ways of bringing up their problems and needs and ideas of creating solutions to them with all components of society are opened up, and that gets implemented as a permanent practice. Because “inequality” is at the heart of these crimes.

2. KEY FINDINGS

Kaos GL Association used the SurveyMonkey Pro online survey program to collect data that would form the basis for the report. Kaos GL made the most effective use of the daily updated news portal and other social media tools to reach out to the victims and witnesses. The survey questions were prepared in cooperation with ILGA Europe, taking into account the Organization for Security and Co-operation in Europe (OSCE) criterion. Responses from survey participants were carefully and responsively filtered based on the test for reliability, completeness, consistency, and repeated notifications. Thus, the number of cases deemed appropriate to be transferred to the report was determined as 150. Last year, the number of participants in the study was 62.

Total number of reported cases

150 participants, single option



A total of 150 cases were reported by 120 victims and 30 witnesses in this report. Only the witness surveys filled out by people who were at the scene in person at the time of the incident were considered valid. According to last year's study,

the similarity of the victim/witness ratio stands out. In 2018, these figures were a total of 62 responses; 48 victims (77%) and 14 witnesses (23%).

The survey was conducted between 2 April 2019 and 23 January 2020. Events included in the report were limited to the incidents that took place in 2019.

Here we need to draw attention to the following: Another report that is published by Kaos GL Association, the Human Rights Watch Report¹, is based on a different documentation system. Kaos GL's 2019 Homophobia and Transphobia-Based Hate Crimes Report, which you are currently reading, used a monitoring method based on responses to online surveys, and only cases reported by victims or witnesses were covered. That's why in this report, more hate crimes were documented and reported in comparison to the Watch Report in the sense of quantity and category. Some cases that took place in the Watch Report may not be included in the Hate Crimes Report.

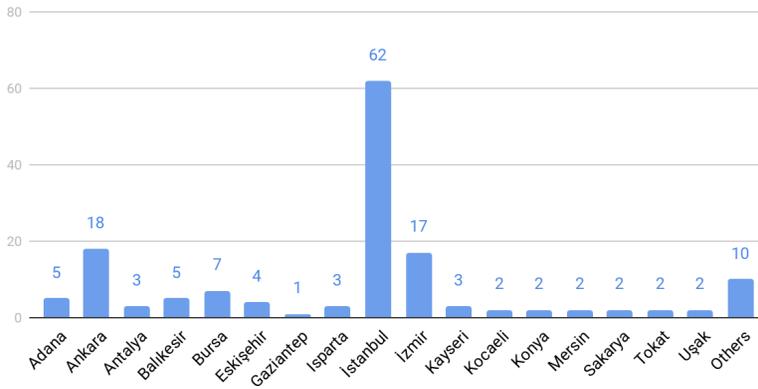
The people who participated in the study were from 27 provinces of Turkey. The geographical distribution of notifications is compatible with the overall demographic structure of Turkey and the relatively increased visibility of LGBTI+s in big cities. When evaluating this distribution, the immigration of LGBTI+s within the country should be taken into account. LGBTI+s move from small towns to big cities, especially to the three major cities. Therefore, while most LGBTI+ people living in small cities remain hidden, they are "less secretive" in big cities and may be more connected with each other. The necessity to emigrate to big cities is a separate research subject that can be considered as a violation of people's right to live in the place where they were born and grown.

Greater visibility is a factor that can be effective on the "boldness" and "rudeness" levels of potential aggressors. It may be thought that a higher number of attacks were caused by the fact that LGBTI + people were more open with their identity in the cosmopolitan metropolitan areas or busy public spaces. Thus, that increased their likelihood of being attacked. It is evident that more detailed studies should be done to determine the reasons for the peculiar differences between the cities and conditions in the public and private areas. Such detailed information can guide local governments' policies on human rights and public spaces.

1 Kaos GL Association, Human Rights Watch Report 2018:<http://www.kaosgldernegi.org/yayindetay.php?id=259>

Province of the incident

150 respondents, single option



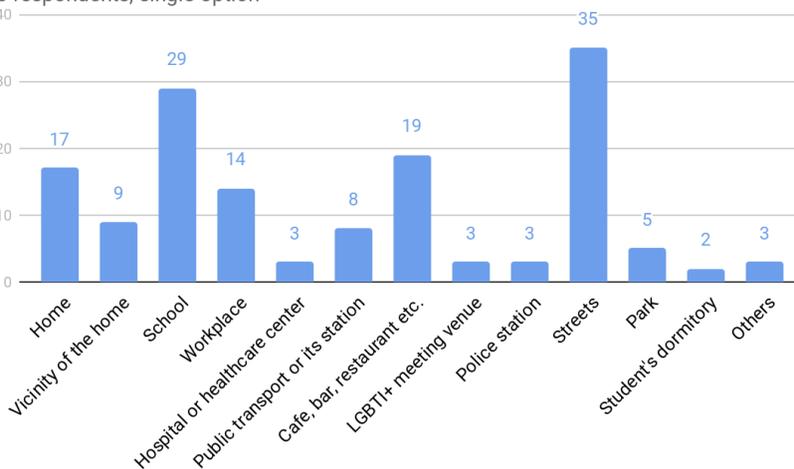
Others: Aydın, Balıkesir, Burdur, Çanakkale, Edirne, Hatay, Iğdır, Karabük, Tokat, Zonguldak.

People from a total of 27 provinces have participated in the research.

- Similar to the previous years, most of the homophobia and transphobia based hate crimes that took place in 2019 were committed at school, at home, around the house, in public transport vehicles or at their stops, at cafes and bars, on the street or at other public places. It can be thought that the fact that hate crimes often occur in public areas is associated with people being more visible at those places.

Location of the incident

150 respondents, single option

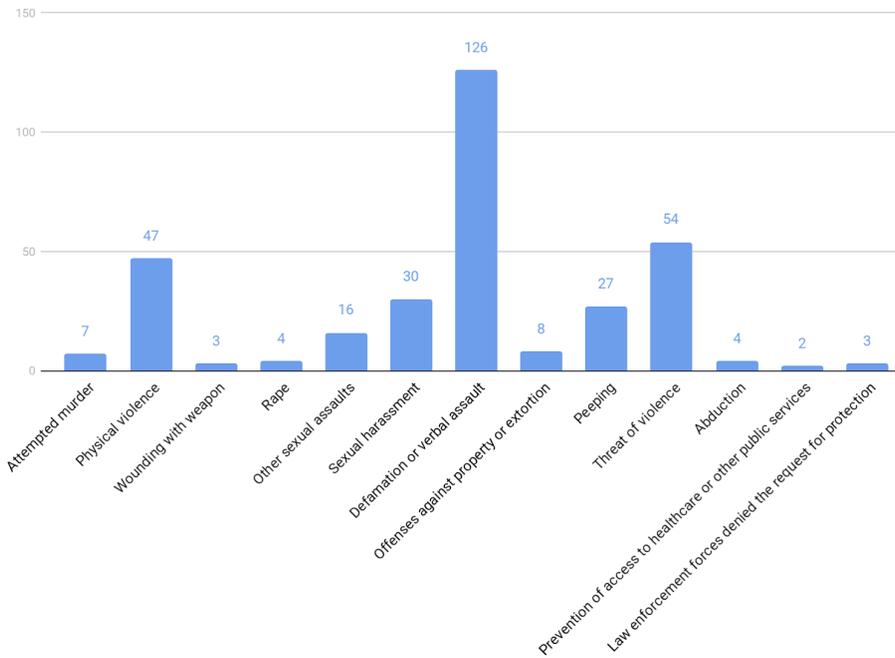


Others: Mall, social media, telephone.

- Victims were exposed to actions that caused more than two rights violations per case on average: 150 respondents reported 328 actions. For the most part, hate speech and the threat of violence based on sexual orientation or gender identity accompanied other “heavier” actions. Physical violence took third place.

Type of the incident

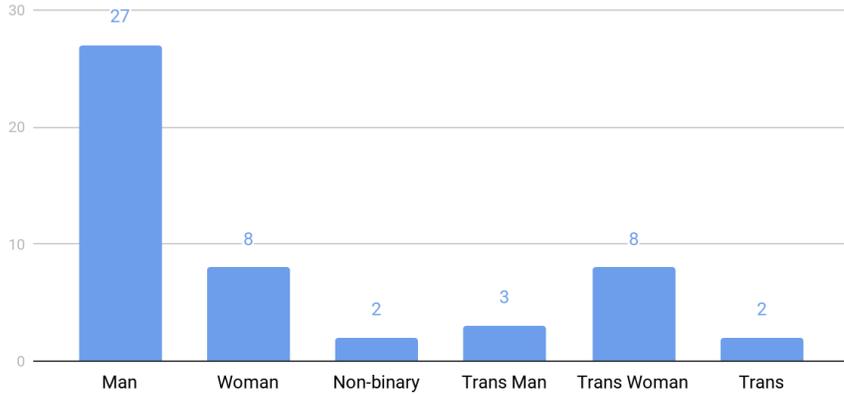
150 respondents, multiple options



- Of the 150 cases, 56 were actual attacks on individuals, including attempted murder, physical violence, gunshot wounds, rape, or other sexual assaults. Of the 56 cases involving these crimes, only 20 were reported to the police, and only 6 were brought to the court. According to victim statements, in 11 of the 20 cases reported, the police acted unconcernedly and condescendingly in 6. The gender identities and sexual orientations of the victims of the above-mentioned acts are presented in the following table.

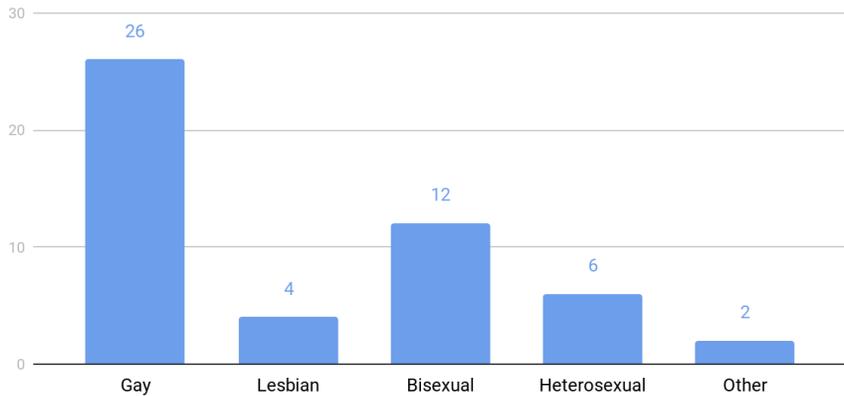
Gender identities of the victims in attempted murder, physical violence, rape, wounding with weapon or other sexual assaults

Total of 50 cases



Sexual orientations of the victims in attempted murder, physical violence, wounding with weapon or other sexual assaults

Total of 50 cases



Other: Fluid, pansexual.

- Many of the victims were seriously afraid of their families and law enforcement. They would not trust the courts or other state bodies. Therefore, a minimal number of incidents were reported to the law enforcement or the courts. Of the 150 cases, only 26 were reported to the police, while only eight were brought to the court. In just four cases, the police considered the incident as a hate crime.

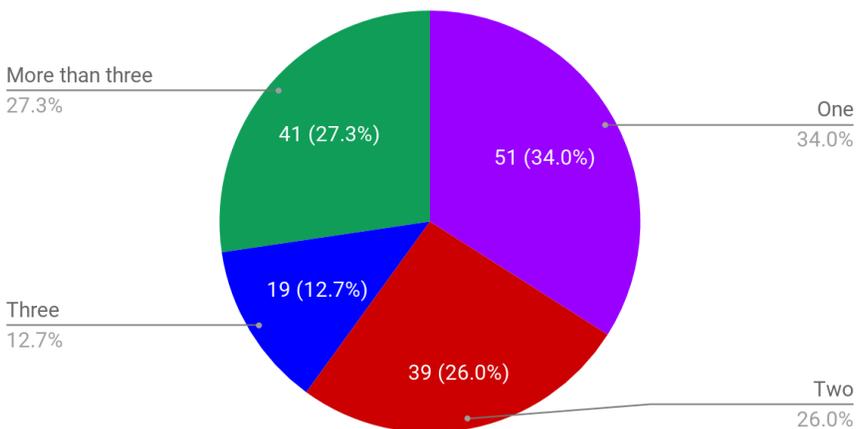
- In two-thirds of the cases, the perpetrators consisted of two or more people. In 41 of the 150 cases, the perpetrators were more than three people, and the incidents demonstrated lynch characteristics.

These results are consistent with the findings of previous studies and experiences of other countries. The fact that hate crimes against gays are at higher rates can be attributed to the ideology of heterosexual masculinity being more discriminatory against gays, while gay identity is more easily discernible. The work of Herek and his colleagues (1999) showed that victims of hate crimes are less likely to contact the security forces than other crimes. Regardless of the victim's gender and sexual orientation, hate crimes are reported to police much less than the crimes other than hate crimes. According to this study, 36% of lesbians reported hate crimes to the police, while 68% reported other incidents that happened to them. 46% of gays reported hate crimes, while 72% reported other crimes; 35% of the bisexuals reported hate crimes, while 62% reported other crimes to the police.

The finding that hate crime perpetrators are usually more than one person can be interpreted as the crimes becoming more legitimate as the responsibility of the action gets spread among them.

Number of perpetrators

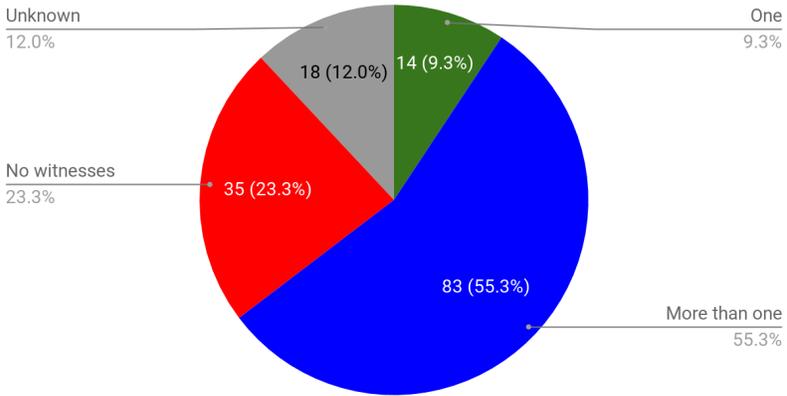
150 respondents, single option



- In more than half of the cases, the attacks took place in front of two or more witnesses.

Number of witnesses

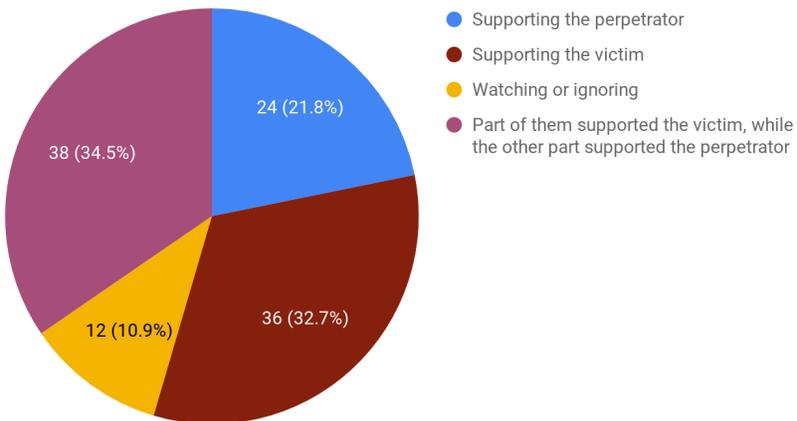
150 respondents, single choice



- Nearly half (49%) of witnesses did not respond to the incidents. 24 percent took a supportive stance on the victims. In 22 percent of cases, some witnesses supported the victims, while others stood by the perpetrators. The fact that witnesses are silent or taking a facilitating approach to hate crimes makes it easier to commit these crimes and calls for attention to the social background of ideologies that lead to hate crimes.

Reactions of the witnesses during the incidents

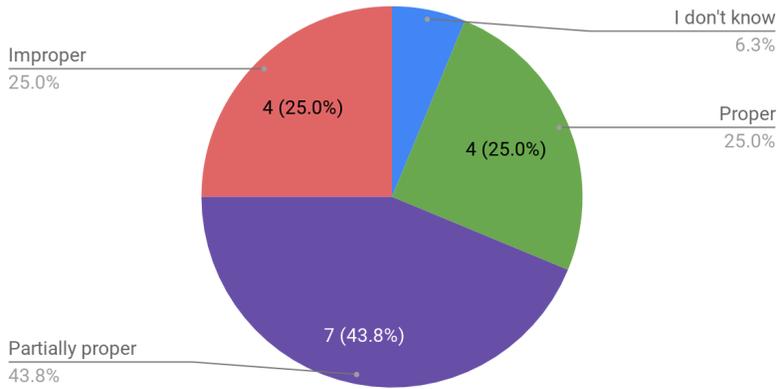
97 respondents, single choice



- In 26 of the 150 cases, the victims were injured. Of those injured, 16 applied for medical care. The assessment based on the treatment and general approach that these 16 victims received can be read from the following table.

Quality of the medical care

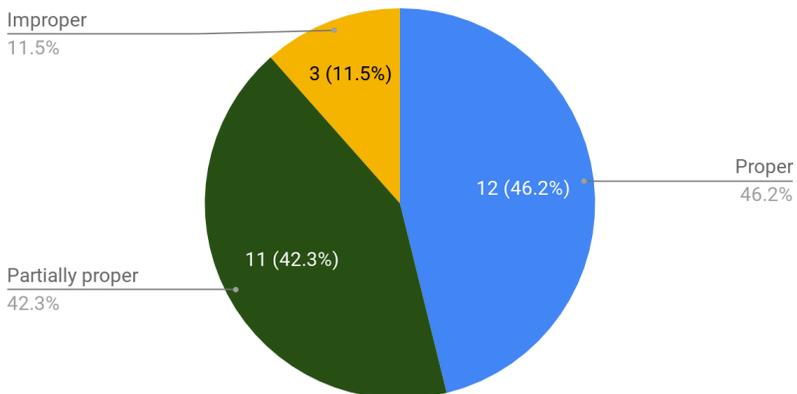
16 respondents, single option



- Many victims suffered severe psychological damage after the incidents. That worsened the lives of the victims in many ways with long-term effects. Few (19 percent) victims received professional support (psychologist or psychiatrist support) to overcome serious problems caused by post-traumatic stress disorder, depression, anxiety, anger, or paranoia. 38 percent of the victims received no assistance, including family or friend support, after the incident.

Quality of the psychological support

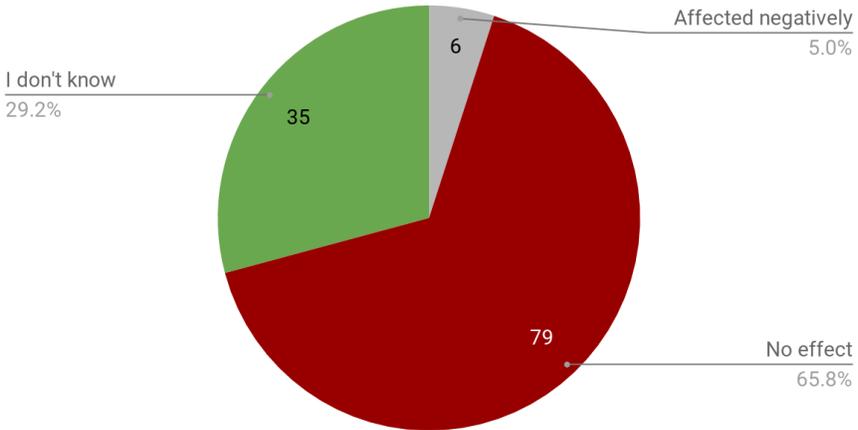
26 respondent, single option



- The psychological consequences expressed by the respondent victims (120 people) in the following section undoubtedly show lasting effects for long periods and point to the need for critical and sustained professional support.

Psychological effects on the victims

120 respondents, open ended question



The following narratives are selected from the participant's statements and are quoted as they are shared.

"I was diagnosed with a panic attack and anxiety disorder. I've received regular psychiatric support, and I'm still getting it. My disease led to agoraphobia." (verbal assault and physical violence, gay man)

"It caused anxiety disorder for me." (verbal assault and peeping, bisexual woman)

"I'm afraid to walk down the street alone. Also, the fact that police, etc. law enforcement forces wanted to cover up the situation, makes me feel alone and afraid." (physical violence, gay man)

"It made me feel awful and threatened the whole night and the following days. I was more by the fact that one of the witnesses was a close friend of mine and reacted with a laugh." (threat of violence, gay man)

"I couldn't leave the house for days. I had tantrums and tears from time to time. I'm mad at myself for not standing up for my rights." (insult and verbal assault, trans woman)

"I felt insecure. More insecure than I've ever been." (insult and verbal assault, bisexual woman)

"I'm walking on the streets more anxiously than before. And I can't walk without talking on the phone while I'm alone." (physical violence, gay man)

“It made me hate people.” (insult or verbal violence, pansexual trans)

“I couldn’t go out on the streets for a long time. I became quieter even towards myself. It took me a while to get out of the house. I got more pessimistic and felt the fear of being exposed to a phobia at any time. I have been living on alert since then.” (verbal assault and abduction, lesbian trans woman)

“I attempted suicide 5-6 times since then.” (physical violence, heterosexual trans man)

“My trust in public institutions has disappeared.” (physical violence, gay man)

“Every time I cross that street, I get tense if I will be harassed again.” (sexual harassment, gay man)

“I couldn’t get over the shock for days. I wasn’t able to go to school.” (verbal assault and tailing, heterosexual trans man)

“I just got sad. To people’s intolerance.” (insult or verbal assault, bisexual man)

“I was diagnosed with major depression. I still use drugs and receive therapy.” (physical violence and sexual harassment, bisexual woman)

“Being disclosed and kicked out of the place that I was at made me not to be open in public.” (physical violence, lesbian)

“A constant sense of doubt and restlessness.” (verbal assault and threat of violence, gay man)

“Now, I have a psychological problem as I am under constant pressure. I think people understand my identity when someone looks at me or laughs at me.” (verbal assault, gay man)

“I felt helpless. I thought no one would help me.” (threat of violence, lesbian)

“I started to think I couldn’t fight anymore.” (physical violence and sexual harassment, gay man)

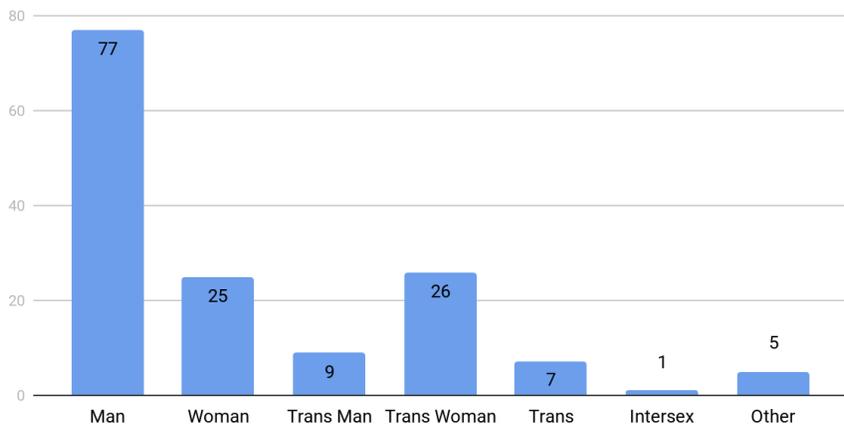
“I think several times before I get out of my home. I try to stay away from people as much as possible.” (physical violence, lesbian)

3. PREJUDICE BASED VIOLENCE AGAINST LGBTI+ INDIVIDUALS

The following graphs visualize statements of victims and witnesses regarding victims' gender identity, sexual orientation, or intersex status in 150 cases.

Gender identities of the victims

150 respondents, single choice

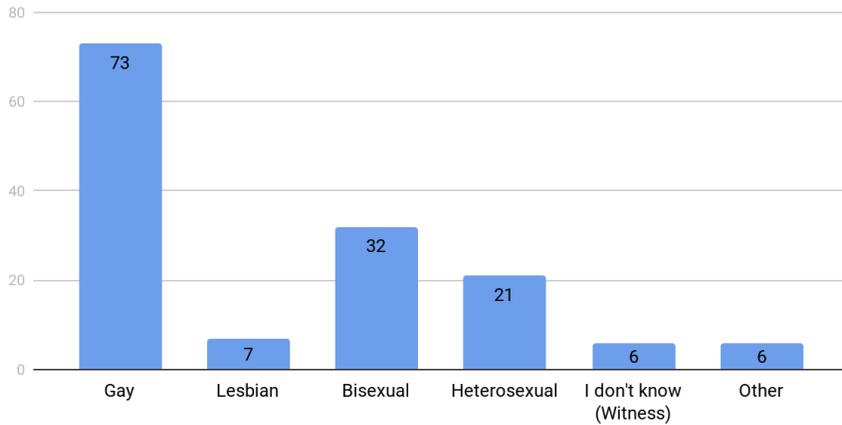


Other: "Non-binary"² (5 people)

2 A person who defines their gender outside of the binary gender regime, in which people are only assumed to be women or men.

Sexual orientations of the victims

150 respondents, single choice



Other: Pansexual (3 individuals), fluid (2 individuals), "I side with love" (1 individual).

As can be seen, intersex continued to be invisible in this study as well. These results can be interpreted as the reflection of the weak connection between intersex people or groups and the LGBTI+ rights organizations. This situation can be explained as follows: The problems experienced by intersex people are still addressed in a reduced medical context rather than the social-political framework. The rights holders, who are mostly children, are under the guardianship of their parents, while the parents are controlled by the healthcare personnel who have a limited human rights understanding. Therefore, the need for awareness studies on intersex people, both for themselves and their social contexts, should be emphasized.

4. LEGAL STATUS OF THE HOMOPHOBIC AND TRANSPHOBIC HATE CRIMES

As of 2019, Turkey recognizes hate crimes in a limited way in its legislation. “Sexual orientation, gender identity, and sex characteristics” (SOGIESC) are not covered among protected grounds. There is no judicial opinion that has become the norm. The regulation made into the 122nd article Penal Code, which came into force in March 2014, does not include sexual orientation, gender identity, and sex characteristics. Only hate crimes based on “language, race, nationality, color, gender, disability, political ideology, philosophical faith, religion or sect” are recognized by law. In addition, none of the political measures and social-cultural aspects described in the Foreword section have been included in the law.³

According to the content of the article, preventing access to goods and services and preventing economic activity and employment due to hatred caused by the criteria mentioned above, are regulated as a crime. In a country like Turkey, where hate crimes against the right to life and body integrity are common, the current legislation is far from sufficient.

The Ombudsman Institution of Turkey is not explicitly authorized to conduct “sexual orientation” and “gender identity”-based work in accordance with its legislation. The Law on the Turkish Human Rights and Equality Authority (TİHEK), which does not cover discrimination based on sexual orientation and gender identity, was published in the Official Gazette in 2016 despite the objections of civil society. The law in question does not include the phrase “etc.”, limiting protected categories of human rights in accordance with the ideological preferences of the government. This approach of political power is effective in determining the dominant perception of LGBTI+ identity and contributes to creating a perception of impunity towards crimes committed with hate motive. The statement of the TİHEK, which was published on February 2019 in accordance with the dominant homophobic ideology instead of universal human rights principles and standards, is especially remarkable in this regard.⁴

3 Turkish Penal Code Article 122 - https://www.legislationline.org/download/id/6453/file/Turkey_CC_2004_am2016_en.pdf

4 <https://www.kaosgl.org/haber/tihek-cinsel-kimlik-ayrimcilik-temeli-sayilamaz>

Turkey's judicial system continues to ignore the motive of prejudice in line with the political power that neglects its duty to protect and prevent. In practice, instead of treating homophobic or transphobic hate motive as an aggravating cause, perpetrators can be rewarded by Turkish courts with penalty discounts such as "unjust provocation" or "good conduct". In 2017, the court imposed an "unjust provocation" and "good conduct" reduction in its verdict on the hate murder of Syrian refugee Wisam Sankari.⁵ As a positive development, even if it has no effect on court decisions and the rhetoric of political power, there was a Constitutional Court verdict to consider hate speech as a crime openly.⁶ However, in a 2018 judgment, the Constitutional Court revoked this and stepped out of the European Court of Human Rights jurisprudence.⁷

The following articles, all from the Turkish Penal Code, demonstrate the deficiency of Turkish legislation for the fight against prejudice based crimes:

- **Penal Code of Turkey - Article 3 (The Principle of Equal Treatment before the Law):** (1) Any penalty and security measure imposed upon an offender should be proportionate to the gravity of the crime. (2) In the implementation of the Criminal Code, no one shall receive any privilege. There shall be no discrimination against any individual based on their race, language, religion, sect, nationality, color, gender, political (or other) ideas and thought, philosophical beliefs, ethnic and social background, birth, economic and other social positions.
- **Penal Code of Turkey - Article 115 (Prevention of the Exercise of Freedom of Belief, Thought and Conviction):** (1) Any person who uses force against, or threatens, another person in order to compel him to alter or declare, or in order to prevent him from declaring or disseminating, his religious, political, social, or philosophical beliefs, thoughts or convictions shall be sentenced to a penalty of imprisonment for a term of one to three years. (2) (Amended on 2 March 2014 – By Article 14 of the Law no. 6529) Where communal religious worship or ceremony is prevented by the use of force, threats or by any other unlawful act a penalty in accordance with paragraph 1 shall be imposed. (3) (Added on 2 March 2014 – By Article 14 of the Law no. 6529) Where lifestyles originating from beliefs, thoughts or convictions are interfered with or altered involuntarily by using force, threats or by any other unlawful act, a penalty under paragraph 1 shall be imposed.

5 <https://www.kaosgl.org/haber/wisam-sankarirsquonin-katiline-haksiz-tahriksquo-indirimi>

6 <https://www.kaosgl.org/haber/aymrsquoden-bir-ilk-escinsellere-sapkin-demek-nefret-soylemidir>

7 <https://www.kaosgl.org/haber/aymye-gore-escinsellere-sapkin-demek-nefret-soylemi-degil>

- **Penal Code of Turkey - Article 122 (Hatred and Discrimination⁸):** (Amended on 2 March 2014 – By Article 15 of the Law no. 6529) (1) Any person who (a) Prevents the sale, transfer or rental of a movable or immovable property offered to the public, (b) Prevents a person from enjoying services offered to the public, (c) Prevents a person from being recruited for a job, (d) Prevents a person from undertaking an ordinary economic activity on the ground of hatred based on differences of language, race, nationality, color, gender, disability, political view, philosophical belief, religion or sect shall be sentenced to a penalty of imprisonment for a term of one year to three years.
- **Penal Code of Turkey - Article 125 (Insult):** (1) Any person who attributes an act, or fact, to a person in a manner that may impugn that person’s honour, dignity or prestige, or attacks someone’s honour, dignity or prestige by swearing shall be sentenced to a penalty of imprisonment for a term of three months to two years or a judicial fine. To be culpable for an insult made in the absence of the victim, the act should be committed in the presence of at least three further people. (2) Where the act is committed by means of an oral, written, or visual message, addressing the victim, the penalty stated in the above paragraph shall be imposed. (3) Where the insult is committed: a) against a public official due to the performance of his public duty; b) because of declaring, altering or disseminating, his religious, political, social or philosophical beliefs, thoughts, or convictions, or practicing in accordance with the requirements and prohibitions of a religion he belongs to; or c) where the subject matter is deemed sacred to the religion the person belongs to the penalty to be imposed shall not be less than one year. (4) (Amended on 29 June 2005 – By Article 15 of the Law no. 5377) Where the insult is committed in public, the penalty to be imposed shall be increased by one-sixth. (5) (Amended on 29 June 2005 – By Article 15 of the Law no. 5377) Where an insult is made which arises from the duties of public officials who are working as a committee, the offense shall be deemed to have been committed against all members of that committee. In these circumstances, the provisions of the article concerning successive offenses shall be applied.
- **Penal Code of Turkey - Article 153 (Damaging Places of Worship and Cemeteries):** (1) Any person who damages the buildings, associated buildings (or structures upon such) of a place of worship or the movable property therein, or a structure with the purpose of protecting a cemetery by destroying, damaging or breaking such, shall be sentenced to a penalty of imprisonment for

8 The title of this article was amended to its current form while the title was “Discrimination” with the article 15 of the Law no. 6529 dated 2/3/2014.

a term of one to four years. (2) Any person who soils the places or structures listed in the first paragraph shall be sentenced to a penalty of imprisonment for a term of three months to one year, or an administrative fine. (3) Where the offenses in paragraphs one and two are committed with the aim of defaming a related religious group, then the penalty shall be increased by one third.

- **Penal Code of Turkey - Article 216 (Provoking the Public to Hatred, Hostility or Degrading):** (1) A person who publicly provokes hatred or hostility in one section of the public against another section which has a different characteristic based on social class, race, religion, sect or regional difference, which creates an explicit and imminent danger to public 43 By Article 10 of the Law dated 11/4/2013 and no. 6459, the phrase of” if any explicit and imminent danger to the public occurs, therefore” was added at the end of the sentence. - 71 - CDL-REF(2016)011 security shall be sentenced to a penalty of imprisonment for a term of one to three years. (2) A person who publicly degrades a section of the public on the grounds of social class, race, religion, sect, gender or regional differences shall be sentenced to a penalty of imprisonment for a term of six months to one year. (3) A person who publicly degrades the religious values of a section of the public shall be sentenced to a penalty of imprisonment for a term of six months to one year, where the act is capable of disturbing public peace.

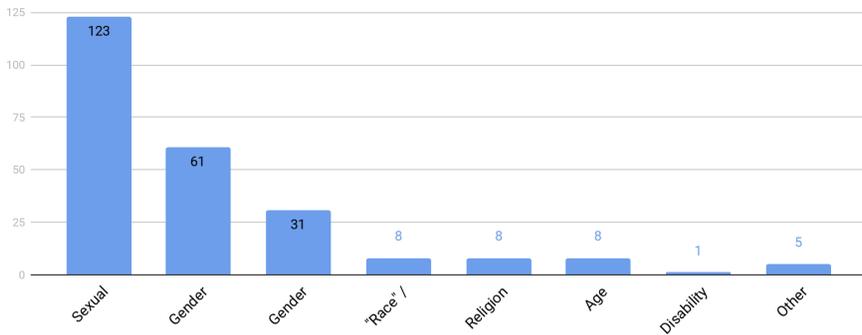
As can be seen, the provisions of the Turkish Penal Code only draws attention to the “criminal” aspect of the multi-dimensional hate crime issue with minimal scope. Here, SOGIESC is not among the protected foundations, same with many other categories. There is also no case law on such protection that has yet been established by the Turkish courts.

5. HOMOPHOBIC AND TRANSPHOBIC HATE CRIMES AND HATE INCIDENTS

The reasons for the motives of the attacks were described by victims and witnesses as follows.

Reason of the incident

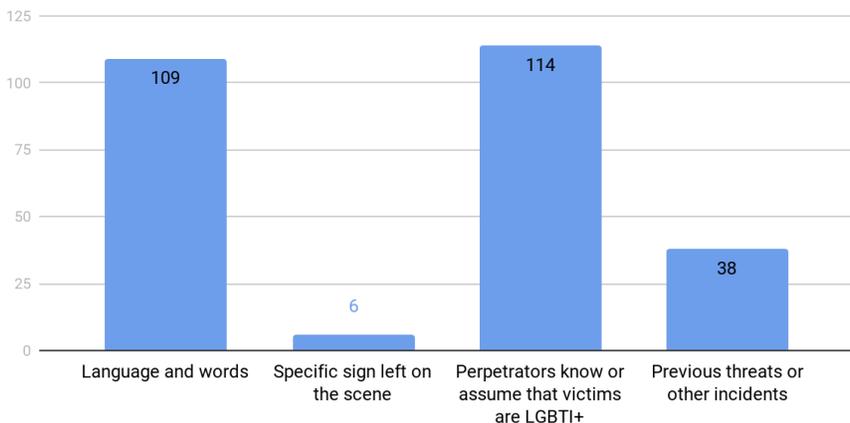
150 respondents, multiple options



Other: Different lifestyles (2 individuals), “being feminine,” “class difference,” “being a sex worker.”

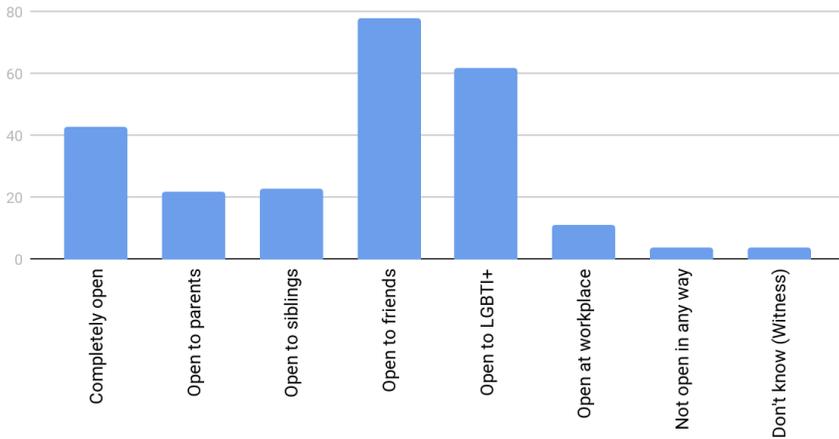
Findings regarding the reason of the incident

150 respondents, multiple options



Rate of "openness" of the victims regarding their identities

150 respondents, multiple options



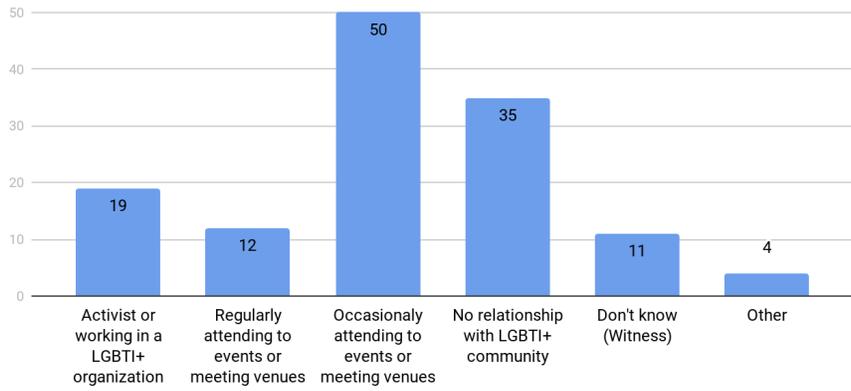
Findings show that to become the target of a hate crime, it is not necessary to be completely open in terms of sexual identity. The perpetrators also act upon any signs, predictions, or verbal statements. This is also included in the definition of hate crimes in the scope of the social sciences. Group belongings, which are the target of hate crimes, do not have to be real from time to time. They can occur as a result of the perpetrator's "attributions." The more common "stereotypes" or "self-beliefs" in a society, which are created by the gender ideologies, the more common the attributions to group belongings will be. For example, acting "feminine" for a man is considered a sign of being gay, or dressing "masculine" for a woman is being considered a sign of lesbianism makes such misconceptions possible.

- As can be seen from the following graphic, 21 out of 150 cases targeted people working in LGBTI+ organizations or LGBTI+ activists. The high rate of this underlines the particular context of these individuals, who must also be considered by the States as "human rights defenders" by international conventions and the United Nations Declaration of Human Rights Defenders⁹ and the government's responsibilities regarding their status.

⁹ <https://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>

Victims' relationship with the LGBTI+ community

150 respondents, single option



Other: "There is no LGBTI+ organization in the province that I live. If there were one, I would participate," (3 individuals); "Supporting them on social media."

6. QUALITATIVE OBSERVATIONS

Sexual identities of the victims

- Of the 120 victims who participated in the survey, 60 expressed their gender identity as men, 24 as women, 8 as trans men, 17 as trans women, 6 as trans, 1 as intersex, and 4 as non-binary.
- The victims were trans and cis men in 85 of the 150 cases reported by witnesses and victims.
- Other identities constituted the rest of the victims. Victims were identified as cis¹⁰ women in 25 incidents, trans women in 26 events, and trans in 7 events. This finding can be interpreted as men are more open about their identities and/or sexualities. Another comment may be that when men do not meet cisnormative and heteronormative expectations; they are less likely to be tolerated and more likely to be subjected to violence. “Women with male characteristics” may seem less “hostile” to attackers and, in a way, might be tolerated because of gender codes defined in favor of masculinity in the society. Besides, it should be emphasized that lesbian and bisexual women are less visible even in the LGBTI+ community, because of the same sexist social-political background. This relatively less visibility should also have an impact on the inclusiveness of the research and, therefore, its results.
- A similar problem applies to intersex people. The fact that only one intersex person has participated in the study does not indicate that there is no hate crime committed against them. Still, on the contrary, it reinforces the suspicion that their problems are being treated in a medical context rather than human rights and that they disconnected from civil society networks.

¹⁰ Person whose gender identity is the same with their assigned-at-birth gender.

Besides, many intersex people undergo surgical intervention without their informed consent in their infancy or childhood. Many do not know that they have undergone operations and cannot correlate their problems to these operations that disrupt their bodily integrity, and do not reflect their will and their true identity. This situation places them farther away from the protection of human rights. Also, even if the intersex status is maintained, they may be less likely to become targets in terms of social biases than other identities. This may be because of the thought that intersex identity is not a choice, but it is innate, and out of the person's will or control. So there may be fewer hostilities. Research shows that the thought that sexual orientation and gender identity are the results of a person's "free choice" leads to more biased approaches.

Sexual orientations of the victims

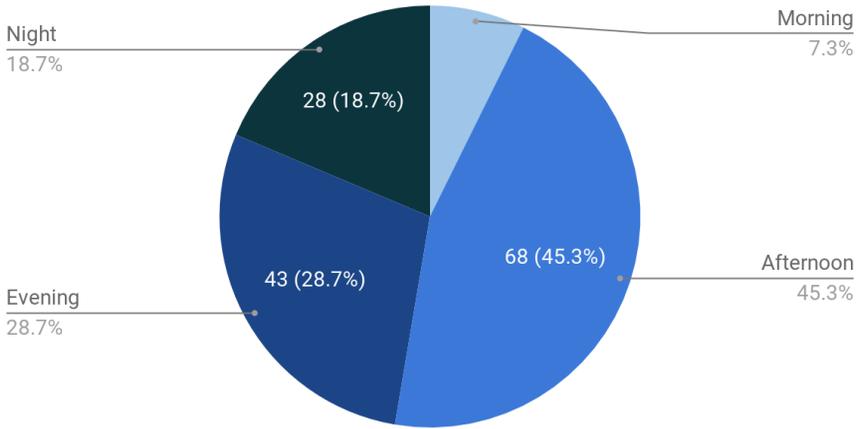
- Of the 120 victims who participated in the survey, 58 said they were gay, 12 were lesbian, 29 were bisexual, 16 were heterosexual, 2 were fluid, 2 were pansexual and 1 was "in favor of love."
- Of the 29 people who expressed their sexual orientation as bisexual, 10 expressed their gender identity as men, 11 as women, 4 as trans women, 1 as trans, 1 as intersex, and 2 as "non-binary".
- Of the 17 victims who declared their gender identity as "trans women," 3 declared their sexual orientation as gay, 1 as lesbian, 8 as heterosexual, 4 as bisexual, and 1 as "fluid."
- Of the 8 victims who declared their gender identity as "trans men," 6 said their sexual orientation was heterosexual, 1 was gay, and 1 was "in favor of love."
- Of the 6 victims who expressed their gender identity as "trans", 3 expressed their sexual orientation as gay, 1 as bisexual, 1 as pansexual, and 1 as fluid.

Time of the incidents

- Almost half (45%) of the incidents took place in the afternoon. The degree of physical violence or brutality of attacks increased in the evening and night hours.

Time of the incident

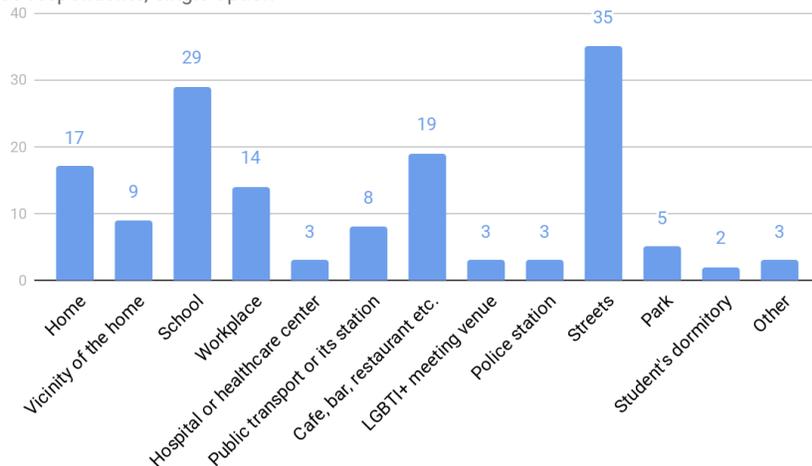
150 respondents, single option



Location of the incident

Location of the incident

150 respondents, single option



Others: Shopping mall, social media, telephone.

- LGBTI+ rights holders are not safe even in their homes, near their homes, schools, hospitals, or similar public institutions. In particular, LGBTI+ children were exposed to attacks by their peers or teachers at school. In line with the few (14) incidents reported at workplaces, very few LGBTI + people, especially lesbians, gays or bisexuals, may be considered open at workplaces. The results of the Situation of Lesbian, Gay, Bisexual, Transgender, and Intersex Employees in Private¹¹ and Public¹² Sector research conducted by Kaos GL, together with Kadir Has University, confirms this. Other places where LGBTI+ people are exposed to attacks are mostly public areas such as hospitals or health centers, public transportation systems, bars, cafes, parks, and streets.
- 4 of the 7 attempted murders took place on the street, 1 at school and 2 at home.
- When these findings are evaluated in general, unlike other simple crime types, it shows that there is no place where LGBTI+s can feel “safe” against hate crimes. While the absence of legal-social protection indicates the effect of the general political approach, the attacks that LGBTI+s are exposed to at home either from inside or outside shows that cis-heteronormative social ideology is strong and prevalent. The violence that people experience due to their sexual orientation and gender identity is called socially shared sexual stigmas. Sexual stigma means the negative attitude of the society towards existences outside of heterosexual and cisgender behavior, identity, relationship, or all forms of existence outside the community. The extent of this attitude is directly proportional to the prevalence of hate crimes.

Ages of the victims

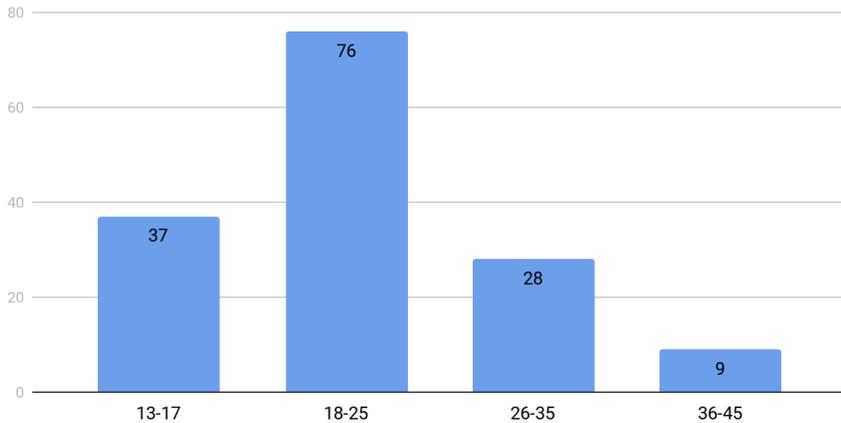
- One of the victims of attempted murder was between the ages of 13-17, 4 between 18-25 and 2 between 36-45.
- Of the 47 reported physical violence cases, 10 victims were between 13-17 years old, 26 were 18-25 years old, 8 were 26-35 years old, and 3 were 36-45 years old.
- One of the victims of 3 gunshot wounds was between the ages of 18-25, 1 was between 26-35, and 1 was between 36-45 years old.

11 http://www.kaosgldernegi.org/publication_detail.php?id=291

12 http://www.kaosgldernegi.org/publication_detail.php?id=292

Age of the victim

150 respondents, single option



- One of the victims of 4 rape cases was between the ages of 13-17, 2 were between 18-25, and 1 was between the ages of 26-35.
- Four of the victims of 16 cases, which were stated as “other sexual assaults” by the respondents, were between 13-17, 7 were between 18-25, and 5 were between 26-35.

One of the reasons for the increase in hate crimes as the age of the victims’ decreases may be the higher visibility in the public spaces at an earlier age. This is a factor that can increase the likelihood of encountering aggressors in public spaces. In addition, as the age of the victims increases, it can be thought that their awareness about the measures to be taken against the attacks increases. One of the reasons why the victimization is relatively high at younger ages may be that the attacks caused by the family and their relatives appear more frequently at an early age. It can also be thought that the people that this research has access to are usually from this age group.

Child victims

- Of the 150 reported cases, victims of 37 were children, i.e., people under the age of 18. Of these 37 cases, 31 were reported by children themselves and 6 by witnesses.
- The prominent types of violence against LGBTI + children were physical vio-

lence in 10 cases, threats of violence in 8 cases, sexual harassment in 8 cases, and insults or verbal attacks in 29 cases.

- Children were mostly targeted in their schools (21 cases) and in their homes (5 cases).
- It was stated that only 10 of the 37 victim children received psychologist or psychiatrist support after the attack.
- The fact that hate-motivated attacks on children are mostly experienced in schools indicates that the ideology of cisnormative and heteronormative masculinity has been particularly effective in educational settings. The heterosexist masculinity ideology takes place in the process of socialization through attacks and exclusion practices against non-heterosexual people, and this process usually occurs among peers. Considering that sexual orientation and gender identity are especially externalized during adolescence, this period is distinctive for both victims and perpetrators. Studies show that heterosexual masculinity is acquired in the form of a form of showing an anti-gay attitude and gay hate, especially during adolescence.

Identities of perpetrators

Identities of perpetrators

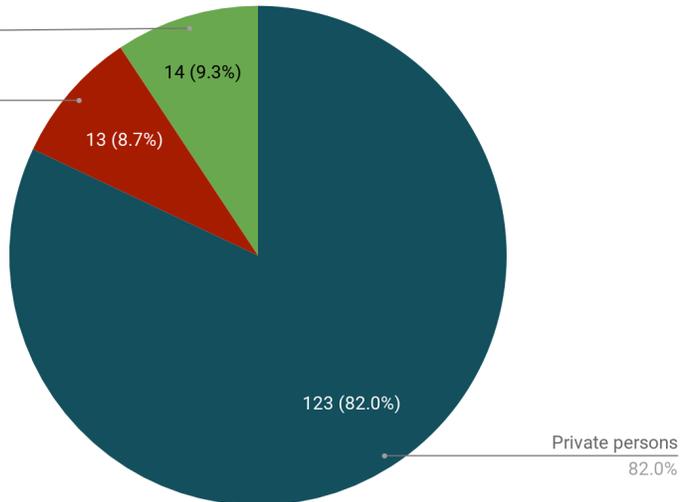
150 respondents, single option

Public official

9.3%

Private sector

8.7%



- **Private persons:** The vast majority of the perpetrators, 82 percent were private persons. Private persons mostly included strangers or family members, schoolmates, dormitory mates, or other people near the victims, which does not include managers and employers. Of the 123 hate crime cases committed by private individuals, 50 were committed by people whom the victims didn't know. This situation can be explained in two ways. First; In addition to cis heterosexual women and children, LGBTI + adults and children are also a constant target of systematic violence. Secondly, the government's negative attitude towards LGBTI+s makes them an "easy target" for violent acts by family, school and dormitory mates, or ordinary people in the immediate vicinity. The important issue pointed out by these two comments is that patriarchal and sexist ideologies and policies are carried out together with heterosexist ideologies and policies and in coordination with them, and consequently lead to similar violations and violent outcomes. The social positions of the persons indicated as perpetrators of the reported cases are presented in the next section.
- **Public officials:** Among the 14 cases in which public officials were reported as perpetrators, police officers in 8 cases, healthcare workers in 2 cases, teachers or school staff in 2 cases, deputy mayor in 1 case, dormitory manager in 1 case were reported in this group.
- **Employees of private institutions:** Among 13 cases, employers or managers in 5 cases, teachers or staff in private education institutions in 1 case, private security officers in 2 cases, and staff in 5 cases were reported in this group.
- The general evaluation of these findings suggests that the struggle to eliminate hate attacks against LGBTI+s should have a multi-faceted and multi-layered structure. Lack of legal, public protection strengthens widespread social ideology and supports the perception of impunity. Therefore, public actors can use violence as a "corrective" tool.

Ages of the perpetrators

- In 26 of the 150 reported incidents, i.e., approximately 17 percent, the perpetrators were under 18 years old.
- 21 of the perpetrator children in these 26 cases targeted their schoolmates and caused their victimized them.

Prevention of access to healthcare

- It was stated that in 1 of 2 cases where victims were denied access to health services, the victim was a bisexual man and the other was a heterosexual trans woman. In these cases, the perpetrators were police officers and healthcare workers, respectively.

Denied requests for protection

- In 1 of 3 cases where victims' requests for protection from law enforcement were rejected, the victim was expressed as heterosexual trans woman, gay trans in 1, and as a gay man in the last one. Of the 3 victims whose protection requests were rejected, 2 were subjected to physical violence and 1 to sexual harassment.

Reports made to the police

- It was stated that only 26 out of 150 cases were reported to the police. The witnesses of 6 cases had no information in this regard.
- 5 of the 7 cases of attempted murder were reported to the police.
- 17 of the 47 physical violent cases were reported to the police.
- 3 of the 3 wounding with weapon incidents were reported to the police.
- 3 out of 4 rape cases were reported to the police.
- 6 of the 16 sexual assault cases were reported to the police.

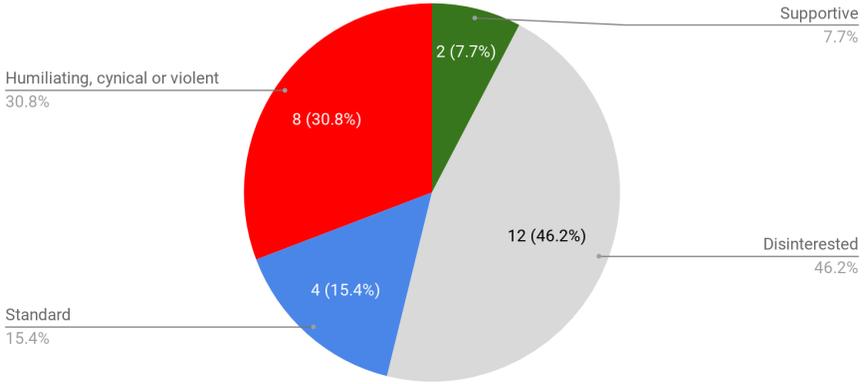
The attitude of the police

- At this point, it is worth noting that 26 out of 150 cases were reported to the police. Victims were injured in 14 of them.
- Of the 26 reported cases, the police were supportive in 2, disinterested in 12, cynical or humiliating in 8, and standard in 4.
- According to victims and witnesses, the police considered only 4 of the 26 reports as hate crimes.

The responses of victims and witnesses regarding the attitude of the police are expressed in the graphic below.

Reaction of the police

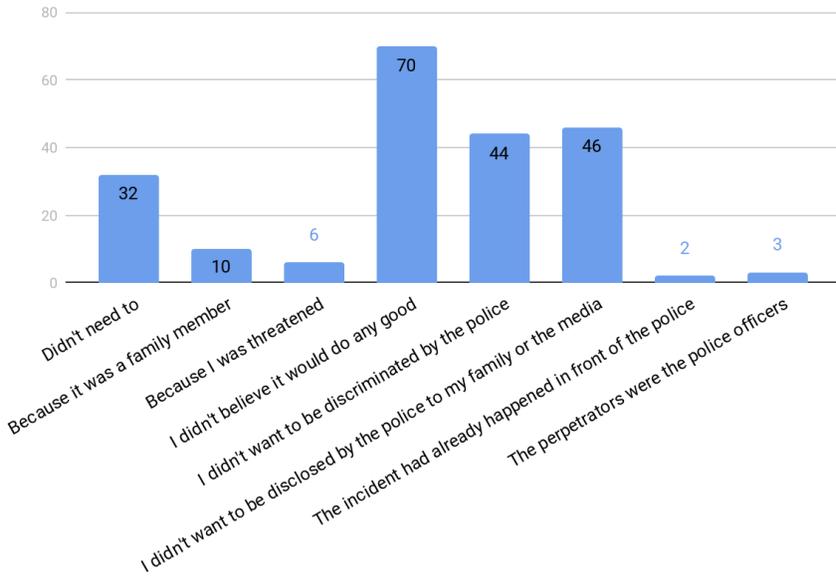
26 respondents, single option



Main reasons for not reporting to the police (out of 124 answers)

Reason not to report to the police

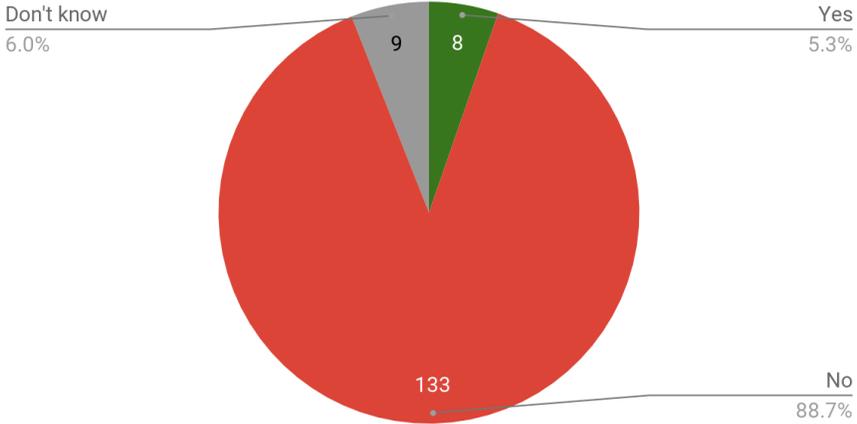
124 respondents, multiple option



Incidents that were brought to court

Incidents that were brought to court

150 respondents, single option



- Of the 7 attempted murders, only 1 has been brought to trial.
- Of the 47 cases of physical violence, only 4 have been brought to court. Witnesses to the three cases had no information in this regard.
- 3 cases of wounding with a weapon have been brought to trial.
- Of the 4 rapes, only 1 case has been brought to court.
- Of the 16 sexual assault cases, only 4 have been brought to trial. The witness to one case had no information in this regard.

These findings show that victims of hate crimes generally do not perceive any social or legal support. This does not only lead to a sense of social isolation and exclusion but also leads to a kind of individual and group-level shutdown due to the need to establish a solidarity group and establish a safe relationship only with their counterparts.

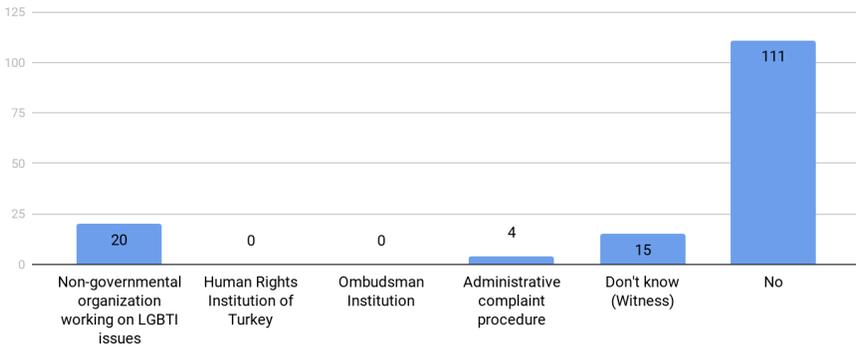
Cases that were reported to other mechanisms

- The Ombudsman Institution and Human Rights and Equality Institution of Turkey were not used as an application mechanism in any of the cases.

- 4 cases have been reported to officers within the institution in which the incident took place.
- 20 cases were reported to LGBTI+ organizations.
- None of the victims or witnesses mentioned the legal assistance offered by the bar associations.

Cases reported to human rights institutions

150 respondents, multiple options



Healthcare service

- In 26 of the 150 cases, victims were physically injured. In 16 of these 26 cases, victims chose to seek help from medical institutions.
- 4 of these victims, i.e. a quarter of them, described the attitude towards them and the treatment as “appropriate”. 7 of the 16 victims treated found treatment and attitudes “partially appropriate”; There were 4 people who said, “No, it wasn’t appropriate.” 1 victim answered the question as “I don’t know.”

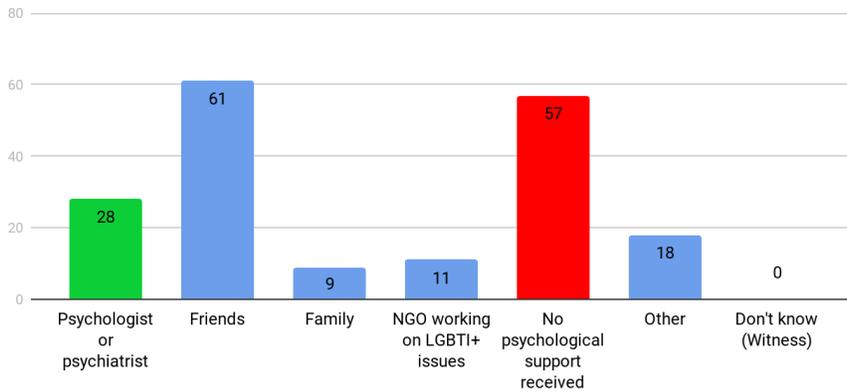
Psychological impact and support

- 57 of the 150 victims of hate crimes, or more than a third, received no (professional or social) support after the incident.
- 6 of the 7 victims of attempted murder did not receive the support of a psychologist or psychiatrist after the incident.
- 3 of the 4 rape victims received psychologist or psychiatrist support after the incident.

- 6 of the 16 sexual assault victims received psychologist or psychiatrist support after the incident.
- 9 of the 47 victims of physical violence benefited from psychologist or psychiatrist support after the incident.
- Only 1 victim of 3 wounding with weapon incidents received psychologist or psychiatrist support after the incident.

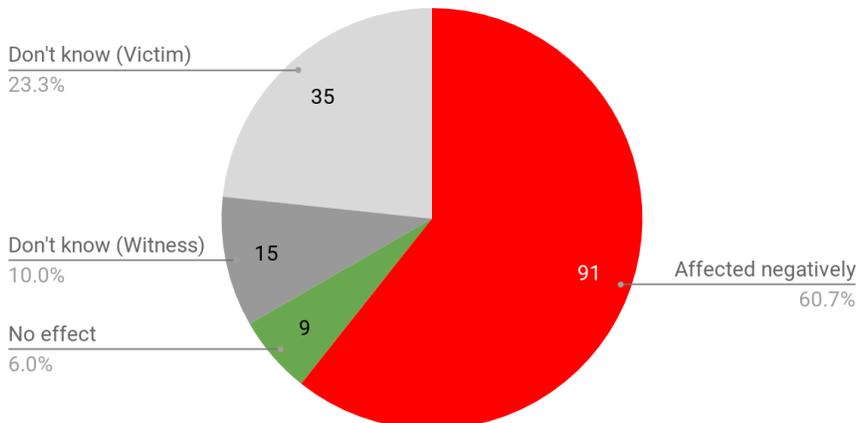
Psychological support

150 respondents, multiple options



Psychological impact on the victims

150 respondents, open ended question



7. CITATIONS FROM THE STATEMENTS OF THE VICTIMS

Examples of the statements of the respondents are quoted as follows.

“I think it’s precious to recognize phobia fully. Because sometimes it’s hard to make sense of it or define it. This unawareness can make you a perpetrator from time to time too, and it is very disturbing.”

“Let this violence end so that we can sleep easy. Let me be who I am.”

“I want the survey result to put pressure on society in the face of the violence and the suffering we have experienced.”

“I told the school counselor about it, and he took my statement and said he reported the incident to social services and stuff. I waited 2 months, the pressure and violence was going on, and I still wanted to die, I myself called the domestic violence tip line, and then two days later I came home, my mother came home and admitted beating me for cutting my hair, and then she came to school and I told her that I wanted to move to the dormitory, its more than one month now and I know the name of the person who came, and I hope I can move to the dormitory because I can’t stand these pressure.”

“I often get verbal insults based on religion, but now I don’t take any action because I’m used to them/ignoring them, I think it doesn’t affect me as psychologically as it used to be. I wanted to fill it out and send it to you to contribute to your survey this year, and I hope you can continue your work peacefully and inclusively, increasing your work both in everyday life and in the political sphere.”

“The incident took place on the Ülker street, and the perpetrator threatened the victim by referencing violence against trans people of Ülker street in the past. The perpetrator also admitted that they were one of the perpetrators of the Ülker street incidents.”

“Hate crimes against sex, sexual identity, and orientation should not be treated only as singular ‘crimes.’ These crimes systematically come with the threat of disclosing one’s private life to the family and relatives, with economic and psychological pressure. Anyone with a judgmental, cynical, exclusionary approach about a person’s privacy is complicit and perpetrator-like elements.”

“Many of my trans and gay friends like me have been through this incident many times. Although not by the same people, we were fingered in the cafés, bars by similar people only because of our sexual and gender identity, and subjected to discriminatory profanities and speeches. We announced such incidents on our social media accounts and shared them with local women’s organizations to make it public. That’s all we could do in the face of these things.”

“Every day, we are getting attacked, excluded, insulted! Neither the police nor the courts are helping us. We’ve become enemies of them! No justice, no institution to trust!”

8. ATTITUDE OF THE LAW ENFORCEMENT

Reporting the incident to the police

150 respondents, single option

Don't know (Witness)

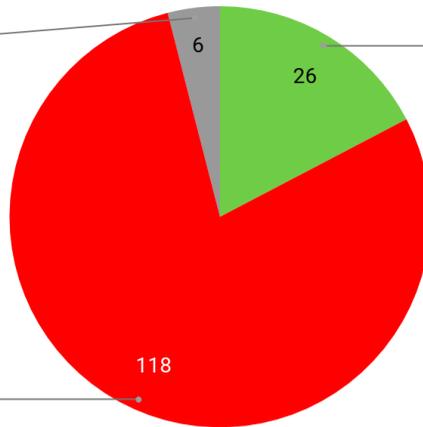
4.0%

Yes

17.3%

No

78.7%



According to the research findings, the Police Department is the primary complaint mechanism referred to by the victims.

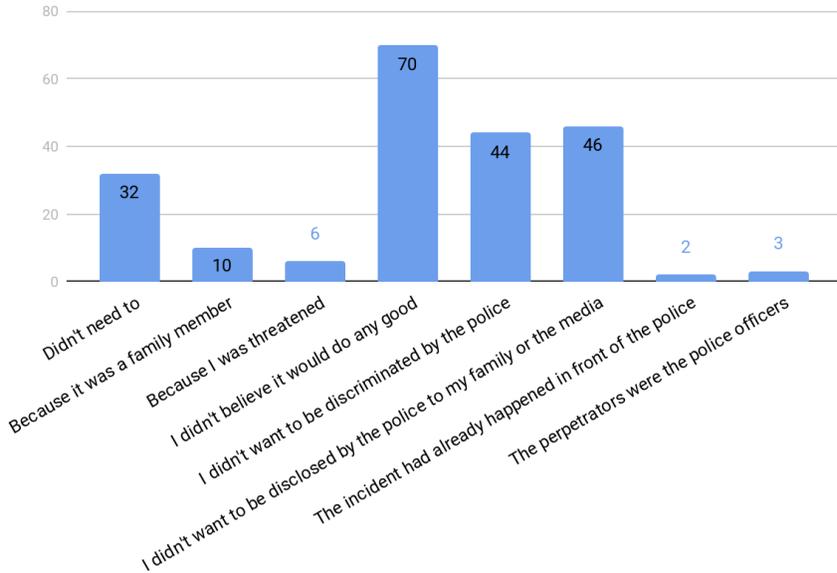
However, only 26 of the 150 incidents were reported to the police; 118 were not reported; the witness to the 6 cases had no information in that regard. In 8 of these 26 cases, the incidents were brought to the court. There were several reasons for such a low rate of complaints and judicial action: First, people whose rights were violated did not believe that the application would work. Second, they were afraid to be exposed to the media or their families by the police. Third, they feared being discriminated against by the police because they were LGBTI+s. In addition, in some cases, the perpetrators were police officers themselves, or the case took place in front of the police. As a result, the vast majority of the victims did not want to contact the police.

In summary, the experiences mentioned above also complement the picture of the police's negative attitude towards LGBTI+ people.

Given that there is no recognition of hate crimes based on sexual orientation, gender identity, and sex characteristics, the two charts below show the police’s approach to LGBTI+ victims.

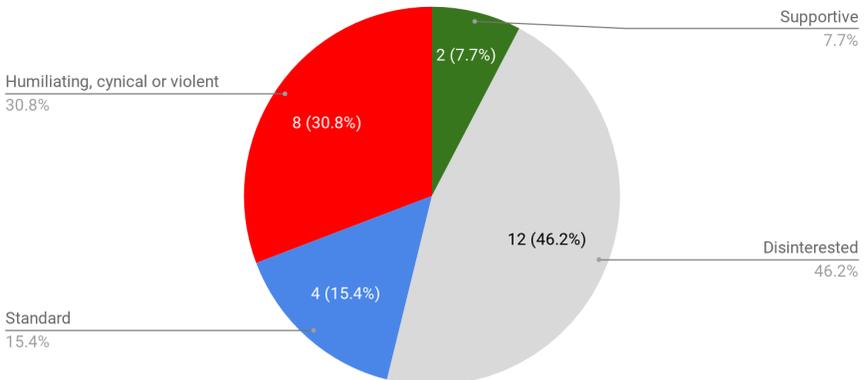
Reason not to report to the police

124 respondents, multiple option



Reaction of the police

26 respondents, single option



9. QUANTITATIVE FINDINGS

BASED ON THE VIOLATION CATEGORIES

9.1. MURDER OR ATTEMPTED MURDER

ATTEMPTED MURDER

Answered by 7 individuals. (6 victims, 1 witness)

Victim's gender identity and sexual orientation: Victims were identified as gay men in 4 cases, a gay trans man in 1 case, a heterosexual trans woman in 1 case, and trans with fluid sexual orientation in 1 case.

Victim's age: Victims were between 13-17 in 1 case, 18-25 in 4 cases, and 36-45 in 2 cases.

Time of the incident: 1 case occurred in the morning, 2 cases in the afternoon, 2 cases in the evening, and 2 cases at night.

Place of the incident: 2 cases took place at home, 1 case took place at school and 4 cases took place on the street.

The number of perpetrators: Perpetrators have consisted of one person in 3 cases, three in 2 cases, and more than three in one case.

Geographical location: Ankara, Antalya, Eskisehir, Istanbul (2), and Kayseri.

Identities of the perpetrators: The perpetrators were special persons that the victims did not know in 4 cases. School friends in one case and people known by the victims in 2 cases were the perpetrators.

9.2. EXTREME PHYSICAL VIOLENCE

WOUNDING WITH WEAPON

3 cases were reported. (3 victims)

Gender identity of the victims: Declared as women, trans women and trans.

Sexual orientation of the victims: Gay, bisexual and fluid.

Age of the victims: Victims were between the ages of 18-25, 26-35 and 36-45.

Time of the incidents: morning, evening and night.

Place of the incident: Home, workplace and street.

The number of perpetrators: In all three cases, there was one perpetrator.

Identities of the perpetrators: Special persons in all three cases.

Psychological support: 1 person received professional support after the incident.

Reporting to the police: Three incidents were reported to the police. In one case, the police were disinterested, humiliating in two cases.

Cases brought to the court: Two cases were brought to court.

RAPE

Four cases were reported. (4 victims)

Gender identity of the victims: Declared as men in 2 cases, trans women in 2 cases.

Sexual orientation of victims: Declared as gay in 2 cases, bisexual in 1 case and fluid in 1 case.

Age of the victims: 13-17 in 1 case, 18-25 in 2 cases and 26-35 years in 1 case.

Time of the incidents: 1 case occurred at noon, 2 cases in the evening and 1 case at night.

Place of the incident: Cases took place in school, workplace, cafe/bar and streets.

The number of perpetrators: One person in 3 cases, 3 in 1 case.

Identities of the perpetrators: All crimes were committed by special persons.

Psychological support: 3 out of 4 victims received professional support after the incident.

Reporting to the police: 3 out of 4 cases were reported to the police. In one case, officers were disinterested. They reacted standardly in two cases.

Cases brought to the court: Only one case has been brought to court.

OTHER SEXUAL ATTACKS

Answered by 16 individuals. (14 victims, 2 witnesses)

Gender identity of victims: Victims were reported as men in 8 cases, women in 3 cases, a trans man in 1 case, and trans women in 4 cases.

Sexual orientation of victims: Orientations were expressed as gay in 7 cases, bisexual in 6 cases, and heterosexual in 3 cases.

Age of victims: Victims were between 13-17 in 4 cases, 18-25 in 7 cases, and 26-35 in 5 cases.

Time of the incident: 1 case took place in the morning, 6 cases in the afternoon, 5 cases in the evening, and 4 cases at night.

Place of the incident: 4 cases took place at school, 1 case around the victim's house, 1 case in the police headquarters, 6 cases in the street, 3 cases in the workplace, and 1 case at the LGBTI+ meeting center.

The number of perpetrators: In 7 of the 16 cases, there was 1 perpetrator, there were 2 perpetrators in 4 cases, 3 perpetrators in 2 cases, and more than 3 perpetrators in 3 cases.

Identities of the perpetrators: In 14 cases, the perpetrator was private persons, in 1 case, the perpetrators were agents of private institutions (employer or manager) and public servants (police officers) in 1 case.

Psychological support: 6 victims received professional support after the incident.

Reporting to the police: A total of 6 people out of 16 reported the incident to the police. The police response was expressed as disinterested in 3 cases, neutral in 1 case and degrading in 2 cases.

Cases brought to the court: Only four cases have been brought to court.

9.3. ASSAULT

PHYSICAL VIOLENCE

Answered by 47 people. (42 victims and 5 witnesses)

Gender identity of victims: Declared as men in 24 cases, women in 7 cases, trans men in 3 cases, trans women in 10 cases, trans in 1 case, and non-binary in 2 cases.

Sexual orientation of victims: Declared as gay in 23 cases, lesbian in 4 cases, bisexual in 11 cases, heterosexual in 5 cases, pansexual in 1 case, and fluid in 1 case. The witness of 1 incident did not know the victim's sexual orientation.

Age of victims: 13-17 in 10 cases, 18-25 in 26 cases, 26-35 in 8 cases, and 36-45 age in 3 cases were targeted.

Times of incident: 2 cases took place in the morning, 21 cases in the afternoon, 11 cases in the evening, and 13 cases at night.

The four most common places where the incidents occurred: 10 of the 42 cases occurred at school, 13 on the street, 6 in the café/bar, and 5 at home.

The number of perpetrators: There were one in 12 cases, two in 11 cases, three in nine cases, and more than three in 15 cases.

Identities of the perpetrators: Special persons in 36 cases, 4 private institution agents and 7 public servants (police officers) were perpetrators.

Psychological support: 9 out of 42 victims received professional psychological support after the attack.

Reporting to the police: 17 of the 42 cases were reported to the police. The police response was disinterested in 9 cases, standard in 3 cases, and humiliating in 5 cases. Witnesses to the three cases had no information in that regard.

Cases brought to the court: Only four cases have been moved to court. Witnesses to the three cases didn't know.

9.4. OTHER TYPES OF HATE CRIMES

For detailed statistical information about property damage, threats and psychological violence, abduction and isolation, peeping, threats of violence, sexual harassment, insults or verbal assault, prevention of access to healthcare or other public services and denied the requests for protection, the Kaos GL Association may be contacted.

10. APPENDIX

What do sexual orientation, gender identity, and intersex mean?

As stated in the Yogyakarta Principles;

Sexual orientation is understood to refer to each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.

Gender identity is understood to refer 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.

Intersex is understood to refer to people born with genitalia or reproductive systems accepted “atypical” for men and women by the current medicine. Intersex persons are individuals who can not be classified by the current medicine in accordance with the norms of “male or female body” based on chromosomes, genitalia, or anatomical gender.

What is a hate crime? (Definition of Organization for Security and Cooperation in Europe)

Hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people. To be considered a hate crime, the offense must meet two criteria:

- The act must constitute an offense under criminal law.
- The act must be motivated by bias.

Bias motivations can be broadly defined as preconceived negative opinions, stereotypical assumptions, intolerance or hatred directed to a particular group that shares a common characteristic, such as race, ethnicity, language, religion, nationality, sexual orientation, gender or any other fundamental characteristic.

People or property merely associated with – or even perceived to be a member of – a group that shares a protected characteristic can be targets of hate crimes.

Acts deemed as criminal under national penal laws in most European countries

Category	Sub Category	Definition
1. Murder		<ul style="list-style-type: none"> All forms of attacks that cause an individual to lose their life
2. Excessive physical violence		<ul style="list-style-type: none"> All forms of attack with the potential to cause physical harm to an individual All forms of attack, which are carried out against property such as arson or throwing Molotov cocktails, have the potential to kill people in that property for reasons such as living on that property and visiting the property at the time of the attack. Bombs, including a bomb letter. This includes all applicable/viable bombs that are exploding or neutralized, which is therefore life-threatening. This category also includes all devices intended to be activated by the sender, even if it is understood that it was misestablished and therefore deteriorated. Kidnapping Shooting Attack with a weapon or an object that can be used to cause damage
	Sexual assault	<p>Acts of sexual violence can be carried out by the victim's life partner (married or not), former life partner, family member or a person sharing the same house.</p> <ul style="list-style-type: none"> Rape¹³. Sexual assault¹⁴. Sexual abuse by the professional on duty, in other words, all forms of sexual communication between a customer/patient and a professional (doctor, therapist, paramedic, teacher, priest, professor, police officer, lawyer, etc.) offering service/help. <p>Sexual abuse, including unwanted sexual attempts, a request for sexual interaction, and the verbal or physical manifestation of sexual nature.</p>

13 Rape; can be defined as an act of forced intercourse, including vaginal, anal, or oral penetration. Penetration can be with an organ or an object. Rape victims may be forced into engaging intercourse with threats or physical means. Anyone can be the victim of rape: women, men or children, heterosexual or homosexual.

14 Sexual assault; it can be defined as unwanted sexual contact that does not lead to rape or rape attempt. This includes sexual touching and hugs.

Category	Sub Category	Definition
3. Assault		<ul style="list-style-type: none"> • All types of physical attacks that target one or more people and are not serious, which does not pose a danger to the lives of targets. This includes lower-level attacks. • An attempted attack, an attack that failed due to self-defense or the escape of the victim. • Throwing an object at one or more people, including cases where the object didn't reach the target.
4. Damage to property		<ul style="list-style-type: none"> • All types of attacks targeting the property and not life-threatening. This includes painting or painting with a profanity-laced slogan or marking or displaying posters or applying graffiti or damaging property at points where the property is specifically targeted, as the act is sensed to be targeting a relationship between the property owner and LGBTI communities. • Damaging the cars or other personal belongings of LGBTI community members at certain places where they are targeted for this reason.
5. Arson		<ul style="list-style-type: none"> • The act of deliberately starting a fire on the property, without a life threatening element; for example, if no one lives in the building at the time of the attack. • Failed attempts, for example, where the fire does not ignite or the arsonist is disturbed and ran away.
6. Threats and psychological violence		<ul style="list-style-type: none"> • All open and specific threats, oral or written. If the threat is not clear and specific, the case can be identified as malicious behavior. • All the bombs that turned out to be deception. This is all-inclusive for all things designed to look like a real device but not intended to be functional, for example, a device that does not contain explosive materials. • Tracking, unsolicited communication (phone call, email, letter, unexpected appearances, etc.), stand in a place for the purpose of waiting for the individual or spying the individual, threatening the individual and/or family members. • Blackmailing the individual for disclosing their LGBTI identity to the public, family members or people in their workplace. • Restriction of freedom (e.g., locking the person) • Defamation, for example, disclosure of a person's LGBTI identity. • Bullying (e.g., at school, at work)

Other prejudice based actions (Category 7)

These incidents may or may not be defined as criminal offences under national criminal law. These substances are important to monitor because they contain LGBTI-phobic elements.

Negative behavior	Hate speech	<ul style="list-style-type: none"> • Verbal assault against individuals. It can be done face-to-face or by phone. It also includes conversations that are mistakenly directed to individuals who are not members of the LGBT community and conversations heard by them. • Written assault on individuals. It includes emails, phone calls, SMS, and social media (Facebook, Twitter, etc.) or targeted letters (letters written to particular individual or about an individual). It also includes written documents containing insulting comments about the LGBT community or individuals. Whether recipients are from the LGBT community is not important in this context. The submission of insulting brochures, emails or other publications to the masses will be discussed separately in the Literature category. • Verbal and written negative behaviors where individuals are not targeted (general homophobic and transphobic comments that are not directed at a particular person). It also covers behaviors carried out through the Internet and social media. • Hate speech addressed to the public (for example, politicians' speeches).
	Literature and music	<ul style="list-style-type: none"> • Offensive literature and music issued as a result of mass production and sent to multiple recipients. This category covers audience-oriented emails rather than individual hate mails. Hate mails to individuals are discussed in negative behavior or threat sections (depending on their content). • Regardless of whether the recipient is a member of the LGBTI community, literature that contains insults within.
Discriminatory incidents		<ul style="list-style-type: none"> • Any discriminatory event that is not a crime

The present report is the outcome of “Step up reporting on homophobic and transphobic violence”, a project supported by ILGA-Europe, the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association. The objective of the project was to empower European LGBTI civil society organizations to more consistently monitor and report homophobic and transphobic hate crimes and incidents

To prepare this work, ILGA-Europe had developed a harmonized data collection methodology in 2012. The methodology builds on international standards and on the expertise gained in different past activities, such as the elaboration of European-wide submissions to the OSCE’s Office for Democratic Institutions and

Human Rights (ODIHR) in view of its Annual Report on Hate Crime,¹⁵ or ILGA-Europe's participation to the "Facing Facts! Making hate crime visible project".¹⁶

"Step up reporting on homophobic and transphobic violence" was launched in 2013. ILGA-Europe's Documentation and Advocacy Fund, with the support of the Government of the Netherlands, provided dedicated resources to 12 national and local NGOs in Bosnia and Herzegovina, Greece, Ireland, Italy, Latvia, Lithuania, Moldova, Poland, Portugal, Spain, Turkey and Ukraine. These NGOs were trained on the methodology previously developed by ILGA-Europe, and committed to apply it in order to produce comparable data.

Data collection and publication is expected to be developed on a more sustainable and professional basis in the future, thanks to the capacity building aspect of the current project. Following this pilot initiative, ILGA-Europe's methodology will be made available to more European LGBTI civil society organisations.

Herek, G. M., Gillis, J. R. & Cogan, J. C. (1999). Psychological Sequelae of Hate-Crime Victimization Among Lesbian, Gay, and Bixeual Adults. *Journal of Consulting and Clinical Psychology*. 67 (6), 945-951

15 <http://www.osce.org/odihr/108395>

16 <http://www.ceji.org/facingfacts/>

