

“Increasing the capacity of law enforcement authorities to tackle racist crime, hate crime and homophobic crime through experiential learning (Experience Crime)” JUST/2013/FRAC/AG/6185

**Training program:
Understanding and combating hate crime
for Judges and Prosecutors**

Brief Introduction - background:

The present training outline is part of the “Increasing the capacity of law enforcement authorities to tackle racist crime, hate crime and homophobia through experiential learning (Experience Crime)” project. It is based on the findings of the national Training Needs Assessment Reports and refers to the target group of Judges and Prosecutors. Three modules have been proposed and will be offered within the time framework of two days.

Objective of the programme

The objective of this training is to ensure that through experiential training Judges and Prosecutors:

- a) will be able to define and detect hate crimes,
- b) will become aware of all the relevant available and necessary tools and recommendations offered by international and European stakeholders,
- c) will understand the importance of prevention of hate crimes and
- d) will examine victim protection measures.

Agenda

MODULE 1					
Session	Time	Content	Exercises	Material	Trainer
Introduction	60 mins	<ul style="list-style-type: none"> - Explanation on the overall purpose of the training modules - Adaptable sensitization 	<ul style="list-style-type: none"> - Ice-breaking exercises - Diversity exercise 	<ul style="list-style-type: none"> - Ice-breaking exercise: name/adjective game - Diversity exercise: blue eyes/brown eyes 	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
Presentation of history – comparative presentation	60 mins	Raise awareness on history of hate crime (where it began, what it means etc.)	Presentation of the history of racism	<ul style="list-style-type: none"> - BBC Active Video for Learning: Racism – A History, at: https://youtu.be/q5-R0rxQS7A, for English speakers - Greek UNCHR website on the history of Racism: http://www.unhcr.gr/1againstracism/category/%CE%B9%CF%83%CF%84%CE%BF%CF%81%CE%AF%CE%B1 - Global Issues' post on the History of Racism, which provides an overview of key international events linked to human rights' movements (available at: http://www.globalissues.org/article/165/racism). 	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
Presentation of national findings on hate crime	60 mins	<ul style="list-style-type: none"> - Raise awareness on national history of hate crime and promotion of a notion of “ownership” (many believe that such issues do not exist in their country but elsewhere) - Achieve understanding of bias indicators 	Presentation of the findings and discussion/ comments	<p>Findings of relevant National specific Reports</p> <ul style="list-style-type: none"> - FRA, Thematic Situation Report, ‘Racism, discrimination, intolerance and extremism: learning from experiences in Greece and Hungary’, 2013, available at: http://fra.europa.eu/sites/default/files/fra-2013-thematic-situation-report-3_en_1.pdf, (hereinafter FRA 2013 Report on Greece) - Greek Ombudsman, ‘Special Report on Racist Violence’ (‘Ειδική Έκθεση του Συνηγόρου του Πολίτη για το Φαινόμενο της Ρατσιστικής Βίας και την Αντιμετώπισή του’), 2013, available at: http://www.synigoros.gr/resources/docs/eidikiekthesiratsistikiviva.pdf - GNCHR, ‘Observations on the Draft of the Second Periodic Review of the Hellenic Republic for the International Covenant on 	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina

				<p>Civil and Political Rights' ('ΕΕΔΑ - Παρατηρήσεις επί του σχεδίου Δεύτερης Περιοδικής Έκθεσης της Ελληνικής Δημοκρατίας για το Διεθνές Σύμφωνο για τα Ατομικά και Πολιτικά Δικαιώματα (ΔΣΑΠΔ)'), 2013, available at: http://www.nchr.gr/images/pdf/apofaseis/ellinikes_ektheseis_en_ell_org/OHE/dsapd.pdf</p> <p>- Antigone, '2014 Annual Report' ('ΑΝΤΙΓΟΝΗ - Ετήσια Έκθεση 2014'), available at: http://www.antigone.gr/files/gr/library/research-and-studies-specifically-for-greece/2014/Annual_Report_2014.pdf</p> <p>- ECRI, 'Report on Greece (Fifth Monitoring Cycle)', adopted on 10 December 2014, p. 21, available at: http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Greece/GRC-CbC-V-2015-001-ENG.pdf</p> <p>- Racist Violence Recording Network, 2014 Annual Report, available at: http://rvrn.org/wp-content/uploads/2015/05/Report_2014eng.pdf</p> <p>* The trainers will provide a handout with a list of national specific bias motives (based on the findings of the Reports)</p>	
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MODULE 2

Session	Time	Content	Exercises	Material	Trainer
Presentation of European and International Law on Hate crime	60 mins	- Familiarization with international and European law and relevant standards	International and European legal texts and relevant case-law	- OSCE-ODHIR Hate-crime laws (check list of international and regional treaties, p.26 <i>et seq.</i>) OSCE-ODHIR: Hate Crime Laws: A Practical Guide, 2009, available at: http://www.osce.org/odih/36426?download=true . - FRA Handbook on European non-discrimination law. Available at: http://fra.europa.eu/sites/default/files/fra_uploads/1510-FRA-CASE-LAW-HANDBOOK_EN.pdf	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
From law to practice	90 mins	- Understanding how the specific law is applied in practice	Case studies exercises	ECtHR Case Milanović v. Serbia and Šečić v. Croatia	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
Discussion	30 mins	- Identification of ECHR standards - Achieving better understanding through debate and comments on the previous case-study exercise (ECtHR Case Milanović v. Serbia and Šečić v. Croatia)	Discussion	Handout with the standards (guideline and basis).	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina

MODULE 3					
Session	Time	Content	Exercises	Material	Trainer
Presentation of comparison on different national legislative solutions - Identification of problems of interpretation of the national law in hate crime	60 mins	<ul style="list-style-type: none"> - Comparative analysis of national legal solutions for combating racism - Familiarization with national legal context - Identification of national shortcomings 	Legal texts and National case law analysis	<ul style="list-style-type: none"> - OSCE-ODHIR: Hate crime Laws Guide - Greek Criminal Code - Law 927/79 - Antiracist Law 4285/2014 - Law 3304/2005 on non-discrimination - Case-law - Decision 3/2010 of the Supreme Court (Άρειος Πάγος) (Case concerning Anti-Semitism by Mr. Plevris) - Decision 65738/2014 Athens Single-Member Court of Misdemeanours (Plomaritis Case) - Shehzad Luqman Case - Walid Talb Case - Case of Mr. Heinz Richter (still pending) - First Single-Member Court of Appeals of Athens, Decision 5919/18-9-2008 (Απόφαση Α' Μονομελούς Εφετείου Αθηνών υπ' αρ. 5919/18-9-2008) (Case concerning the newspaper "Eleftheros Kosmos") 	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
From law to practice	70 mins (50 mins preparati on and 15 mins presentat ion of results)	<ul style="list-style-type: none"> - Understanding how the law is applied in practice through experiential exercises 	Group exercises (role playing) - case-studies	<ul style="list-style-type: none"> - Luqman Case - Jobbik Case 	Karzi Vasiliki Tsoukala Anastasia Stavrinaki Konstantina
Discussion	30-35 mins	<ul style="list-style-type: none"> - Hold a debate based on the findings of the group exercise - Identification of underlying reasons of any inefficiencies in judicial or prosecutorial practice and ways to overcome them 	Discussion		Karzi Vasiliki, Tsoukala Anastasia, Stavrinaki Konstantina

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