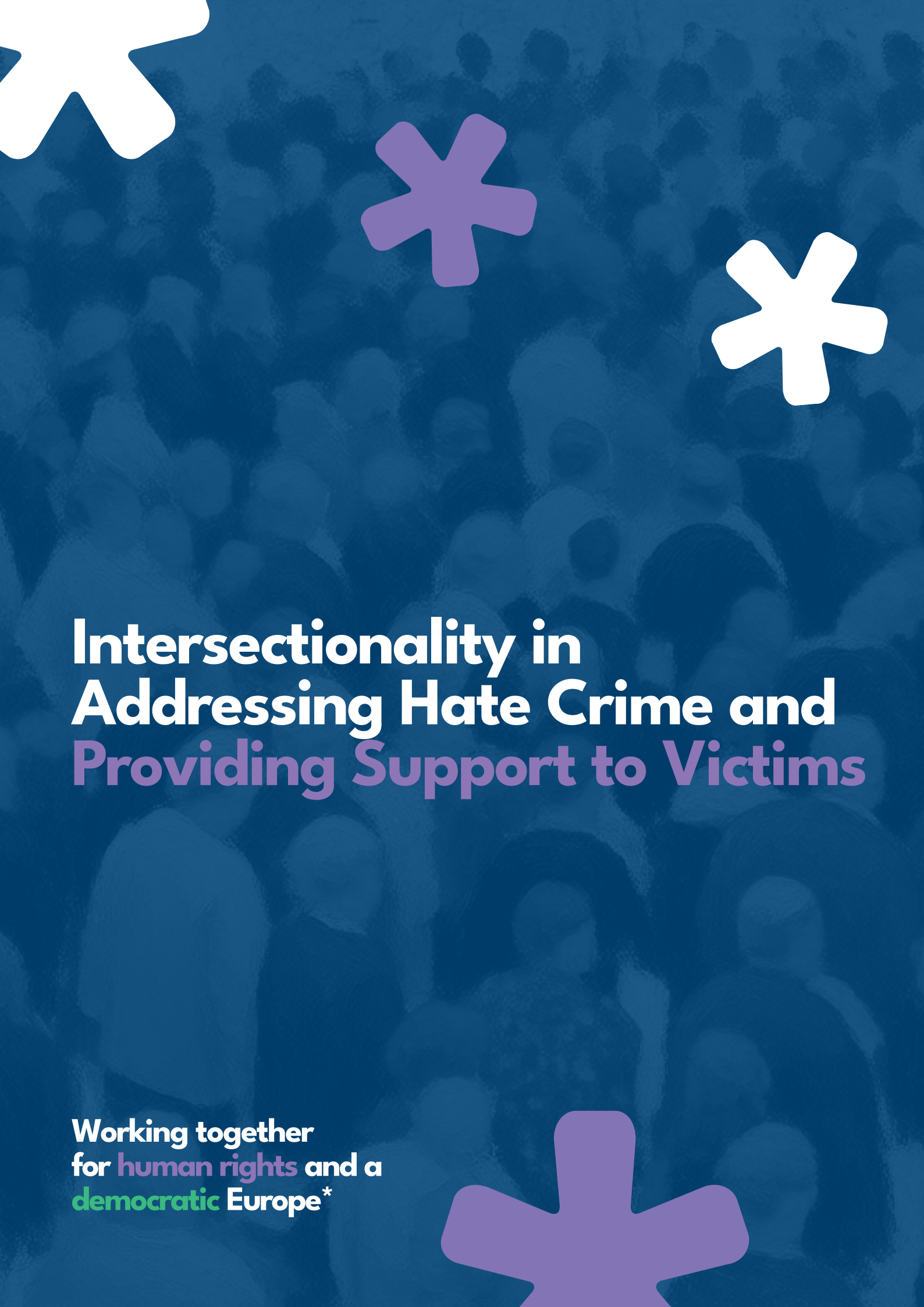




Intersectionality in Addressing Hate Crime and Providing Support to Victims

Working together
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Addressing hate crimes requires both an effective criminal justice response and specialized support for victims. Both elements are necessary to secure justice for victims and address the harm caused by hate crimes. People experience hate crime in different ways, shaped by the interaction of multiple characteristics and circumstances. To make the response to hate crime effective and genuinely inclusive, the intersectional nature of hate crime needs to be taken into account.

What is a hate crime?

A hate crime is a criminal offence that is motivated by bias against a particular group within society. For a criminal act to qualify as a hate crime, it must meet two criteria:

- The act must be a crime under the criminal code of the legal jurisdiction in which it is committed; and
- The crime must have been committed with a bias motivation.

‘Bias motivation’ means that the perpetrator chose the target of the crime on the basis of protected characteristics.

A protected characteristic is a characteristic shared by a group, such as ‘race’, language, religion or belief, ethnicity, nationality, gender, sexual orientation, gender identity, disability or other common feature that is fundamental to their identity.

The target of a hate crime may be a person, a group of people or property associated with a group that shares a protected characteristic.

Further details on the definition of hate crime, the bias motivations and protected characteristics can be found in ODIHR’s publications below, the annual [ODIHR Hate Crime Report](#) and related ODIHR tools.

What is intersectionality?

Intersectionality is both a theoretical concept and a practical tool for understanding how different characteristics and circumstances can interact and shape a person’s experiences.

Many people have multiple identities and characteristics, including their ‘race’, ethnicity, gender, disability, age, religion and other factors, such as socioeconomic status, language and immigration status.

Intersectionality makes visible the way that these characteristics interact in ways that affect how people experience and are impacted by discrimination and hate crime. An intersectional approach requires



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consideration of the entire combination of a person's characteristics and circumstances rather than examining each in isolation.

Why is intersectionality important for hate crime victims?

A hate crime can be motivated by an intersectional bias. Such crimes target a person because of a combination of characteristics. Targeting several intersecting characteristics in a multiple-bias hate crime can also exacerbate the impact of an attack on the victim. An intersectional impact happens when multiple characteristics combine and interact so closely that their effects cannot be separated or examined individually. Each person will be affected differently by hate crime depending on their social role and status within society or their community. Experiences will differ across gender, ethnic backgrounds, sexual orientation and religion or beliefs, among other factors.

However, when there are multiple intersecting characteristics, the number of bias motivations behind the offence is often less important than the impact of the offence as well as how these characteristics may affect the victim's ability to report, take part in investigations and the criminal justice process, and recover.

An intersectional approach to hate crime victim support helps ensure that responses to hate crime recognize these differing experiences and address the particular needs and circumstances of each victim.

What is ODIHR's role?

Most national and international institutions are still poorly equipped to address the intersectional nature of hate crimes effectively. In many countries, hate crime laws and policies require further strengthening to ensure that legislation protects victims at the intersection of protected groups. Hate crime data collection should aim to cover intersectional grounds. Investigations should consider not only the different types of biases that may motivate the perpetrators, but also the complex consequences experienced by victims. Lastly, support for victims should take into account each victims' multiple characteristics.

ODIHR has a mandate to assist OSCE participating States to ensure a "comprehensive approach to the tackling of hate crimes" ([Ministerial Council Decisions, No. 9/09 Athens](#) and [No. 13/06 Brussels](#)). To act on these commitments and ensure the highest possible standard of victim support and protection, ODIHR is implementing an initiative supported by Norway/EEA Grants, which aims to help participating States with ensuring their support systems better reflect the diverse realities and needs of hate crime victims.



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What does ODIHR do?

ODIHR's comprehensive approach to countering hate crimes translates into targeted interventions in areas such as legislative support, data collection, capacity building of criminal justice professionals and awareness-raising, as well as the meaningful participation of affected communities.

Protecting and supporting hate crime victims is an essential part of ODIHR's comprehensive response to hate crimes. ODIHR works with participating States, civil society and the international community to ensure that victims of hate crimes have access to adequate protection and support. In particular, ODIHR strengthens hate crime victim support structures and practices, trains first responders to understand and address hate crime victims' needs, and works with policymakers, practitioners and the international community to identify and implement best practices in hate crime victim support. ODIHR's co-operation initiative with Norway/EEA Grants

directly supports these efforts. To learn more, visit: [Strengthening support and protection for hate crime victims](#) and STARS: [Comprehensive Support for Hate Crime Victims](#).

ODIHR serves as a principal focal point for reporting data on hate crimes across the OSCE region. Its annual Hate Crime Report presents hate crime information and statistics recorded by participating States, alongside summaries of hate incidents reported by civil society and international organizations. To review the latest findings, please visit: hatecrime.osce.org.

ODIHR offers customizable training programmes that aim to strengthen the capacity of police, prosecutors and judges to effectively address hate crime. In addition, ODIHR's legislative reviews help to ensure appropriate legal frameworks are in place, while its advice on operational guidance for police and guidelines for prosecutors facilitates the practical implementation of hate crime laws and policies.

More information about ODIHR and the EEA and Norway Grants is available at:

<https://odihr.osce.org/project/665539>



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Trainer's Manual



Prosecutors and Hate
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Programme Description



Hate Crime Victims
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Justice System



Implementing Restorative
Justice for Hate Incidents
and Hate Crimes - a
Practical Guide



Including the voices of hate
crime victims in policymaking
and policy implementation
— a practical guide



Hate Crime Victim
Support: Policy Brief



Individual Needs
Assessments of
Hate Crime Victims:
Model Guide