



Presidency of Ireland
Council of Europe
May - November 2022

Présidence de l'Irlande
Conseil de l'Europe
Mai - Novembre 2022



EUROPEAN ROUNDTABLE

Right to life, security and protection from violence: combating SOGIESC-based hate crime across Europe

Ballroom at Iveagh House, 80 St Stephen's Green, Dublin 2
Ireland

27 OCTOBER, 2022



BACKGROUND AND PURPOSE

At the 5th plenary in March 2022, the Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) adopted the methodology for the annual thematic review of Council of Europe Recommendation CM/Rec(2010)5 on measures to combat discrimination on grounds of sexual orientation or gender identity. The annual thematic review culminates in two types of report: a national report for the countries which volunteer to participate each year and a holistic report with European-wide recommendations on the chosen theme, to be adopted by CDADI. As part of the methodology for the European-wide report, there is an option to have a European roundtable, as a forum to stimulate discussion and enrich the report.

The chosen theme for the 2022 thematic review is 'Right to life, security and protection from violence', specifically covering "Hate crimes" and other "hate-motivated incidents" component of the theme.

The European roundtable will bring together member states, international NGOs, academics and other key stakeholders to share best practice and solutions on the chosen theme. It is expected that the participants' practical insights will help to review and enrich the provisional information collected on promising practices and provide opportunities for further intergovernmental cooperation on combating SOGIESC-based hate crime. Any findings and conclusions of the European roundtable will be reflected in the European report.

 [@LGBTcoe](https://twitter.com/LGBTcoe)
[#NoLGBTIHate](https://twitter.com/NoLGBTIHate)



PROGRAMME

ALL TIMES UTC (LOCAL DUBLIN TIME)

09:30-10:15 ARRIVAL AND REGISTRATION

10:15-10:45 OPENING

We are pleased to welcome the following speakers to open the event:

- Roderic O’Gorman, Minister for Children, Equality, Disability, Integration and Youth, Ireland
- Hallvard Gorseth, Head of the Anti-Discrimination Department, Council of Europe
- Triantafillos Loukarelis, Chair of the Council of Europe Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)
- Keynote by Michael O’ Flaherty, Director, European Union Agency for Fundamental Rights

10:45-11:30 GENERAL SESSION

Challenges in combatting anti-LGBTI hate crime

Summary: This session will set the scene and provide a high-level overview of the day. It will consider:

- how to define hate crime and other hate-motivated incidents
- the scale of the problem across Europe and the need to raise awareness/understanding
- themes/areas of opportunity
- international standards

Moderator: Evgenia Giakoumopoulou, Head of the Council of Europe SOGI Unit

Speakers:

- Stephanie Öner, Chair, Council of Europe Committee of Experts on Hate Crime (PC/ADI-CH)
- Tommaso Chiamparino, European Commission DG Justice and Consumers, Fundamental Rights Policy
- Viktor Kunderák, Hate Crime Officer, OSCE Office for Democratic Institutions and Human Rights (ODIHR)
- Katrin Hugendubel, Advocacy Director, ILGA Europe

11:30-11:45 COFFEE BREAK

11:45-12:45 THEMATIC SESSION 1

Advancing legal protection in practice

Summary: This session will provide a selection of examples whereby hate crime legislation has been created or amended to explicitly include sexual orientation, gender identity, expression, and sex characteristics, including as aggravating factors. There are many reasons why different states have different legislative frameworks and this session will look at the evidence and criteria used to define these frameworks. These can include, for example, harm based criteria, political perspectives, or social attitudes. This session may also cover some positive examples of inclusive or evidence-based legislative review processes.

Key questions: What types of legislative/policy models exist to protect LGBTI people from hate crime, and what are their strengths and weaknesses? How can legislation embrace a comprehensive approach to combating hate crimes, considering all aspects of a person's identity? What could we learn from legal research and assessments of legislation to advance protection in practice?

Moderator: Stéphanie Cramer Marsal, Council of Europe Consultant

Speakers:

- Mark Walters, Professor of Criminal Law and Criminology, Deputy Head of Sussex Law School, University of Sussex
- Lisa Doherty, Principal Officer, Criminal Justice Legislation Division, Department of Justice, Ireland
- Besa Arifi, Professor of Criminal Law and Criminology, South East European University, North Macedonia
- Marija Golubeva, Latvian politician, political scientist, and historian. Former Minister of the Interior of Latvia
- Dan Christian Ghattas, Executive Director, Oll Europe

12:45-14:15 LUNCH BREAK

14:15-15:15 THEMATIC SESSION 2

Legislation and policy in practice - Effective response by law enforcement and judiciary

Summary: This session will look at the institutions that enforce hate crime (and related) legislation and policy, from charges to prosecution to remediation.

This will include examples of effective training for police forces, data collectors, judiciary members and communities. It will consider how these actors can best work together to tackle hate crime and how to improve hate crime reporting and recording.

It will include case studies of working groups or networks in Council of Europe member states to address and enhance institutional cooperation on issues of anti-LGBTI hate crime. Some of these working groups have NGOs as members, which allows for complete transparency on the work done, while others involve civil society on an ad hoc basis depending on the specific issue to be discussed.

Key questions: What types of institutions play a crucial role in combating hate crime? To what extent is hate crime legislation enforced across Europe? How can enforcers be better equipped to tackle, report and reduce hate crime? How do these institutions best work together to have a coordinated approach? What tools and mechanisms are available to improve this collaboration?

Moderator: Piotr Godzisz, Council of Europe Consultant

Speakers:

- Sarah Molter, Research Officer, Observatory for Socio-political Developments in Europe, Germany
- Ketevan Vashakidze, Prosecutor, Department of Human Rights Protection, Prosecution Service of Georgia
- Florina Presada, President, Organisation ACCEPT, Romania
- Superintendent Michael Corbett, National Diversity Integration Unit, An Garda Síochána (Irish Police Force)
- Biljana Ginova, Advocacy Manager, ERA - LGBTI Equal Rights Association for the Western Balkans and Turkey

15:15-15:30 COFFEE BREAK



15:30-16:30 THEMATIC SESSION 3

Victims' rights and public awareness

Summary: This session will focus on victims' rights and experiences, from encouraging reporting through to victims' support. It will explore examples of services established to protect victims of hate crime, provide legal aid, and emotional, social and practical support, and look at how victims' rights are implemented and monitored by service providers and governments. It will also consider best practice examples of awareness raising activities to help the general public, and LGBTI communities specifically, better understand their rights when it comes to reporting and dealing with instances of hate crime.

Key questions: What types of support do victims of hate crime need? What are the best examples of this in practice? What challenges are there in implementing this? How do we make the public aware of hate crime and what their rights are? How have countries encouraged victims of hate crime to report instances?

Moderator: Stéphanie Cramer Marsal, Council of Europe Consultant

Speakers:

- Leni Morris, Chief Executive Officer, Galop NGO, UK
- Lana Gobec, President, LEGETITRA NGO, Slovenia
- Dinah Bons, Co-Chair, Trans United Europe
- Stephanie Lord, Legal and Policy Officer, Free Legal Advice Centres (FLAC), Ireland

16:30-17:00 CONCLUDING REMARKS AND NEXT STEPS

- Stéphanie Cramer Marsal, Council of Europe Consultant
- Evgenia Giakoumopoulou, Head of the Council of Europe SOGI Unit

18:30-19:30 RECEPTION



BIOGRAPHIES

OPENING SESSION



RODERIC O'GORMAN

Roderic O'Gorman TD is the Minister for Children, Equality, Disability, Integration and Youth for Ireland. He was appointed to this role in June 2020. Roderic was elected to represent the Dublin West constituency in the 2020 general election. An EU law lecturer, he has worked with the DCU Brexit Institute, focusing on how to manage the challenge facing Ireland as a result of the UK's decision to leave the European Union. He has also served on the board of management of five schools - Coolmine, Scoil Choilm, Danu Special School, Pobail Setanta and Castleknock Community College.



HALLVARD GORSETH

A Norwegian national, Hallvard has been with Council of Europe for 16 years and since 2017, Head of Anti-Discrimination Department and Roma and Travellers Team. He was previously adviser to Secretary General and Deputy Secretary General of the Council of Europe, working experience on social rights, free movement of persons, combating trafficking in human beings.



TRIANTAFILLOS LOUKARELIS

Born in Athens 51 years ago, of Greek and Italian nationality, Triantafillos graduated in 1995 in Political Sciences, International Politics at the "La Sapienza" University of Rome. Currently Executive Director of UNAR (National Anti Discrimination Office) the Italian Equality Body member of the Equinet Network and Chairman of the CDADI (Steering Committee on Anti-Discrimination, Diversity and Inclusion) of the Council of Europe. Former Head of the Technical Secretariat of the Department for Equal Opportunities and Youth Policies of the Italian Government, in the recent past he was Head of External Relations and International Affairs of the Italian National Authority for Children. He was a volunteer of the Italian Committee for UNICEF and member of the Board of Directors, Head of the Bureau and General Management. Expert in EU funds, he was project manager for Euro-Mediterranean projects (EUMEDIS).



MICHAEL O'FLAHERTY

Michael O'Flaherty is Director of the EU Agency for Fundamental Rights. Previously, Michael O'Flaherty was Established Professor of Human Rights Law and Director of the Irish Centre for Human Rights at the National University of Ireland, Galway. He has served as Chief Commissioner of the Northern Ireland Human Rights Commission, Member of the UN Human Rights Committee and head of a number of UN Human Rights Field Operations.

BIOGRAPHIES

GENERAL SESSION



STEPHANIE ÖNER

Stephanie is a lecturer at the University of Vienna on criminal law (until 2012) and at the Fachhochschule Wiener Neustadt (study program on business and cybercrime; currently). She is Chair of the Committee of Experts on Hate Crime of the Council of Europe (PC/ADI-CH) and has numerous publications and lectures in the field of criminal law, recently focusing on online-hate and hate crime. She participated in the drafting of a law to combat online-hate "Hass-im-Netz-Bekämpfungsgesetz" (148/2020).



TOMMASO CHIAMPARINO

Tommaso Chiamparino is policy officer in the Fundamental Rights policy unit at the European Commission, Directorate-General for Justice. He coordinates the Commission's policy work on combating hate crime and hate speech, focused on hate crime data collection, hate crime training and victim support. He is also responsible for the EU Code of conduct on countering illegal hate speech online. Previously, he served as Commission coordinator on combating anti-Muslim hatred. Tommaso has a PhD in political science and before the European Commission has worked in the not for profit sector and academia.



VIKTOR KUNDRÁK

Viktor Kunderák (Czech Republic) is an international lawyer with more than twelve years of professional experience. He has worked as OSCE/ODIHR's Hate Crime Officer since February 2018, being responsible for ODIHR's Hate Crime Report, published annually at hatecrime.osce.org and the Prosecutors and Hate Crimes Training (PAHCT) programme. Viktor has further provided legislative and policy advice on hate crimes to governments, trained hundreds of police officers, prosecutors and judges and advised on ODIHR's hate crime strategy and work across the region. Previously, Viktor worked for Amnesty International, and for eight years, as adviser to the Czech Government Agent before the European Court of Human Rights and the UN Treaty Bodies. Viktor holds two master's degrees in law and in human rights and democratisation (E.MA).



KATRIN HUGENDUBEL

Katrin is in charge of the overall coordination of the policy, advocacy and strategic litigation work of ILGA-Europe. This includes leading the advocacy work of ILGA-Europe towards the EU institutions, EU Presidencies, the Council of Europe, OSCE and UN. In close cooperation with member organisations, Katrin also oversees our advocacy support at national level and ensures strong links between ILGA-Europe's advocacy and strategic litigation work. Katrin has over 15 years of experience in policy, research and advocacy in the fields of gender and feminist theory and politics, anti-discrimination and fundamental rights. She worked as political advisor to a member of the European Parliament, as well as with several NGO networks on EU level and in Uganda. Katrin has a master degree in political science and English language and literature.

BIOGRAPHIES

SESSION ONE



MARK WALTERS

Mark Walters is Professor of Criminal Law and Criminology at the University of Sussex (UK) where he specialises in the study of hate crime. He is also Chair of the International Network for Hate Studies. Mark has published over 50 books and journal articles on hate crime, including *Criminalising Hate: Law as Social Justice Liberalism*, (2022) Palgrave, and *Hate Crime and Restorative Justice: Exploring Causes, Repairing Harms* (2014), OUP. Mark currently serves as an external expert to the Human Dignity Trust, through which he supports governments, mostly in the Global South, in drafting new legislation and criminal justice policies aimed at combating hate crime. Mark was draftsman for the new Hate Crime (Seychelles) Bill 2022.



LISA DOHERTY

Lisa Doherty is a Principal Officer within the Criminal Justice Legislation Division at the Department of Justice in Ireland. Lisa leads the team responsible for drafting legislation to protect vulnerable victims; including victims of sexual offences, domestic violence, hate speech and hate crime, human trafficking and child exploitation. Lisa previously worked with the Department of Foreign Affairs, serving as Deputy Head of Mission in Ireland's Embassies in Kenya and Vietnam, and as Deputy Director of the Humanitarian Unit at Irish Aid. Prior to joining the Irish diplomatic service, Lisa worked in humanitarian response with UNICEF for many years in numerous countries and crises around the world.



BESA ARIFI

Dr. Besa Arifi is the vice-rector for research and international relations, a professor of criminal law and criminology, and an active member of the Max Van der Stoep Research Institute at the South East European University. She has completed her BA, MA and PhD studies in the Faculty of Law "Iustinianus Primus", at the "St. Cyril and Methodius" University in Skopje. She is an external advisor on legal matters to the President of North Macedonia. She is a member of the National Council for the implementation of the Strategy for Reforms in Judiciary as well as a member of the group of experts of the Ministry of Justice on the Criminal Code and the Criminal Procedure Code. She has attended different international programs such as the International Criminal Law program in Siracusa Institute for Higher Studies on Criminal law in Sicily, and the 2007 SUSI Institute on American Political Thought and Political Development. She has published numerous articles in international, regional and national reviews, her research interests include criminal law, hate crimes, anti-corruption, human rights law, rule of law, and CVE.

BIOGRAPHIES

SESSION ONE



MARIJA GOLUBEVA

Latvian politician, political scientist and historian. She is former Minister of the Interior of Latvia and a member of the 13th Saeima and leader of the Development/For! Saeima fraction. She was also elected by the Presidium of the Saeima to serve in the Saeima Secretariat. In her academic work, she specializes in the politics of education and immigration.



DAN CHRISTIAN GHATTAS

Dan Christian Ghattas, PhD, is the Executive Director of Organisation Intersex International Europe (OII Europe). He started advocating for intersex human rights in Europe in 2009 and has since provided expertise to governments, EU and CoE and UN treaty bodies. In 2013 he co-authored the Malta Declaration. The same year he authored the first empirical (pre-)study on the life situations of intersex individuals worldwide, Human Rights Between the Sexes, in 2016, the ILGA-Europe/ OII Europe Intersex Toolkit Standing up for intersex human rights - How can you help? and, in 2019, the ILGA-Europe/ OII Europe legal toolkit Protecting intersex people in Europe. A toolkit for law and policy makers.

BIOGRAPHIES

SESSION TWO



SARAH MOLTER

Sarah Molter is a research officer at the Observatory for Sociopolitical Developments in Europe, a project by the Institute for Social Work and Social Education in Frankfurt am Main funded by the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. She analyses sociopolitical trends, both in Germany, EU Member States and at the European level. Her fields of expertise include social policy and social inclusion and gender-based violence and violence against LGBTIQ* people. She recently published an European comparative Working Paper on solution approaches from Germany and Europe on how to combat hate crime and hate speech against LGBTIQ* persons.



KETEVAN VASHAKIDZE

Ketevan Vashakidze is a prosecutor at the Department of Human Right Protection of the Prosecutor General's Office of Georgia. She has worked as a prosecutor for over 10 years. Different times, she pursued professional fellowships in the USA, at Colorado Public Safety Department and the Center of Health and Homeland Security. Earlier in her career, she practiced human rights law as a defense attorney.

Ketevan is a graduate of the University of Maryland Francis King Carey School of Law, USA (LL.M., 2019, with Fulbright scholarship) and Tbilisi State University, Georgia (Master in Laws, 2012, Bachelor in Laws, 2009).



FLORINA PRESADĂ

Florina Presadă is the Executive Director of ACCEPT Association. She started working with ACCEPT on the implementation of European Court of Human Rights decisions on sexual orientation and gender identity, after 15 years of activity for human rights, including as an ally of the LGBTQIA+ community in Romania, both in civil society and in Parliament. As a civic activist, she advocated for equal marriage rights and protection for transgender persons. As a member of the Romanian Parliament (2016-2020), she supported legislation for equal family rights for LGBTQIA+ persons and strongly opposed initiatives aimed at restricting equality, such as bans on the freedom to marry or bills proposed by the anti-gender movement.

BIOGRAPHIES

SESSION TWO



MICHAEL CORBETT

Michael Corbett joined An Garda Síochána in 1994 . He has worked in all the major areas of Policing , frontline , community policing , Drugs , Crime and more recently in the Garda National Community Engagement Bureau with responsibility for the Garda National Community Policing Unit and the Garda National Diversity Unit. He holds a MA in Serious Crime Investigation (University of Limerick), Certificate in Policing & Human Rights Law in Ireland, Professional Certificate in Governance, Post Graduate Diploma in Serious Crime Investigation & Diploma in Policing Studies. He represents An Garda Síochána on a number of National forums namely the Rural Safety Forum , Garda National Diversity Forum , Safeguarding Ireland, Garda Traveller Advisory Group and is chair of the Garda National Youth Awards committee.



BILJANA GINOVA

Biljana Ginova (they/them) is a queer feminist activist and a human rights defender. For the past twenty years, they have worked in the civil society sector advancing the rights of different historically marginalised groups, including sexual and gender minorities, Roma, refugees and migrants, and survivors of human trafficking. They hold an MA in (queer) international relations from the University of Sussex, UK.

BIOGRAPHIES

SESSION THREE



LENI MORRIS

Leni joined Galop, the UK's largest LGBT+ anti-abuse charity, in June 2020 as Chief Executive Officer. Leni is passionate about supporting and serving the LGBT+ community, and has worked within a range of LGBT+ and human rights organisations before coming to Galop. Leni comes from a fundraising background.



LANA GOBEC

Lana Gobec joined Legebitra in January 2015 and became head of the organisation in 2018. Besides managing the organisation her work in large part consists of advocating for advancing the quality of life of LGBTI people in different fields including marriage equality, legal gender recognition and hate crimes. She was drafting the project Trust Coop in the preparation stage and afterwards was actively involved in sensibility training with police officers.



DINAH BONS

Dinah de Riquet-Bons is an LGBTQI+, HIV and AIDS and Sex work activist, and former politician for the PvdA Amsterdam. In 1991 she began her life as an activist as a part of Act Up New York's black and Latino youth group. Today, Dinah represents the rights of LGBTQI+, trans and bi-cultural women in the Netherlands and Europe) She is the co-chair for the bicultural trans organization, Trans United Europe, and a board member for the Amsterdam chapter. She seated in various European commissions f.e on discrimination and hate speech, gender inclusion and health.



STEPHANIE LORD

Stephanie Lord joined FLAC in 2018 as Legal and Policy Officer. She has a degree in Law from UCD, a Diploma in Housing and Community Studies, and an MSc in Equality Studies from UCD. In FLAC Stephanie undertakes research and policy analysis with a focus on Access to Justice, Human Rights, Civil Legal Aid and Social Welfare. She is currently undertaking research in the area of unmet legal needs for the LGBTQI+ community in Ireland.