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TO:

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Mr. Milan Boček
Mr. Martin Louka
Mr. Jaroslav Sykáček
Mr. Josef Hýbl
Ms. Eva Džumanová
Ms. Alice Zemanová
Mr. Jan Kubice
Mr. Petr Lessy

Re: Discriminatory Violence in Czech Republic

The European Roma Rights Centre (ERRC), Amnesty International and the Hate Is No Solution Coalition¹ are seriously concerned about ongoing discriminatory violence against Roma in Czech Republic. The organisations are calling on the authorities in Czech Republic to take urgent measures to prevent further attacks, to protect Roma from discriminatory violence and ensure that all attacks are subject to a full and effective investigation. Czech Republic is obliged to take these measures under international human rights law.

The ERRC have monitored discrimination against Roma, including 23 violent attacks that have resulted in three deaths in the last six months.² This represents a growth in the number of violent attacks in comparison with the situation as of August 2011, when the ERRC last raised its concerns in a letter to Czech authorities.³

In early 2012, a Romani woman was stabbed and killed in the quarter Jarov, 3rd district of Prague.⁴ Three young men admitted being involved in the crime. According to media reports, the men are supporters of far right extremism who have regularly attacked homeless people and locals in the past.⁵

The ERRC also monitored 11 arson attacks against the homes of Roma families in recent years.⁶ The police identified the suspected perpetrators in just three of the cases. With regard to the other 8 cases, the ERRC, Amnesty International and the Hate Is No Solution Coalition remind the Czech authorities about their obligation to take immediate steps to complete the investigation in reasonable time and with the necessary diligence.⁷

¹ The coalition includes Czech NGOs who campaign against anti-Roma violence and hate speech.

² ERRC media monitoring of attacks against Roma in Czech Republic, available at: <http://www.errc.org/cms/upload/file/attacks-list-in-czech-republic.pdf>

³ ERRC letter of concern August 31 2011. Available at: <http://www.errc.org/article/concerted-effort-needed-by-national-and-international-authorities-to-end-rising-tension-in-the-czech-republic/3924>

⁴ ERRC telephone interview with Tomáš Hulan, Prague police spokesperson on Jan 11 2012. The attack took place before January 6 2012, but the police refused to inform the ERRC of the exact date of the crime

⁵ http://www.romea.cz/english/index.php?id=detail&detail=2007_3066

⁶ The full list of attacks against Roma is here, and includes 11 cases involving arson <http://www.errc.org/cikk.php?cikk=3835>,

<http://www.osce.org/odihr/83769>

⁷ <http://www.errc.org/cms/upload/file/attacks-list-in-czech-republic.pdf>

At least 16 anti-Roma rallies have taken place in the last year.⁸ During some of these rallies, anti-Roma slogans were chanted, and the participants reached mainly Roma neighbourhoods in a number of cases. In this context, the coalition, ERRC and Amnesty International remind the Czech authorities that they have an obligation under international human rights law to ensure the security and physical integrity of its citizens, without discrimination. They must therefore exercise due diligence to prevent, investigate, punish and provide redress for attacks by non-state actors, particularly racially motivated attacks

The ERRC, Amnesty International and the Coalition recall that under international and domestic law, Czech authorities are obliged to protect the life and personal integrity of all its citizens. The Czech Charter on Fundamental Rights and Freedoms, a component of the constitutional order, guarantees the right to life and personal integrity.⁹ The Committee on the Elimination of Racial Discrimination calls on states parties to the CERD, including Czech Republic “to ensure protection of the security and integrity of Roma, without any discrimination, by adopting measures for preventing racially motivated acts of violence against them; to ensure prompt action by the police, the prosecutors and the judiciary for investigating and punishing such acts; and to ensure that perpetrators, be they public officials or other persons, do not enjoy any degree of impunity.”¹⁰

Czech Republic’s obligation to undertake vigorous and impartial investigations of crimes which may be motivated by discrimination has been stressed by the European Court of Human Rights in the judgment in the case of *Nachova and others v Bulgaria*:

“Where there is suspicion that racial attitudes induced a violent act it is particularly important that the official investigation is pursued with vigour and impartiality, having regard to the need to reassert continuously society’s condemnation of racism and ethnic hatred and to maintain the confidence of minorities in the ability of the authorities to protect them from the threat of racist violence.”¹¹

In the case of *Stoica v Romania*, the Court further stated “that when investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the events. Treating racially induced violence and brutality on an equal footing with cases that have no racist overtones would be turning a blind eye to the specific nature of acts that are particularly destructive of fundamental rights.”¹²

The ERRC, Amnesty International and the Coalition are calling on the Czech government to act immediately to ensure that:

- Public officials and politicians publicly and explicitly condemn attacks against Roma;
- Public officials refrain from derogatory or racist comments about Roma;
- Law enforcement agencies take effective steps to protect Roma against racially motivated attacks;
- Racially motivated violence and other hate crimes are fully and effectively investigated – including efforts to unmask any discriminatory motives - and those reasonably suspected of responsibility are brought to justice in trials which comply with international standards;
- Adequate numbers of State and other police are deployed to relevant locations to guarantee the physical safety of Romani residents;
- Police officers receive in-service training on hate crimes and the role of the police in combating them;

⁸ For example: http://www.romea.cz/english/index.php?detail=2007_2788&id=detail

⁹ Charter of Fundamental Rights and Freedoms, Articles 6 and 10

¹⁰ The Committee on the Elimination of Racial Discrimination, General Recommendation No. 27: Discrimination against Roma, 12 available at: www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/11f3d6d130ab8e09c125694a0054932b?Opendocument

¹¹ European Court of Human Rights, *Nachova and others v Bulgaria* Application nos. 43577/98 and 43579/98, 6 July 2005, paragraph 160 available at: <http://cmiskp.echr.coe.int/tkp197/view.asp?item=1&portal=hbkm&action=html&highlight=Nachova&sessionid=87437664&skin=hudoc-en>

¹² European Court of Human Rights, *Stoica v Romania* Application no. 42722/02 4 March 2008, paragraph 119, available at: <http://cmiskp.echr.coe.int/tkp197/view.asp?item=1&portal=hbkm&action=html&highlight=Romania%20%20stoica&sessionid=87437741&skin=hudoc-en>

- Data collection on hate crimes is strengthened, in a manner that ensures respect for human rights including the prohibition of discrimination, so that it can be used to identify trends.

We respectfully request to be informed of the actions undertaken by your respective offices in a timely manner.

Sincerely

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