

## State response to violence against Roma

Statement prepared for  
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15<sup>th</sup> of February 2012

A recent European Union Survey on Minorities and Discrimination<sup>1</sup> highlights that on average one in five Roma respondents were victims of racially motivated personal crime at least once in the previous 12 months. 81% of Roma who indicated they were victims of assault, threat or serious harassment considered that their victimisation was racially motivated.

Between 65% and 100% of Roma in the surveyed European countries did not report their experiences of personal victimisation to the police. The main reason given by Roma was that they were not confident that the police would be able to do anything.<sup>2</sup> This lack of confidence is not surprising to someone familiar with Roma in Europe and I will explain why.

Two weeks ago (1 February 2012) the Council of Europe's Committee of Ministers adopted an official declaration to express deep concern about the rise of anti-Gypsyism and violent attacks against Roma, which constitute a major obstacle to the successful social inclusion of Roma and full respect of their human rights<sup>3</sup>.

The fact is that racist or stigmatising anti-Roma rhetoric has been on the rise both in public and political discourse, including accusations that Roma as an ethnic group are engaged in criminal behaviour. There are well-documented examples from France, Italy, Hungary, Slovakia, Bulgaria and Czech Republic. In some cases, these words were understood as encouraging violent action against the Roma, such as mob riots or violence.

Extremist groups, political parties and politicians have sharpened their anti-Romani rhetoric and actions, galvanizing segments of the public against Roma in Hungary, Czech Republic (North Bohemia) and Bulgaria.

Anti-Gypsy stereotypes also continue to be spread and perpetuated in the media across Europe, which report primarily on Roma in the context of social problems and crime.

Violence against Roma remains a serious problem not only because it harms the Roma directly affected by the attack, but because the Roma as an ethnic group are impacted by the lack of an effective response by state authorities.

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<sup>1</sup> See EU-MIDIS, European Union Minorities and Discrimination Survey, 2009, Data in Focus Report, The roma, European Union Agency for Fundamental Rights.

<sup>2</sup> Idem

<sup>3</sup> See Council of Europe, Press Releases, Declaration of the Committee of Ministers on the Rise of Anti-Gypsyism and Racist Violence against Roma in Europe, 1<sup>st</sup> of February 2012.

In 2011, the European Roma Rights Centre published a report examining the state response to 44 selected violent attacks against Roma in the Czech Republic, Hungary and Slovakia.<sup>4</sup> A number of shortcomings in the state response to violence against Roma are apparent:

Many Romani victims of violent crimes do not secure justice. A limited number of perpetrators of violent attacks against Roma are successfully identified, investigated and prosecuted. Even fewer are eventually imprisoned for the crimes they have committed against Roma.

At the time of publication, judgments finding the perpetrators guilty had been reached in nine of the 44 selected cases. Of those nine cases, only six resulted in imprisonment (several under appeal) and three resulted in suspended sentences and/or fines, including persons with known affiliations to neo-Nazi groups in the Czech Republic. Police investigations were suspended with no perpetrator identified in 27% of all selected cases.

Racial motivation was confirmed in only three of the 44 selected cases of violence against Roma. In 11 other cases racial motivation is included in the indictment in pending cases. In 50% of all selected cases, racial motivation of the crimes committed against Roma was ruled out or not confirmed in the absence of identified suspects.

The failure of law enforcement authorities to identify the perpetrators of crimes against Roma in a considerable number of investigations creates a climate of impunity and may encourage further acts of violence against Roma. The issuance by courts of only suspended prison sentences to persons found guilty of serious crimes against Roma reinforces the message that it is ok to attack Roma.

Recognition of racial motivation in such a small number of cases may indicate a low level of importance placed on aggravating circumstances of the crimes committed, and may fail to account for the full nature of the attacks.

These findings may have a serious negative impact on the will of Romani individuals to report crimes committed against them to law enforcement authorities, and explains the results of the European Union Survey on Minorities and Discrimination.

How can governments put an end to impunity, restore confidence of Roma in law enforcement and reduce the level of violence? First, governments must adopt a zero tolerance policy against racist speech uttered by public officials: all such racist speech should be immediately denounced and the responsible official removed from his or her job. Racist speech by private actors should also be vigorously condemned by government at the highest level.

It is also important that government distinguish between free expression, which must be protected in a democratic society, and acts of intimidation, which must be strongly suppressed through acts of law enforcement. The spectacle of neo-Nazis carrying flaming torches through Roma settlements, shouting anti-Roma epithets, preventing people from going to their jobs or to schools (as occurred last year in Hungary or Bulgaria), must not be allowed to recur.

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<sup>4</sup> See "Imperfect Justice, Anti-Roma justice and impunity", a report by the European Roma Rights Centre, March 2011.

Most important of all, governments must take a firm stance against racially motivated violence; they should guarantee speedy and effective investigations and prosecutions of all crimes committed against Roma and identify any racist motives for such acts, so that the perpetrators do not go unpunished and escalation of ethnic tensions is avoided; Governments should ensure full assistance, protection, and compensation to the victims of violence.

Last year, the European Union launched an important process to promote Roma integration, focusing on the areas of education, health, employment and housing. Member States of the EU are obliged to develop and implement strategies for such integration. It is crucial that states recognise the interdependence of inclusion and anti-discrimination: any strategy developed to improve the socio-economic situation of Roma must include measures combating discrimination and addressing anti-Gypsyism.

The United States has long been a leading global example in ensuring the inclusion of minorities in society. Last week the U.S. announced its intention to become an official observer to the Decade of Roma Inclusion, another important European initiative designed to encourage Roma advancement. Here is how the U.S. can assist Europe as it strives to achieve true integration of Roma at all levels of society:

- 1) Offer the assistance of US law enforcement in addressing bias crimes against Roma.
- 2) Offer good practice examples of promoting minority inclusion in education, housing, healthcare and employment;
- 3) Offer financial assistance to civil society organizations in Europe addressing anti-Roma discrimination and rights violations.