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Dear Minister

### **GOVERNMENT MUST ENSURE SAFETY OF ROMANI COMMUNITIES IN NOVÝ BYDŽOV**

Amnesty International and the European Roma Rights Centre urge you to ensure that members of the Romani community as well as others are protected from any violence, including during the planned demonstration by the Workers' Social Justice Party on 12 March in Nový Bydžov.

The Workers' Party, the predecessor of the Workers' Social Justice Party, was dissolved by the Supreme Administrative Court in February 2010 on the grounds that its "programme leads to incitement to national, racial, ethnic intolerance" and "amounts to an attempt to infringe the basic rights and freedoms of certain groups, in particular the minorities." One of the reasons for the banning of the Workers' Party was its complicity in violence at an anti-Roma rally it organized in the Janov Romani neighbourhood in the town of Litvínov on 17 November 2008. During the rally supporters of the Workers' Party chanted anti-Roma slogans. After the rally, the demonstrators reportedly tried to reach the mainly Roma neighbourhood of the town armed with stones, firecrackers and petrol bombs with the apparent intention of attacking the Roma community. About 500 demonstrators clashed with police who prevented the attacks against the Roma community. The Workers' Social Justice Party has the same chairman, the same leadership and the same platform.

Czech media have warned that far-right groups are using the internet to make links between the planned demonstration and the anti-Roma rally in Litvínov. One such group, the Autonomous Nationalists, informed the Mayor of Nový Bydžov that they would support the demonstration by the Workers' Social Justice Party on 12 March. The group had also been involved in the 2008 rally in the Janov neighbourhood of Litvínov. In the lead up to the planned demonstration, it reportedly issued a call on the "pro-national forces" of the Janov events and declared that it was now again "time to show the power." The organizers of the demonstration reportedly plan to march through the town on a route which passes by a house inhabited by Romani families.

Nový Bydžov became a focus of attention for the media, local and national politicians, and the Workers' Social Justice Party, in the aftermath of a rape of a 21-year-old woman in November 2010. The suspected perpetrator of the attack was allegedly a Romani individual. In a response to the attack, the Mayor of Nový Bydžov stated that the rape called forth the "last drop of hatred of citizens towards Gypsies". He further stated that the number of Roma in town had grown "by five per cent in the past five years" and that they "bother [others], steal, rape." He also alleged that "citizens want the Roma to disappear. But ... [t]he hands of the local government are tied by the legislation, which does not allow a radical action without risking legal action for discrimination." Following the Mayor's statement, the Workers' Social Justice Party welcomed the "open and truthful naming of the problem" and announced its readiness to help, including by providing monitoring patrols to the municipality.

The Czech Republic has an obligation under international human rights law to ensure the security and physical integrity of its citizens, without discrimination, and to exercise due diligence to prevent, investigate, punish and provide redress for attacks by non-state actors, particularly racially motivated attacks. According to the International Convention on the Elimination of Racial Discrimination, the authorities are obliged to adopt immediate and positive measures designed to eradicate all incitements to, or acts of, discriminatory violence. In its General Recommendation no. 27, the Committee on the Elimination of Racial Discrimination (CERD) recommends that state parties ensure protection of the security and integrity of Roma, without any discrimination, by adopting measures for preventing racially motivated acts of violence against them. The authorities are also obliged 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.

The European Court of Human Rights clarified in the case of *Osman v United Kingdom* that the obligation of states to protect the right to life includes taking appropriate steps to safeguard the lives of those within their jurisdiction. The Czech Republic is thus obliged to – among other things – back the existing criminal law provisions by law-enforcement machinery for the prevention, suppression and sanctioning of breaches of such provisions.

The 2009 recommendations of the European Commission against Racism and Intolerance (ECRI) called on the Czech authorities to pursue and strengthen the measures already in place to ensure proper implementation of criminal law provisions against hate crimes, and to take a firm and public stance against racist expressions by political leaders.

In connection with the forthcoming demonstration by the Workers' Social Justice Party, Amnesty International and the European Roma Rights Centre acknowledge that the Mayor of Nový Bydžov has announced that the local authority and the police are preparing measures to ensure public safety. However, in addition to these measures, we urge you to:

- ✳ ensure support from law enforcement authorities outside of Nový Bydžov for the protection of Roma in Nový Bydžov, as well as other localities, without any discrimination;
- ✳ encourage communication and dialogue between the police and Roma communities and associations in the Czech Republic, with a view to preventing conflicts based on racial prejudice and to combating acts of racially motivated violence against members of these communities.

We look forward to your response on the above-mentioned concerns and the measures taken. Please note that a copy of this letter is being sent to the Mayor of Nový Bydžov.

Yours sincerely



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Director  
Europe and Central Asia Programme



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Executive Director  
European Roma Rights Centre