

Mr. Spiro Ristovski, Minister of Labour and Social Policy
Mr. Arif Selimi, Freedom of Information Officer

Budapest, 25 January 2013

Re: Violence against Roma, Prilep Centre for Social Work

The European Roma Rights Centre (ERRC)¹ is writing to express its deep concern over a violent incident which occurred on 31 December 2012.

According to information from different sources, during a protest in front of the Centre for Social Work in Prilep (CSWP) a Romani woman and her two children were mistreated by security guards while trying to enter the building.² The Romani protesters gathered due to unpaid social allowance before the upcoming Christmas holidays and demanded to speak to the director of the CSWP. While only a few protesters were allowed in, the rest were prevented from entering at which point the security started pushing people down the stairs at the entrance of the building. During this incident a Romani woman in the presence of her two children was punched in the stomach and head by one of the security guards. The woman fainted and was taken to a hospital by another protester.³ The media reported that her two children were also pushed and mistreated by the security as well.⁴

We find it particularly worrying that the protesters stated they were being mistreated due to their Roma ethnicity, protesters reported: "...[We] have no right to even complain, nothing. When we want to complain we will be beaten."⁵ "The treatment was degrading because we are Roma".⁶

Following the above information the ERRC is concerned that this incident represents an excessive and disproportionate use of force against the Romani woman and her two children by the CSWP's security guards which could even amount to degrading treatment, and as such is forbidden by Macedonian law and international treaties. Namely, the Macedonian Constitution guarantees the right to physical and moral dignity and prohibits humiliating conduct or punishment (Article 11)⁷, the right also guaranteed by Article 3 of the European Convention of Human Rights. Furthermore, such conduct is incompatible with the Ethic Code for Civil Servants⁸ and may contain elements of the criminal offence Torture and other cruel, inhuman or

¹ The European Roma Rights Centre (ERRC) is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education.

² Monika Taleska, "Roma beaten or protection of employees and inventory?", Radio Free Europa, 18 January 2013. Skopje, available at: <http://www.makdenes.org/content/article/24822786.html>.

³ Interview with a 29-year-old Romani woman and 22-year-old Roma man, Prilep, R. Macedonia: 31 December 2012.

⁴ Taleska, Radio Free Europa, available at: <http://www.makdenes.org/content/article/24822786.html>

⁵ Ibid.

⁶ Interview with 22-year-old Roma man Prilep, R. Macedonia, 31 December 2012.

⁷ Constitution of R. Macedonia, 17 November 1991, available at: <http://www.sobranie.mk/en/default-en.asp?ItemID=9F7452BF44EE814B8DB897C1858B71FF>

⁸ Ethnic Code for Civil Servants, 30 September 2011, available at : http://www.mioa.gov.mk/files/pdf/dokumenti/pravilnik/zjs/Eticki_kodeksi_za_JS_SIVesnik_133_2011.pdf

humiliating activities and punishments (Article 142) and/or Harassment while performing a duty (Article 143)⁹.

Given the gravity of the incident outlined above, the ERRC, in accordance with Article 4 and Article 12 of the Law on Free Access to Public Information, respectfully requests your office to provide us with the following information in writing.

- Have the MLSP inspectors conducted an inspection of the Centre for Social Work Prilep regarding this incident and potential use of excessive force against Roma? What were their findings? Please disclose a copy of the inspection report.
- Were the police notified about the incident?
- Are security guards employees of the contracted private company or employees of the centre for social work?
- Were any disciplinary measures taken against the two security guards involved in the incident? Please disclose a copy of the decision on disciplinary measures taken against security guards.
- Has any racial/ethnic motivation behind the incident been taken into consideration?

We look forward to your response, which we request is sent by email to djordje.jovanovic@errc.org

Sincerely,

Dezideriu Gergely
Executive Director

TO:

Minister of Labour and Social Policy
Mr. Arif Selimi, Freedom for Information Officer

CC:

EU Delegation in Skopje, Head of Section for Political and Justice and Home Affairs Issues,
Information and Communication, Mr. Robert Liddell
Ombudsman in R.Macedonia, Mr. Idzet Memeti
OSCE Mission to Skopje, Ms./Mrs. Mirvete Islam
President of Commission for protection of discrimination, Mr. Dushko Minovski
State Labour Inspectorate, Ms./Mrs. Zorica Dzingova

⁹ Criminal Code, 06 August 1996, available at: <http://www.pravo.org.mk/documentDetail.php?id=233>