

TO:

Mr. Tomislav Kilibarda, Higher Public Prosecutor's Office in Belgrade

Mr. Stevan Bjelić, Head of the Police Directorate of Belgrade, Ministry of Interior

Mr. Dragan Đilas, Mayor, City of Belgrade

Ms. Suzana Paunović, Director of the Office for Human and Minority Rights, Government of Republic of Serbia

Mr. Milosav Miličković, President, Rakovica Municipality

Budapest/Belgrade, 10.09.2013.

Re: Racist Attacks on Roma Settlement in Resnik

Praxis¹ and the European Roma Rights Centre (ERRC)² are writing to express their concern over a series of recent attacks on the container settlement in Resnik (Rakovica Municipality, Belgrade), inhabited by Romani families who were previously evicted from Belvil.

The first incident occurred on the night of 28 August 2013, at approximately 11 p.m. when a group of at least 20 men, wearing hoods and armed with poles, attacked the settlement while a private celebration was taking place. During the attack, the attackers shouted threats and racial slurs. Some of the men entered the settlement, threw stones, and broke a window in one of the containers with a metal pole, while children were sleeping underneath it. One woman was hit with the metal bar as it came through the window. None of the other residents sustained injuries. On the following nights, the attackers continued to return to the settlement in groups, trying to provoke and intimidate the residents, and threatening to set them on fire.

Every attack was immediately reported to the police by the residents, and a patrol car responded within four to ten minutes. During the police intervention on Saturday night (31 August 2013), four non-Romani attackers (including one minor) were caught and taken into custody. In fear for their and their children's safety, Romani families organised a night-watch in the settlement. The police only sent a patrol car at night after six days of attacks, and following an intervention from Praxis and the ERRC, who met with the Deputy Commander of the Police Station Rakovica on 4 September.

This is not the first time that the settlement has been exposed to racially-motivated violence. Prior to the relocation of families from Belvil in April 2012, the local population in Resnik organised violent

¹ Praxis is a national non-governmental organisation established in 2004 in Belgrade that aims to promote, protect and improve human rights, and combat discrimination, intolerance and racism.

² 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.

protests against the decision to settle Romani families there.³ As a result, Roma lived for several months under constant police protection.

The State's responsibility to guard security and personal integrity and take all appropriate measures to secure life in dignity and peace for its citizens derives from the Constitution, national laws and numerous international human rights treaties. The Constitution of the Republic of Serbia guarantees the inviolability of physical and mental integrity (Article 25) and the right to personal freedom and security (Article 27). As a party to the European Convention on Human Rights and the International Covenant on Civil and Political Rights, Serbia is bound to ensure that all citizens can exercise their rights to liberty, security of the person and private and family life. The European Court of Human Rights has declared that, when investigating violent incidents, State authorities have an 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. Racially-motivated violence (or violence that there is reason to believe is racially motivated) must be treated on a separate footing from other kinds of violence.⁴ Furthermore, in order to protect someone from repeated hate crimes, the State and its agents must take specific measures to prevent such attacks in the future, including video or other surveillance, stakeouts or similar other actions.⁵ In the case of Resnik, a night patrol was only sent to the settlement after six days of repeated attacks and following an intervention from Praxis and the ERRC.

The ERRC and Praxis call on the authorities to make a full and thorough investigation, identify and bring to justice *all* persons involved in the attacks and take all necessary security measures to protect the Romani families in the Resnik container settlement from further attacks. We underline that key elements of the incidents, including the ethnicity of the target group, location of the settlement, number of attackers and repetition of violence indicate premeditated and planned hate crime and must be prosecuted as such.

Finally, we would also like to express our concern that the representatives of the City of Belgrade Secretariat for Social Welfare (the Secretariat), which is in charge of this camp, told families that they will have to bear the costs of the material damage (the broken window) which was caused by the attackers. The City of Belgrade authorities only came to visit the families on 2 September 2013, several days after the attacks began, despite the fact that the authorities were informed immediately about these attacks. Two City of Belgrade employees also shouted at and insulted the Roma, calling them "thieves" and "animals" and threatening to cut off any further assistance to the families.

We respectfully request to be informed of any and all actions undertaken by your respective offices in a timely manner,

Dezideriu Gergely

Executive Director, ERRC

Jasmina Miković

Deputy Executive Director, Praxis

³ Praxis, "Condemnation of racist behaviour in Resnik", press release, 7 April 2012, available at: <http://www.praxis.org.rs/index.php/en/praxis-in-action/discrimination/item/399-condemnation-of-racist-behaviour-in-resnik/399-condemnation-of-racist-behaviour-in-resnik>.

⁴ See *Šečić v. Croatia*, European Court of Human Rights, Application no. 40116/02, § 67.

⁵ See *Milanovic v. Serbia*, European Court of Human Rights, Application no. 44614/07, § 89.

TO:

Mr. Tomislav Kilibarda, Higher Public Prosecutor's Office Belgrade
Address: Savska 17a, 11000 Belgrade, Serbia

Mr. Stevan Bjelić, Head of the Police Directorate of Belgrade, Ministry of Interior

Mr. Dragan Đilas, Mayor, City of Belgrade

Ms. Suzana Paunović, Director of the Office for Human and Minority Rights, Government of Republic of Serbia

Mr. Milosav Miličković, President, Rakovica Municipality

CC:

HE Ambassador Michael Davenport, Head of Delegation of the European Union to the Republic of Serbia

Mr. Saša Janković, Ombudsman of the Republic of Serbia

Ms. Nevena Petrušić, Commissioner for the Protection of Equality

Ms. Marija Rauš, Human Rights Adviser, Office of the UN Resident Coordinator in Serbia / OHCHR

Mr. Eduardo Arboleda, UNHCR Representative in Serbia

Mr Matthew Newton, Roma Inclusion Programme, OSCE Mission to Serbia