
Office for Democratic Institutions and Human Rights

CPRSI Newsletter

December 1995

Vol.1 No. 3

Inside This Issue:

Contact Point for Roma and Sinti (Gypsies) Issues - Programme of Activities.....
The ODIHR Director Discussed The Problems of the Czech Roma in Prague.....
Spotlight on Legal Assistance - One Bulgarian NGO's Experience.....
Reports Submitted to CPRSI.....

CONTACT POINT FOR ROMA AND SINTI (GYPSIES) ISSUES PROGRAMME OF ACTIVITIES

Jacek Paliszewski
Co-ordinator of Roma Contact Point Activities

The major tasks formulated in the mandate for the CPRSI by the respective decision of the CSCE Budapest Meeting will continue to be furthermore relevant for the activities of the Contact Point in the second subsequent year of its existence. In addition a number of more specific objectives have emerged from several consultations carried-out in 1995 with representatives of governments, international organizations and Roma associations, which were endorsed in the discussion at the Implementation Meeting on Human Dimension Issues.

The future work of the CPRSI will have to take into consideration the common opinion that the situation of Roma and Sinti has further deteriorated. Awareness of the vulnerable position of this ethnic group has increased, but intolerance, discrimination and

racial violence against Roma and Sinti continue to exist. For this reason a special emphasis among issues related to Roma will be continuously placed on the activities of the CPRSI on **discrimination and violence against Roma**.

The CPRSI intends to log all reported instances of violence and communicate them to the national institutions tasked with addressing Roma and Sinti, or governments in the respective countries.

A special report on cases of violence against Roma and Sinti will also be prepared for the information of the OSCE Permanent Council.

Legal assistance to Roma and Sinti will be another important priority in the work of the CPRSI, in particular possibilities for training representation of Roma and Roma issues before courts and tribunals will be examined. An effective cooperation in this area with other international and domestic institutions as well as non-governmental organizations with legal expertise will be of great value.

An identification of national Roma and Sinti functioning mediation bodies in more countries of Central and Eastern Europe may also constitute a significant element in eliminating local ethnic tensions and discriminatory practices.

A broad dissemination of information on Roma and Sinti, including information of Implementation of commitments pertaining to Roma and Sinti is another area where the CPRSI may further increase effectiveness of its operations. It would require an increase of communication channels with national institutions dealing with Roma problems and Roma associations in different countries. Another important source of information on

Roma and Sinti issues should be the OSCE Missions.

In order to make such communications and consultations more frequent and efficient an establishing of the network of national contact points for Roma and Sinti issues is recommended. The OSCE participating States specially concerned with Roma population problems will be invited to indicate a concrete person in their administration in charge of Roma and Sinti issues to serve as a partner in all matters related to the functioning of the CPRSI.

A handbook on domestic and also international institutions tasked with addressing Roma and Sinti related issues. It will be prepared mainly on the basis of replies from a questionnaire circulated by the ODIHR to the participating States in June 1995.

The CPRSI will continue with a broad presentation of the problems of the Roma communities in ODIHR's publications. A bi-monthly CPRSI Newsletter will also be continued with a possibility of having each of the its issues published in English and Romanese.

Regular consultations on Roma and Sinti issues and on current activities of the CPRSI attended by representatives of the participating States, international organizations, Roma associations and other NGOs will be organised on the occasion of the OSCE seminars.

The CPRSI Advisory Committee which will consist of 15-20 experts, represent Roma associations will be established to offer consultancy on projects and activities dedicated to Roma and Sinti.

The CPRSI will aim at more **expanded thematical cooperation with other international organizations**, in particular the Council of Europe, the European Union and UNHCR. A special consultation on causes of violence against Roma and Sinti will be organised.

Encouraging the development of Roma and Sinti organisational capacity and assisting cooperation of Roma and Sinti associations will remain an important priority. The recommendations of the Workshop on Networking, Contacts and Cooperation with

Roma and Sinti NGOs held in conjunction with the Implementation Meeting in Warsaw aim to better coordinate their relationships with the CPRSI.

The Standing Conference for Cooperation and Coordination of Romani Associations in Europe will be a principal partner of the CPRSI's activities.

As a result of an agreement between the ODIHR and the Project on Ethnic Relations another two three month internships for Roma representatives will be completed in the CPRSI.

THE ODIHR DIRECTOR DISCUSSED PROBLEMS OF THE CZECH ROMA IN PRAGUE

The practical implementation of the Czech Citizenship Law in relation to the population of Roma in the Czech Republic was jointly discussed on 26 October 1995 in Prague at the meeting of Dr. Václav HENYCH, Head of the First Section in the Ministry of Interior accompanied by Dr. Jan PECHÁČEK, Head of the OSCE Unit in the MFA and the representatives of the ODIHR: Ambassador Audrey F. GLOVER, the Office Director and Jacek PALISZEWSKI, the CPRSI Coordinator.

It was agreed that close working contacts will be maintained on issues related to the situation of Roma, in particular regarding cases of discrimination and acts of violence against Roma.

SPOTLIGHT ON LEGAL ASSISTANCE - ONE BULGARIAN NGO'S EXPERIENCE

Elizabeth Winship
NGO Liason

In the previous issue of the CPRSI Newsletter, readers were informed of a new ODIHR initiative, a survey of and search for legal assistance programs designed to provide counsel to victims of human rights violations, in particular to those victims from Roma/Sinti communities. In the interim

between issues, a timely and informative workshop took place in Budapest, in which the ODIHR NGO Liaison Advisor took part: "Legal Services Workshop - Strategies in Support of Human Rights," from 2-4 November, co-sponsored by The Constitutional and Legislative Institute of Budapest, The International Helsinki Federation of Vienna, The Phare and Tacis Democracy Programme of the E.U. and The International Human Rights Law Group, based in Washington, D.C.

This workshop provided a forum for exchange of information and experience between human rights NGOs from the CIS and from Central and Eastern Europe on the subject of the provision of legal services. Among the panelists were also a number of American experts who shared their ideas and suggestions with participants. Of particular interest and relevance to the ODIHR CPRSI was a presentation given by Human Rights Project, based in Sofia, Bulgaria.

The Human Rights Project (HRP) was established in the summer of 1992 as an independent non-profit organization focusing on monitoring the human rights situation of the Roma in Bulgaria, and on legal defense in cases of serious human rights abuse. The Director, Ms. Dimitrina Petrova, began her presentation by posing the question she and her colleagues meet most often, "Why focus only on one group, and exclude the needs of others for legal counsel and defense?" The answer, she said, is simple: "Human rights are universal; human rights abuse is particular."

In her presentation, Ms. Petrova outlined some of the basic requirements and challenges that NGOs find when taking up the provision of legal services. It is important to encourage in society the creation of lawyers' groups interested and motivated to provide assistance. Such assistance should not be *pro bono*, since human rights law should be respected and taken seriously as a career choice. Thus, NGOs should plan to have paid legal counselors on their staff. The HRP has two full-time litigators, one of whom is a Roma. The relationship between NGO, legal counsel and the client must be

clearly defined from the outset. Where Roma cases are concerned, the NGO plays a crucial role in maintaining the link and support between lawyer and client. Sometimes in these cases, the lawyer is not aware of the need to make special efforts to build and maintain a relationship with the client, who may be reticent, distrustful, and un-informed about legal procedures. Thus, it is up to the NGO to assist both lawyer and client in working together toward a common goal. There is, in fact, not just one goal, one purpose, at stake in these cases. NGOs involved in providing legal defence are ever conscious of the fact that their efforts have an impact on two levels: justice for the individual and influence directed at changing and reforming their country's judicial and social systems.

The HRP publishes a quarterly progress report which follows cases concerning Roma that are pending in Bulgaria. The most recent issue (July 16 - Oct. 15) announced the successful defence of a case involving an attack against a Roma family in Dupnitsa. This case was litigated in civil court. Under Bulgarian Civil Code, an NGO may not make a defense, but at least the victim (and the NGO indirectly) may have direct access to the court room. Furthermore, information gathered by the NGO may be used as evidence or may be the basis for arguments made in defense of the victim. In criminal courts, however, neither victim, NGO, nor even the lawyer have much say in the process of investigation and collection of evidence. It is understandable, then, that often NGOs are tempted to direct cases of human rights violations to civil courts, rather than take the more difficult approach, through the criminal court system. However, a successful defence in criminal court can have a more politically powerful impact.

For this reason, the Human Rights Project encourages those NGOs providing legal counsel to consider carefully which approach to take, and to keep in mind the wider impact a case may have if tried in criminal court.

Readers who are interested in contacting HRP directly may address themselves to:

Human Rights Project

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The next issue of ODIHR CPRSI will present information on legal assistance programs for Roma/Sinti in Slovakia and Hungary, as well as a report on the Human Dimension Seminar on Rule of Law, taking place in Warsaw, 28 November - 1 December.

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CPRSI Newsletter is published bi-monthly by
OSCE Office for Democratic Institutions and
Human Rights

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