

5 October 2011

### **STATEMENT: State Response to Violence against Roma**

In a significant number of countries, 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. The results of the European Roma Rights Centre's (ERRC) monitoring in **44** selected cases of violence from 2008-2010 known to police in the **Czech Republic, Hungary and Slovakia** show that many Romani victims of violent crimes do not secure justice.

Out of the 44 cases which the ERRC examined and reported on in April 2011, judgments finding perpetrators guilty were reached in **nine** cases: only **one** of those is considered final. Of those **nine** cases, only **six** resulted in imprisonment (several are under appeal) and **three** resulted in suspended sentences and/or fines, including those involving persons with known affiliations to neo-Nazi groups in the Czech Republic. On the other hand police investigations were suspended with no perpetrator identified in **27%** of all selected cases. In only **three of the 44 cases** was racial motivation confirmed by the court.

The failure of law enforcement authorities to identify the perpetrators of crimes against Roma in a considerable number of cases creates a climate of impunity which may encourage further acts of violence against Roma. Recognition of racial motivation in such a small number of cases may indicate that a low level of importance is placed on considering aggravating circumstances of the crimes committed and may highlight a failure to account for the full nature of the attacks committed against Roma. Furthermore, this may have a serious negative impact on the will of Romani individuals to report crimes committed against them to law enforcement authorities and their overall trust in the justice system.

We can see the results of impunity of anti-Roma violence in the streets of the Czech Republic and Bulgaria these days. Because of the passive approach of state authorities and government officials, we see increasing tolerance for anti-Roma statements in the public sphere. While the media hunts for sensational stories, it can perpetuate the dangerous idea of collective guilt and mainstream the calls for lynching Roma, which conjure up painful memories.

State authorities must act now and government officials must condemn the principle of collective criminalisation.

The European Roma Rights Centre recommends to the Czech, Hungarian and Slovak governments the following actions:

1. Scale up or implement programmes to increase the number of Roma employed in police forces;
2. Develop community safety and policing programmes, with close cooperation between police, Romani NGOs and Romani communities;
3. Respective authorities should regularly collect, publish and analyse data disaggregated by ethnicity on violence against Roma, including hate crimes, and their prosecution;
4. Ensure full assistance, protection, prosecution and compensation to the victims of violence;
5. Senior government officials should publicly denounce every instance of anti-Roma violence and other kinds of hate crimes;

6. Draft and distribute to all respective authorities clear guidance on the investigation and prosecution of violence against Roma and hate crimes, in line with guidance available from the OSCE and countries such as the United Kingdom;
7. Provide systematic and ongoing training to police officers, prosecutors and judges on addressing violence against Roma and hate crimes; and
8. Prosecute to the fullest extent of the law all perpetrators of violence and hate crimes against Roma.