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Lygių teisių ekspertizės centras

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Ethnic profiling of Roma population in Belarus

The police systematically restrict the right to freedom of movement and residence within the border of the State for the Roma population through ethnic profiling. In 2017-2018, those cases were particularly frequent. Essentially, ethnic profiling means arbitrary detentions and fingerprinting of Roma, or persons who have visual similarities to Roma (i.e. look similar in appearance, wear similar clothing), and who move within the country for their personal or business purposes.

Some directives of leadership of Ministry of Internal Affairs and regional Departments of Internal Affairs prescribing detention and taking to police stations of Roma have been adopted and implemented in Belarus. According to those directives, after taking to a police station Roma should be subject to fingerprinting, photographing and checking through the databases. Such directives were classified as “for internal use only” and, accordingly, are not available to the public. The existence of such directive is evidenced by the report of the Belarusian Helsinki Committee representative who communicated with a police officer by telephone on the issue of Roma family detained in Baranovichi district, Brest region. The police officer explained that the ground for the Roma persons’ detention is directive of the Chief of the Department of Internal Affairs of the Brest Regional Executive Committee (Brest Regional Police) № 44, according to which if Roma persons are detected, police officers are obliged to detain them, call a police patrol, wait for its arrival and hand over the detained persons for delivering to the nearest police station.

The existence of ethnic profiling is confirmed by the representatives of the Roma minority in many Belarusian regions, particularly in areas where they are concentrated. The practice of arbitrary detention and compulsory fingerprinting forced Roma to abandon the movement outside their places of residence and (or) registration and made them fear the police officers. Thus, the police officers actually spread the hostile stereotype of anti-Gypsyism among the population and contributed to the restriction of the freedom of movement for persons of the Roma ethnicity.

Belarus lacks state program for social integration of the Roma population (one comprehensive program or several sectorial programs). Belarus lacks national human rights institution in accordance with the Paris Principles. Belarus lacks effective legal mechanisms to ensure the equality and protection against discrimination. The Belarusian legislation includes only general provisions on the principles of equality and nondiscrimination, which fail to provide for effective implementation measures. These provisions cannot substitute a comprehensive anti-discrimination law. Belarus has no anti-discrimination law.

Attempts of Roma NGOs to promote the workshop on communication between police and Roma (OSCE workshop) were unsuccessful, the Ministry of Internal Affairs categorically refuses such cooperation. The OSCE should have other measures of influence on government bodies to eliminate ethnic profiling.

Recommendations:

Monitoring of all forms of profiling, especially ethnic profiling, should be organized in the OSCE region.