
Office for Democratic Institutions and Human Rights

CPRSI Newsletter

April 1996

Vol. 2 No. 2

EDITORIAL

Dear readers!

This is a special issue of the CPRSI Newsletter. During the Workshop on Violence against Roma a view that there is a close interrelationship between violence against Roma and inter-ethnic relations in the society was widely shared. It has been manifested in many areas of public and social life in various countries.

Attention was also focused on the issue of lack of legal assistance to Roma and Sinti in view of the growing numbers of violent attacks and ethnic tensions around Roma refugees and displaced persons. Better co-ordination of different existing legal assistance programmes dedicated to Roma as well as education and training were strongly recommended.

Therefore, it has been decided in the CPRSI that this issue of our newsletter would be altogether dedicated to the mentioned above problems. In this issue we try to present the situation as viewed from many different angles of society's institutional structure - academic, legal and social. We hope this will help to bring together all the efforts performed in the area of education and legal assistance to Roma. We will be of course trying to write about this extremely important issue in every issue of our newsletter. We wish you pleasant reading.

Ilya Belkin

CHANGING THE FACE OF POLICING IN BULGARIA by Inspector Richard Groves

Note from the editor:

Richard Groves is an Inspector working at New Scotland Yard on drugs policy issues, particularly developing the concepts of community safety and partnership. He has over 30 years police experience much of it in the ethnically diversified area of Brixton in south London. He has made five visits to Bulgaria. Working together with Bulgarian police and Roma policing units he tries to reduce the prejudices on both sides.

The problems of transition to modern capitalism and open democratic government are similar throughout the former eastern bloc countries. The removal of the centralised state system has seen the laws weakened, the judicial system fails to deliver justice and the opportunities for corruption and crime multiply. At the same time, the guaranteed work and social support mechanisms have been eroded, inflation has soared and those people at the lower end of the socio-economic scale have found themselves squeezed into the margins of society.

In Bulgaria this has been particularly apparent within the Gypsy community. Poor housing standards, high levels of illiteracy, unemployment often in the region of 90% and the absence of financial support has inevitably led to crime as the only possible means of existence for very Roma people. Even the Roma themselves acknowledge the spiral of deprivation and crime into which they are locked. Nationally, Roma said to be responsible for more than 50% of all reported crime in Bulgaria. Add into equation, political instability, resentment from within the mainstream Bulgarian people and sensationalised media reporting, the prospects for good community relations must indeed look bleak.

At the same time, the Bulgarian National Police (BNP) have also suffered as a result of the political upheaval. Senior management has been subject to frequent change, pay and status has been reduced and efficiency has been impaired. Public concern over rising crime and disillusionment with the police has led to an almost collapse in morale within the BNP.

Inevitably, much of the social tension generated has found expression in confrontation between the police and the Roma people. On the one hand, allegations of police brutality and abuse of human rights, on the other allegations of widespread criminality. No doubt, a common enough stories in Eastern Europe today.

Despite these problems the Bulgarian National Police are showing a willingness to change and adopt more progressive methods of policing. Under the United Kingdom, Foreign and Commonwealth Offices 'Know How Fund', a small team of British police officers have been exchanging professional ideas with their Bulgaria colleagues. Formal presentations and support material have been given at both national and regional levels. Subjects examined include: high level corruption, organised crime, international drugs smuggling and forensic science and go right through to the real basics of the 'British lobby on the beat', with its concepts of service to the community and fairness of treatment for all. Also on the agenda are management technique, inter-agency co-operation, and accountability to, the public, including the rationale behind internal investigations and complaint procedures.

The particular problems of policing a diverse cultural and ethnic population have received special attention. For us the only way to successfully police and society is by drawing the community itself into the process and that includes the minorities. This can be achieved through honest and open communication at all levels. In Great Britain, we have developed both formal and informal methods of achieving this. This concept is one, which we know as partnership consultation and it's an idea in which our Bulgarian colleagues are showing a particular interest.

The need to examine Roma criminality and the police response has been taken very seriously. By the Bulgarian police. As a result of our earlier recommendations, the BNP has developed a Central Gypsy Policy Unit, which studies Roma culture as well as police methodology. More importantly, the BNP have put into practice some of our ideas of community policing, through the setting up of 11 small scale policing units in the regions. Each of these units operates on the same basic principles of policing that we have developed in the U. K., in our areas of high crime and ethnic community tension. In these units a small team of dedicated policemen patrol regularly on foot, getting to know the areas, the people and their problems. Each has its own local police office and is usually led by a long service officer who not only directs policing but

also strives to improve community relations within his area. As a result, tension and clashes between police and the communities in these areas has been dramatically reduced.

Our team has visited a number of these units and now plans to improve their effectiveness through some practical exchanges of personnel. We still concentrate on the Nadejha Roma policing in the town of Sliven as a focus for our project. This area is a typical urban Roma community of 11,00 people, living in poor condition, with little by way of visible means of support. The policing unit under Major Karadev has 10 policemen, two of whom are from the local Roma community itself.

PC Barrie Critchley, a typical example of a British bobby, but also an expert on British Gypsies in advising on street level policing. I am helping with planning and advice on inter-agency co-operation, particularly in developing the partnership concept with the local municipality and local Gypsy organisations. It is early days yet, but already Major Karadev has visited London and seen for himself examples of British policing ethnically sensitive areas. One highlight of his recent visit was seeing a white female uniformed constable giving a lesson on violence and bullying to a class of Afro-Caribbean children. Another was a visit to the Bengali community leaders. There was of course an exchange of ideas with our own specialist Gypsy policing unit in London and a meeting with a police borough liaison officer. On 13 th visit he was accompanied by Col Yamakov, the policing chief of Plovdiv, Bulgaria second city, who when making a radio programme on the visit said, "There are similarities in dealing with ethnic issues generally. But here there is a vast range of different nationalities and problems. We have certainly learned a great deal of good practice which we will be able to use on our return home."

More practical work is planned for the Nadejha unit. Later this year, Barrie Critchley will patrol the area on foot with Bulgarian colleagues, in order to get a real feel for the problems and will work alongside to stimulate and improve organisation functions, both within the police and with other agencies. Later, we hope to expand our ideas into Gypsy units in Plovdiv and elsewhere.

We have not got all the answers. Challenging prejudices and changing views is for both sides a long-term process and we know from our own experiences that there will be many setbacks. Ultimately, of course, it is for the Bulgarian people themselves to decide what sort of policing they want. But we have seen a real thirst for knowledge within the Bulgarian police. We believe that policing is a public service, which must reflect the views and needs of the people being served and that, messages being taken seriously by the BNP. The work being promoted within the Gypsy policing units is proof of that intent. Time done will show the success of this approach.

HUMAN RIGHTS PROJECT (BULGARIA)

Note from the editor:

The Human Rights Project is a Bulgarian-based NGO focusing on monitoring human rights situation of the Roma minority in Bulgaria and on legal defence in cases of serious human rights abuse with different level of involvement - from representation to consultation.

The Human Rights Project has already established the practice of working with Roma leaders and activists towards raising their human rights awareness. Since the fall of 1992 when the HRP was established, it had investigated and reported about dozens of cases of discrimination and ethnically motivated violence against Roma in Bulgaria. Unlike many other human rights NGOs, the HRP had focussed its efforts from the very beginning, concentrating on fact-finding work in the field and on legal defence and prevention of violations of basic human rights, through the judicial system.

THE BULGARIAN MINISTRY OF INTERNAL AFFAIRS IS SANCTIONED FOR AUTHORIZING POLICE BRUTALITY AGAINST ROMA

by Nikolai Gughnski

On December 15, 1995 a civil court in the Bulgarian city of Pazardzhik ordered Bulgarian State, represented by the Ministry of Interior to pay remedy to Kiril Yordanov, Roma from Pazardzhik, who was tortured and ill-treated on June 29, 1992, during an authorised police operation in the Roma neighbourhood in Pazardzhik. The court decision came into effect on February 29, 1996

Kiril Yordanov vs. the State is a case on which the Human Rights Project had been working for more than three and a half years, trying to provide remedies for Kiril Yordanov through the judicial system.

In the early morning of June 29, 1992 specialised police units surrounded and attacked the Roma living quarter in Pazardzhik, under the pretext of searching for arms and passport. During the operation, houses were arbitrarily invaded by masked police officers, armed with submachine guns. Doors and windows were smashed, furniture, TV sets, fridge and VCRs were broken; money and other values were taken away. Many Roma were severely beaten and treated in degrading and humiliating way.

The police operation in Pazardzhik was the first important case of human rights abuse, which was investigated and taken for legal defence by the Human Rights Project. From the very beginning we were aware that legal defence is not an easy effort, but in the course of our work on the case we encountered enormous obstacles, some of which went far beyond all our expectations.

It was very difficult to Roma person who would be willing to start legal proceedings and sue the police. Out of many victims only Kiril Yordanov, aged 22. had the courage to seek justice through the judicial system. The rest of the Roma victims believed that this was a worthless effort, which would bring about only troubles. And it did bring troubles to Kiril. In September 1994 during a routine passport check in Pazardzhik the police officers recognised him as the Roma who is "suing us". Kiril was taken to the police station and there he was harassed and intimidated. This was the price, which he had to pay for his determination to pursue justice.

To find a Roma who would sue the police was difficult, but it was far more difficult to find lawyers. Those who started to work with us on the case consecutively gave up. We have later faced this kind of problem, while working on other cases. There is little wonder why this happens; lawyers in Bulgaria have little understanding of the subject of human rights. But we

know also that lack of human rights background is not the only problem. The feeling of conformity with the status quo and pressure which is exerted on the lawyers by the law enforcement institutions are also great disincentives for them.

To co-operate with the police and the law enforcement institutions also turned to be a hardly manageable job. In 1992 the then minister of Internal Affairs promised to prepare and publicise a report about the police operation in the Roma neighbourhood in Pazardzhik. To this moment such a report had not been publicised. In the course of its fact finding work on the case, Human Rights Project sent a long list of questions to the then Chief Secretary of the Ministry of Interior. Most of these questions were never answered with the motive that they contained classified data. Similar response, or non response, was given to other NGOs, including Human Rights Watch/Helsinki (formerly Helsinki Watch), which organised a mission to investigate this and other cases of stage of our work on legal defence, the Ministry of Interior and the Prosecutors Office needed about one year to provide the court with evidence which were required from them, thus procrastinating the procedure.

Seeking justice for Kiril through the judicial system was a great experience for the Human Rights Project. After we filed a complaint at the Prosecutors Office with a demand to open an investigation against the police officers that tortured Kiril, we got two consecutive refusals for opening of a criminal investigation. We got these refusals in spite of the fact that both prosecutors' decrees expressly stated that police had used excessive force against the victim and that force had probably been used in violation of imperative legal norms. Our experience on this and on many other cases brought us to the conclusion that the Prosecutors Office and the Criminal Justice System in general, are probably the most conservative institutional arrangement in Bulgarian post-Communist society and on many occasions their acts are discriminatory or have potential to generate discriminatory effects.

And finally, the work on the civil suit which, in January 1994, the Human Rights Project filed against the state, represented by the Ministry of Interior, was also a great challenge. We enforced a piece of legislation, the Law for Liability of the State for Damages Caused to Citizens, which had not been successfully used by that time, not only by Roma, but also by Bulgarian citizens at large. Therefore, from the point of view of court practice, the decision of the Pazardzhik Regional Court is a court precedent, which we believe, will affect positively the practice of Bulgarian courts on cases for damages against the state.

Now, when the court decision is already a fact, we must pay a tribute to the Pazardzhik Regional Court, whose decision provides an evidence that rule of law is doomed to succeed in post-Communist Bulgaria. The fact that the state, represented by its most powerful institution, was sentenced by a Roma, by a member of the most vulnerable minority, is charged with a great potential to impact judicial and social practices. This decision also gives confidence to the Human Rights Project that legal defence is a productive and meaningful field of activity, which is worth being further, developed and used by human rights groups.

GYPSY FOUNDATION SET UP IN HUNGARY

Note form the editor:

This information was taken from the BBC World News of 16 February, 1996.

The Hungarian government has set up a public foundation for Romanies living in Hungary to help the nearly 500,000 gypsies as a socially-disadvantaged group, Csaba Tabajdi, political state secretary of the prime minister's office, has announced. "We want to give a chance to those Romani people who themselves want to change their life, who want to work but whose circumstances do not make that possible", he stated. Government wants to support in a competition system, minority self-administrators, Romani social organisations and individuals who work in animal breeding and agricultural production or who are reviving and developing traditional handicraft. They also plan to arrange training programmes for entrepreneurs. Talented youngsters will be given grants and civil rights. Organisations will also receive financial support in order to create a minority-friendly environment.

**CONFERENCE ON ROMANI STUDIES AND WORK WITH TRAVELLERS UNIVERSITY OF GREENWICH
9-11 July, 1996**

Even though Gypsies have suffered from more genocidal laws over longer periods of time than any other group in Europe in the last 500 years, academics and professionals working with them remain as marginalised as Gypsies themselves. Mainstream thought sees Gypsies as a discountable exception. A year from now the University of Greenwich is pioneering a new kind of academic conference which will bring together Romani and other Traveller activists, with academics, teachers, community workers, health visitors and site wardens to take a rigorous look at the knowledge base of policy and practice.

During 1993-1994 the Economic and Social Research Council funded a series of six seminars at the University, bringing together scholars, professionals and representatives of Gypsy organisations. The object was to establish a wider common base of Romani Studies, and insist on it as a pre-requisite for advanced research. A need was felt to deconstruct the conventional administrative knowledge of Gypsies which, in its superficiality is perpetually condemned to repeat its history of policy failures, then resorting in bafflement to commissioning short-term research which always rediscovers the same banal initial insights. Romani Studies PhD students have to be delivered from ignorant university supervisors, who mistakenly think that some generalised sympathy with ethnic minorities will deliver from stereotyped thinking.

These seminars were limited to some 25 participants. While they were running, however, a dozen new PhD students applied to come; and the number of teachers and support workers employed to work with Gypsies under section 210 of the Education Act rose to around 700.

The 1996 Conference will present the work of the seminars to a wider audience, and also contain a series of lectures deliberately aimed at those not long in the field. At the same time, however, there will be workshops where academic researchers and professionals at the cutting edge of policy innovation can present their new work. The organisers are catering for an attendance of up to 250 people.

Dr. T. A. Acton, a sociologist who is Reader in Romani Studies at the University of Greenwich, leads the organising committee. Dr. Acton ran the first Gypsy Council caravan school in 1967, and has been a member of the executive of the Gypsy Council for Education, Culture, Welfare and Civil Rights since its foundation in 1970. Further details from Romani

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

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Editor's Note:

In regard to the numeration of the CPRSI Newsletter, readers are kindly asked to correct the previous (February, 1996) edition from Vol. 1 No. 4 to Vol. 2 No. 1. The present edition (April 1996) Vol. 2 No. 2 represents the next issue in this year's series. Please, accept our apologies for any confusion this may cause.