

April 2011

FACT SHEET: 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 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.

Of the **44** cases under examination

- Judgments finding the perpetrators guilty have been reached in **nine** cases: only **one** of those is considered final;
- Of those **nine** cases, only **six** have resulted in imprisonment (several under appeal) and **three** resulted in suspended sentences and/or fines, including persons with known affiliations to neo-Nazi groups in the Czech Republic; and
- Police investigations were suspended with no perpetrator identified in **27%** of all selected cases.

Racial motivation:

- Racial motivation has been confirmed in the judgments in **three** of the selected cases of violence against Roma;
- In **11** other cases racial motivation is included in the indictment in pending cases, including the group of **nine** cases in Hungary for which the same four perpetrators are standing trial; and
- In **50%** of all selected cases, racial motivation of the crimes committed against Roma was ruled out or not confirmed in the absence of identified suspects.

State Response to Anti-Roma Attacks

Number of cases:	Czech Republic	Hungary	Slovakia
Examined	14	22	8
Closed without suspect	4	6	0
Treated as misdemeanour	2	0	1
Pending prosecution	1	12	2
Leading to non-prison punishment	2	0	1
Leading to imprisonment sentences	5	1	0
Racial motivation ruled out	4	8	3

Racial motivation pending	0	9	3
Racial motivation confirmed	2	0	1

The failure of law enforcement authorities to identify the perpetrators of crimes against Roma in a considerable number of investigations creates a climate of impunity and may encourage further acts of violence against Roma. Recognition of racial motivation in such a small number of cases may indicate a low level of importance placed on aggravating circumstances of the crimes committed and may fail to account for the full nature of the attacks committed against Roma. These findings combined may have a serious negative impact on the will of Romani individuals to report crimes committed against them to law enforcement authorities.

Clear and effective guidance in addressing hate crimes is absent in the countries involved in this study. In both **Slovakia** and **Hungary** relevant authorities reported that their only guidance for addressing hate crimes is the Criminal Code provisions. In the **Czech Republic** the General Prosecutor's Office has distributed methodological materials on addressing extremism to regional prosecutors; however the response to ERRC inquiries indicated that many prosecuting authorities in the country do not make use of this material.

Czech Republic:

In the Czech Republic the ERRC examined 14 known cases of violence against Roma. The cases involved a number of physical assaults, attempts of murder, riots against Roma, pogroms and arson attacks. The results to date of the State response to these attacks vary widely, from "perpetrator(s) not identified" to "22 years in prison."

Hungary:

In Hungary the ERRC examined the progress in 22 known cases of violence against Roma. In these incidents 7 people died, including a 5-year old boy, and a number of individuals were seriously injured. Ten Romani homes were set on fire with various levels of destruction. Guns were involved in 10 of the examined cases and in two cases hand-grenades were used. Out of the 22 attacks, nine, resulting in six deaths, are believed by police to have been committed by the same four suspects who are currently at trial.

Slovakia:

In Slovakia the ERRC collected information about eight cases of violence in which the victims were Romani individuals or groups. The cases involved police violence, police ill-treatment of minors, shootings, anti-Roma demonstrations and a number of physical attacks.

Key Recommendations for Government Action

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.