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Contact Point for Roma and Sinti

Conference on "Ethnic profiling"

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Stockholm
21 November 2014

OSCE Mandate in the are of Policing in Roma and Sinti Communities

2003 OSCE Action Plan on Roma and Sinti **Action Plan; Chapter III. Combating racism and discrimination**

Police

- The ODIHR-CPRSI and the Strategic Police Matters Unit will, within their respective mandates, **produce a compilation of police “best practices”** in the OSCE region with respect to policing and Roma and Sinti communities.
- The Action Plan mandated OSCE High Commissioner on National Minorities (HCNM), the ODIHR-CPRSI and the Strategic Police Matters Unit to assist the pS **in developing codes of conduct** to prevent racial profiling and improve interethnic relations.

The 2003 OSCE Action Plan on Roma and Sinti recommends to pS:

- **Recommendation 26** – “Develop policies that promote awareness among law-enforcement institutions regarding the situation of Roma and Sinti people and that counter prejudice and negative stereotypes”.
- **Recommendation 27** – “Develop training programmes to prevent excessive use of force and to promote awareness of and respect for human rights”.
- **Recommendation 28** – “Develop policies to improve relations between Roma and Sinti communities and the police, so as to prevent police abuse and violence against Roma and Sinti people; and to improve trust and confidence in the police among Roma and Sinti people”.
- **Recommendation 29** – “Develop policies and procedures to ensure an effective police response to racially motivated violence against Roma and Sinti people”.
- **Recommendation 30** – “Assess the gap between international standards on police and currently existing national practices in consultation with national police forces, NGOs and representatives of Roma and Sinti communities”.
- **Recommendation 31** – “Elaborate, where appropriate and in close partnership with international organizations and Roma NGOs, policy statements, codes of conduct, practical guidance manuals and training programmes”.
- **Recommendation 32** – “Encourage Roma and Sinti people to work in law-enforcement institutions as a sustainable means of promoting tolerance and diversity”.

Police and Roma and Sinti Relations

- Historically, the police were usually the first state body to deal with Roma and Sinti, both due to their status – migrating foreigners or strangers– and to their way of life, itinerant or nomadic.
- During their history in Europe, majority populations often perceived them as criminal groups, and the police have treated them as such. Such stereotyped perceptions about Roma and Sinti, as being **inherently criminal**, have escalated to such extent that **they were declared under the Nazi regime as ‘asocial’ and subjected to racial extermination.**
- Due to a long experience of oppression and abuse of force by the police and law enforcement authorities, **Roma and Sinti have developed an attitude of deep distrust towards the police.** Thus, their co-operation with the police and attempts by Roma individuals to join the police often has been rejected, especially by traditional groups.

Challenges

- **ethnic profiling;**
- **disproportionate or excessive use of force;**
- **failure by the police to respond effectively** and ensure protection of Roma victims of crime and racist violence, as well as to properly investigate such cases.
- Roma victims continue to be affected by a **lack of effective access to justice** and means to challenge and obtain redress for police misconduct. Instances of police abuse have been oftentimes improperly investigated and perpetrators gone unpunished.
- The European Court of Human Rights (ECtHR) in number of cases brought against different states found that state's authorities in number of countries **failed to carry out effective investigation of criminal acts against Roma and Sinti** by law enforcement officials or non-State actors.
- **Roma and Sinti women are specifically vulnerable** to face multiple forms of discrimination, e.g. when reported cases of domestic violence remain without response and intervention by the police or when Roma and Sinti women who are victims of trafficking in human beings are left without protection and labelled as illegal migrants

SPMU – ODIHR Manual (2010): Police and Roma and Sinti: Good Practices in Building Trust and Understanding

Aim

- To assist participating States in implementing their commitments under the Action Plan, by:
 - identifying principles and good practices in developing and implementing policies, strategies and projects to improve the relations between the police and Roma and Sinti communities
 - providing examples of how to address and prevent racially-motivated crimes against Roma.

Audience and Beneficiaries

- Wide range of stakeholders: policymakers, representatives of ministries of the interior and administration, police authorities and officers at all levels, and representatives of Roma organizations and of civil society in general.

SPMU – ODIHR Manual (2010):
Police and Roma and Sinti: Good Practices in Building Trust and
Understanding

- [Weblink: http://www.osce.org/odihr/67843](http://www.osce.org/odihr/67843)
- Available in English, Russian, Albanian, Hungarian, Romanian, Serbian and Bulgarian language.

Identified challenges at the OSCE Expert Meeting on Police and Roma and Sinti (2014)

- In many participating States, Roma and Sinti have been subject to ethnic/racial profiling and criminalization. Ethnic profiling occurs frequently when police officers decide about whom to stop and ask for identity papers, question, search and even arrest. Moreover, Roma and Sinti are oftentimes **subjected to excessive use of force during these procedures.**
- 2009 the EU Agency for Fundamental Rights survey in 27 Member States of the EU demonstrates that, **“between 65% and 100% of Roma,** depending on the country surveyed, did not report their experiences of personal victimisation to the police.” That same report also concluded that **“on average – 1 in 3 Roma respondents** were stopped by the police in the previous 12 months, with every second person indicating that they thought they were stopped specifically because they were Roma.
- Other instances of use of unjustified and excessive force by Police against Roma occur when Police is conducting raids on Roma and Sinti settlements, executions of warrants, and forced evictions, as ordered by Courts. Reports indicate that in such occasions **inhabitants are sometimes threatened, physically abused (including women and minors) and their properties are belongings are destroyed.**

Challenges for law enforcement

- **Negative trends:**
 - continued racism and a recurrence of intolerance and extremism;
 - Violent attacks against Roma by non-state actors;
 - anti-Roma hate speech and public discourse, incidents of violence and attacks against Roma and their properties.
 - Extreme-right groups prone to exploiting anti-Roma prejudice and hostility or violence against Roma organized large-scale marches through Roma neighborhoods.
- issue of security of Roma communities; potential tensions and clashes between majority population and Roma.
- Scapegoating by extremist groups blaming Roma for society problems, resulting in **damaging inter-ethnic relations and contributing to raising intolerance** and hate motivated incidents against Roma.

Key Recommendations from the Expert Meeting:

Weblink: <http://www.osce.org/odihr/119653>

- **The OSCE should also support training and capacity –building initiatives on policing in Roma communities at the local level. The OSCE manual should be translated into other languages, including Romani language.**
- **The OSCE should update the existing manual to respond to new challenges and the increasing complex situation facing the police in protecting the rights of Roma and Sinti.**
- **In addition, the OSCE should increase awareness of the manual in the countries where it has not yet been launched. Trainings developed for the police and national authorities and implemented by the OSCE should be adapted to local needs and contexts.**
- **The manual would also benefit from a more practical approach, and could include context specific information relating to different regions and their respective situations, expand on the themes already covered and provide follow-up in the form of regional seminars.**

**ODIHR Contact Point for
Roma and Sinti:**

<http://www.osce.org/odihr/roma>

THANK YOU!