

# “WE ASK FOR JUSTICE”

EUROPE'S FAILURE TO PROTECT  
ROMA FROM RACIST VIOLENCE

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*Front cover:* A Roma woman watches as her community is subjected to forced eviction in Marseille, France, July 2013.

© Raphaël Bianchi

*Back cover from top:* Roma protest against far-right marches in Ostrava, the Czech Republic, October 2013. The banner reads: "Stop pogroms". © Gustav Pursche

Dimitris, a Roma victim of a racist attack in Messolonghi, Greece, in 2012. He is still waiting for the perpetrators to be brought to justice. © Amnesty International

Forced eviction of a Roma community, Marseille, France, July 2013. © Raphaël Bianchi

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# 1. INTRODUCTION

**"To those who attacked us, I would like to say: 'That's enough!' This war they are fighting against us is not right... Now it is time for justice to be given by the police and the state."**

Maria, young Roma woman from Etoliko, Greece.

Europe is home to 10-12 million Roma today. Many are living with the daily threat of forced eviction,<sup>1</sup> police harassment and violent attacks.

The conditions in which many Roma are forced to live are a damning indictment of years of official neglect and discrimination. However, far from acknowledging that this situation is a result of their failure to ensure the human rights of the Roma, some European leaders are choosing to blame Roma themselves for "failing to integrate".

Adela, a young Romani woman living in an informal settlement on the outskirts of Paris, France, told Amnesty International: *"I am not living in this place because I like it. I don't have a choice. I would like to work and to live in a house like everyone else instead of living in a shanty town"*. Adela has been forcibly evicted more than 15 times since her arrival in France in 2002.<sup>2</sup>

Roma have historically faced extreme violence and marginalization in Europe. Victims of mass-killings during the Second World War, the Roma are still discriminated against in present day Europe. Many live in segregated housing and attend segregated and inferior schools. A recent survey found that 90% of Europe's Roma are living in poverty.<sup>3</sup>

Violence, harassment and intimidation of Roma people and communities by the police and by private individuals and groups (non-state actors), some of whom belong to far-right groups, are widespread. According to the European Union Agency for Fundamental Rights (FRA), one in five Roma in the European Union experienced racist violence in the 12 months ahead of a survey carried out in 2008.<sup>4</sup>

The response of the authorities has been inadequate. Indeed, rather than condemning racist attacks against Roma, in some instances officials have excused it, or suggested that Roma only had themselves to blame. For example, in June 2013, Slovakia's Interior Minister,

responding to criticism over the failure to investigate and discipline those responsible for police use of force during a raid in June 2013 of the settlement in Budulovská Street in Moldava nad Bodvou, eastern Slovakia, in which 30 Roma, including several children, were injured, reportedly said: "The activists, journalists and also the ombudswoman, none of them have stood up for the rights of the majority citizens in Moldava nad Bodvou, who on a daily basis are being terrorised by people from socially excluded groups... Slovaks are not racists; they do not mind the Roma, Arabs, Asians. They mind people who are un-adjustable and who continuously violate laws."<sup>5</sup>

In 2012, Ilias Kasidiaris, a member of Greek parliament belonging to the far-right Golden Dawn party, made a speech in Aspropyrgos, home to many Roma, in which he referred to Roma as "human garbage" and called on residents to get rid of them from the area.<sup>6</sup> In May 2013, *Magyar Hírlap*, a daily newspaper, was fined by Hungary's media watchdog for publishing an opinion piece by Zsolt Bayer, journalist and founding member of Hungary's ruling Fidesz party, in which he referred to Roma as "animals", "not fit to live among human beings".<sup>7</sup> Fidesz has only issued very limited criticism of this statement.<sup>8</sup>

Statements from EU officials have also at times suggested that Roma were in part responsible for their own exclusion. For example, on 16 January 2014, Viviane Reding, the EU Commissioner for Justice and Fundamental Rights, said: "Many of the Roma live in big poverty...they get out of the countries of origins because they do not have future there... We need dedication [to solve these problems] not only from Member States, but also from Roma communities to be willing to integrate and to be willing to have a normal way of living."<sup>9</sup>

Besieged by violence and discrimination, excluded from access to essential services, and unable to get redress for violations because of the indifference or outright hostility of the police and other state institutions, many Roma feel abandoned. Maria, a young Romani woman from Etoliko, Greece said: "The police told us they can't protect us...they said: 'We can't do anything, so, you assume responsibility [for remaining at your homes]. You should take your children, your families and leave.'"<sup>10</sup>

Many attacks against Roma are not reported because people do not trust the police and the racial motivation of attacks is rarely uncovered during police investigations and prosecution. Few authorities collect specific data on hate crimes against Roma.<sup>11</sup> Most have failed to protect Romani communities from intimidation, harassment and racially motivated violence and subsequently failed to investigate incidents adequately and bring those responsible to justice.

This briefing examines hate motivated violence and harassment perpetrated against Roma by state and non-state actors. It looks at emblematic cases in three countries – the Czech Republic, France and Greece – to explore concerns that are replicated throughout the region. The briefing concludes with a series of recommendations calling on national governments and EU institutions to adequately respond to discrimination, violence and harassment against the Roma.

## 2. STATES' OBLIGATIONS TO COUNTERACT HATE CRIME

Hate crimes are criminal offences targeting people because of their real or perceived links to a group defined by characteristics such as race, ethnic origin, religion or migrant or socio-economic status. They constitute a form of discrimination,<sup>12</sup> because the target is chosen on the basis of personal characteristics that constitute protected grounds under international human rights law.

States should ensure that all forms of hate crimes are prohibited by law.<sup>13</sup> They should also establish policies and practices aimed at ensuring the effective implementation of such laws and providing guidance to investigative and judicial authorities on how to deal with hate crimes.<sup>14</sup> Their responses should form part of broader policies aimed at eliminating discrimination and promoting equality.

Policies should include public acknowledgement and condemnation by the authorities and political leaders. This is essential to combat discrimination and the destructive message that such crimes send to individuals, groups and society and to build confidence within the targeted communities in the ability and willingness of the state to protect their rights.

When an alleged hate crime occurs, states should respond not only by pursuing suspected perpetrators, but also by ensuring that the discriminatory motive underlying such a crime is uncovered during the investigation and taken into account in the prosecution of the crime. In some instances, perpetrators overtly express the discriminatory motive; in others it is less evident. In addition, individuals and communities can also be targeted on multiple grounds. Whatever the circumstances of the crime, the investigation should aim to unmask any alleged discriminatory motive behind a crime, whether or not this motive has been reported by the victim, witnesses or suspects.

International human rights treaties oblige states to protect people from discriminatory violence and harassment. For example, the Convention on the Elimination of all forms of Racial Discrimination obliges states to punish "acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin."<sup>15</sup>

The European Court of Human Rights has found in several instances that the failure to thoroughly investigate the alleged racist motive for a crime violated the European Convention for the Protection of Human Rights and Fundamental Freedoms, specifically the equal enjoyment of several rights set out by the Convention including the right to life (Article 2) and the right to be free from inhuman and degrading treatment (Article 3).<sup>16</sup>

*"[W]hen investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the events. Treating racially induced violence and brutality on an equal footing with cases that have no racist overtones would be turning a blind eye to the specific nature of acts that are particularly destructive of fundamental rights.*

*A failure to make a distinction in the way in which situations that are essentially different are handled may constitute unjustified treatment irreconcilable with Article 14 of the Convention”.*

European Court of Human Rights, *Stoica v Romania*, para 119, Application no.42722/02, 4 March 2008

With regard to marches which harass Romani communities, the European Court of Human Rights clarified in 2013 in the case of *Vona v. Hungary* that a state should protect the right to live without intimidation, especially when members of a group were “singled out on a racial basis and were intimidated... by the physical presence of a threatening group of organised activists.”<sup>17</sup> The court emphasized that if Roma are being threatened by demonstrators while at home, they are effectively held as “captive audience” and cannot escape the harassment.



## 3. THE CZECH REPUBLIC: VIOLENT ANTI-ROMA PROTESTS

“When I saw it [the anti-Roma demonstration], I thought...maybe this is what it was like during the Hitler era.”

Michal, a Roma man from České Budějovice, Amnesty International interview, January 2014

In 2013, Czech far-right groups staged a series of anti-Roma protests in dozens of towns and cities across the country.<sup>18</sup> Many joined the call to march, swelling the barrage of racial abuse and intimidating tactics visited, sometimes repeatedly, on residents of Romani neighbourhoods.

The winter saw some respite from this systematic harassment. However, the fear of what may happen if the marches resume as the weather improves in 2014 still haunts many in the Romani communities. According to information available to Amnesty International new anti-Roma protests will be organized through the spring and summer. A few small anti-Roma protests took place since February 2014. For instance, on 1 March 2014, two anti-Roma protests took place in the cities of Ostrava and Plzeň. They were attended only by a few dozen demonstrators.<sup>19</sup>

Anti-Roma marches have been staged in the Czech Republic for several years now. They are usually attended by a few hundreds, sometimes thousands, of participants, who often attempt to violently attack the Roma and use racist and discriminatory language against them.

2013 saw a significant increase in the number and geographical range of anti-Roma marches. Unlike the ones organized in 2008 or 2011,<sup>20</sup> the demonstrations in the summer 2013 were held in towns and cities across the country. On a single day, 24 August various groups staged protests in eight different towns.<sup>21</sup> Some of them involved violent clashes with the police.<sup>22</sup>

These marches are being organised by various groups, including far-right political parties such as the Workers’ Party for Social Justice (Dělnická strana sociální spravedlnosti, DSSS) with a very strong anti-Roma political agenda. In an interview with Amnesty International, the online media platform *Romea* said that, although this party is not represented in the Czech Parliament, other bigger political parties, including the Dawn of Direct Democracy<sup>23</sup>, have embedded anti-Roma rhetoric in their discourse.<sup>24</sup>

Despite seriousness and large scale of the marches, the response of the central government has been ambivalent. As noted by several national NGOs and the then Government Plenipotentiary for Human Rights, there has been a striking absence of unequivocal statements of condemnation.<sup>25</sup>

Harassment and hate crimes against Roma occur also outside the context of these marches. According to data collected by the Ministry of Interior, 53 hate crimes were perpetrated against Roma in 2012.<sup>26</sup> According to In-Iustitia, a non-governmental organization providing legal support to victims of hate crime, problems persist with regard to the investigation of the discriminatory motive associated with a crime; in some instances in fact, the alleged discriminatory motive is not thoroughly investigated.<sup>27</sup>

## VIOLENT PROTESTS IN ČESKÉ BUDĚJOVICE

*"It was horrible. We were very much afraid... The children could not sleep... We were looking out of the windows and they were shouting at us, calling us 'black swine' and threatening that they would kill us... We had not slept for whole nights as we feared that they may break our doors."*

Martina, a Roma woman living in the Máj neighbourhood of České Budějovice. Amnesty International interview, January 2014

Martina lives in a cosy flat in one of the colourfully painted concrete apartment blocks of the Máj housing estate. Roma make up about 600 of the 22,000 people living on the estate. Most Roma live on two streets: Volfova and Bendy. The area looked peaceful and quiet on the cold January morning when Amnesty International delegates visited. However, the trauma and fear left by the 2013 marches was palpable.

The pretext for the marches was a fight at the children's playground between Roma and non-Roma adults on 21 June 2013. In response, a group of far-right extremists organized a demonstration in the city's main square. At about 5pm on 29 June, a crowd about 1,000 strong started to march towards the Máj housing estate,<sup>28</sup> shouting racist abuse.<sup>29</sup> In less than an hour, the demonstration, swelled by new arrivals, reached the Máj housing estate 4 km away from the main square.

Although Romani residents of Máj knew that there would be a demonstration on 29 June 2013, they had not expected it to come so near their homes. The demonstration had been announced to take place on the main square and was supposed to finish by 7pm.<sup>30</sup>

*"We thought it would take place in the square and after that it would be over. Nobody anticipated that they would march... directly to the housing estate. We didn't expect that, it was a surprise for us."*

Michal, a 27-year old Roma from Volfova street, Amnesty International interview, January 2014

According to media reports and to the accounts of Roma residents interviewed by Amnesty International, once the demonstrators had reached the streets bordering with the Máj housing estate, they started throwing stun grenades and glass bottles and setting rubbish alight. When the police intervened, protesters attacked them with stones.

It is clear from video footage of the 29 June 2013 demonstration in the main square in České Budějovice that marchers were shouting racist abuse, that the organizer called on

protesters to march on the Máj housing estate and that some of the protesters had the intention to violently attack the Roma.<sup>31</sup> Despite this indication of a real risk of discriminatory violence and harassment the police, an official statement issued by the police on 1 July 2013 suggests that they saw their role primarily as preventing clashes between the “two sides”, preserving public order and protecting property.<sup>32</sup> As a result of their failure to prevent the protesters from reaching the Máj housing estate, Romani residents were confined to their homes – unable to continue with their lives without intimidation and fear for their safety.

A week later, on 6 July 2013, as parents and children were enjoying the sunshine in the playground, a second march took place. Martina, a Romani resident of the Máj estate told Amnesty International:

*“My sister was on her balcony overlooking the playground and she started to shout: ‘Run back home, they are here again!’ We took the children and started to run. They could not understand, they were crying and asking what was happening.”*

According to the police, the second demonstration had not been registered by the local authority and was, thus, unauthorized.<sup>33</sup> In an attempt to prevent the march to the Máj estate, the police surrounded the assembly on the main square and allowed participants to leave in small groups. Despite these measures, some anti-Roma protesters managed to reach the housing estate and harassed the Romani residents.

On the following Saturday, on 13 July, hundreds of individuals from various parts of the city assembled close to Máj estate and attempted to break through barriers that the police had installed. The police prevented the protesters from entering the streets inhabited by the Roma and reportedly arrested 60 individuals.<sup>34</sup> The protests continued in a form of minor gatherings in the following three weekends. Albeit not substantial in numbers, they amounted to a source of fear and stress of the local Roma.

On 24 August, a day that witnessed simultaneous anti-Roma protests in several Czech towns and cities, a group of 150 individuals marched from the main square to one of the bridges. After this smaller groups of about 20 demonstrators each got to the Máj estate.<sup>35</sup> One of the human rights observers and organizer of the assemblies in support of Roma in Máj, Markus Pape alleges that in the evening a group of 300 people gathered in Volfova street as some of those hurled racist abuse and attempted to provoke the Roma, but they were not as aggressive as the participants of the previous demonstrations.<sup>36</sup>

Throughout the summer 2013, Romani residents of Máj have been provided with solidarity support and protection by activists from Konexe association that held peaceful demonstrations in the estate every Saturday. These assemblies attempted to block the anti-Roma protesters to enter streets inhabited by the Roma and to empower the community.

Following these marches, the municipality of České Budějovice denied authorization for a further anti-Roma demonstrations planned for September 2013 entitled “Against criminality, against abuse of the law by the police, and for the rights of all proper citizens of this country” on the grounds that the aim of the march was to incite to hatred against Roma and to infringe their rights. The protest was banned on the basis of its intention to violate the Constitution and the law and to incite violence.

On 6 August 2013, the police issued a press release in which it clarified that the initial conflict on the playground that triggered the demonstrations was in fact not – as initially alleged – a case of an assault of Roma against a non-Roma pregnant woman, but a brawl between them.<sup>37</sup> This clarification coincided with a progressive decrease of the protests that eventually stopped in October. Although the protesters have subsided, the relationship between Roma and non-Roma has changed. One Roma from České Budějovice told Amnesty International: “People now behave differently. There is a shop nearby where we go regularly. One day one of the customers asked the owner: ‘Why do the Gypsies go here?’”

Children were particularly badly affected by the repeated Saturday marches, eight in all. For many the weekend came to mean marches, racial abuse and stone-throwing. “They lived in fear, they were waking up scared during the night... I believe that this has been also the case among the non-Roma [children],” said Michal, a Romani resident.<sup>38</sup>

Some measures were taken by the police to protect the targeted communities, especially after the first march in June. In particular, the police arrested several violent protesters in the context of clashes that left some police officers injured. After the first march the police also took measures to prevent the anti-Roma protesters from entering the streets inhabited by the Roma.

## ATTEMPTED ARSON ATTACK ON A ROMANI HOUSE

On 14 July 2013, at the peak of the anti-Roma protests a man attempted to set fire to a house in the southern part of České Budějovice. The building was predominantly inhabited by Romani families. One of the women living in the building saw the man pouring gas underneath the windows. She called for help after which three male residents stopped the man from putting the house on fire and called the police. In an interview with Amnesty International on 29 January 2014 the Romani residents living in the house who witnessed the incident alleged that the man was drunk and shouted that he would set the house on fire. He allegedly also said: “Black as black”.

The investigation of the case was closed in late 2013 and the 46-year old man has been accused of an attempting to endanger the public. The indictment made no reference to a possible racist motive. In a court hearing on 10 December 2013 the defendant argued that he did not have anything against Roma.<sup>39</sup> According to media reports, the police investigation protocols quote the man as saying that he minded the “disorder and the smell” around the house. He was reportedly drunk at the time of the incident. A psychologist who presented an expert opinion in court hearing in January 2014 said that it is possible that he defendant acted under the influence of alcohol and that he might have been affected by the anti-Roma events in Máj.<sup>40</sup>

With regard to the police investigation, some observers alleged that the police were too quick to exclude a possible racial motivation as the police spokesperson was quoted on 17 July stating that the man under the investigation was not targeting the Roma.<sup>41</sup> In an interview with Amnesty International the members of the Romani family living on the ground floor of the house admitted that they live in fear after the incident. The room facing the street is no longer used by the children who were afraid to sleep there.<sup>42</sup> The trial was ongoing at the time of writing.

## ATTACKS ON ROMA IN DUCHCOV

*“Some people do not realize that [during the demonstrations, the Roma] cannot go shopping, that they have to stay at one place, that children... are afraid. This lasts the whole day and*

*leaves trauma... Nobody deserves to experience something like this. People experienced this during the war and I think that in the year 2013, in the 21<sup>st</sup> century, we don't have to experience it again. Unfortunately, this is Duchcov.”*

Štefan, a Romani social worker from Duchcov. Amnesty International interview, 31 January 2014

Following a fight in a pub in Duchcov between Roma and non-Roma on 18 May 2013, three people called for a “Demonstration of dissatisfied citizens” in the town. According to the media, one of the organizers had been charged in the past for using a Nazi salute. Another posted “[Let’s] slaughter them all” on Facebook.<sup>43</sup>

*“A lot of injustice has been perpetrated on innocent people... A problem [the fight in the pub] that was supposed to be addressed by the judiciary, has been taken out on all of us.”*

Pavel,<sup>44</sup> a Romani resident of Duchcov. Amnesty International interview, 31 January 2014

The demonstration was held on 29 May 2013. In an introductory speech a member of the far-right Workers Party for Social Justice (DSSS) claimed that Roma have unprecedented welfare support in the Czech Republic.<sup>45</sup> Following his speech, the Mayor of Duchcov also decided to address the crowd of about 800 people assembled in the centre of the town. She said: “If you think that we, as we stand here, have a different view on these issues, you are wrong”.<sup>46</sup> Later, in an interview with Amnesty International, she explained that she attended the demonstration along other citizens who were concerned about the “aggressive attack in the pub”. The demonstrations, in the Mayor’s opinion, were a “logical result of despair of ordinary citizens.”

The demonstration stayed in the centre of Duchcov for about half an hour before marching towards the southern part of the town, where many Roma live. However, police blocked one of the access roads and the mob eventually started to disperse at around 8pm.

The May demonstration was followed by four more anti-Roma protests and marches in Duchcov in 2013. In the wake of the demonstrations, harassment and abuse targeting Roma rose. Štefan, an NGO social worker from Duchcov told Amnesty International in January 2014: “After the [first] demonstration there were some smaller actions. Five to six neo-Nazis... for example, would come to my house and throw stun grenades... they tried to intimidate us... There were some cases of attacks.” He described how on one occasion he and a group of children went to the community centre to the swimming group and were confronted by a group of local DSSS members. He said: “*Their goal was to ‘clean up’ the swimming pool, this is what they said... They attacked me, [told me] that they were going to smash my face. The children were afraid, we couldn’t do anything... [so] we ran away... They [the DSSS] later declared on their internet website that their goal was to clean up the swimming pool from ‘the darkeys’.*” The police investigation into this case was closed – allegedly due to lack of witnesses.

Štefan received written death threats and was subjected to racial verbal abuse. He was eventually given police protection. Speaking to Amnesty International several months later he said:

*“It’s difficult to live a town where I have to be prepared the neo-Nazis will come again... That I will have to be afraid that somebody will set my house on fire or that somebody will shoot you... or beat [you] up. I’m afraid, I really am afraid.”*

## **DISCRIMINATORY MUNICIPAL INSPECTIONS**

Following the anti-Roma marches, the Romani inhabitants of Duchcov seem to have been targeted by the local municipality through the, so-called, regular inspections of houses that present a risk to health and safety. On 20 June 2013 a group of councillors submitted for a discussion at the town’s council meeting a document entitled “Measures to address the problem of inadaptable inhabitants of Duchcov”.<sup>47</sup> The document divides “socially excluded inhabitants of Duchcov” – a proxy commonly used to refer to the Roma – into two categories: “cooperating” and “inadaptable”. When it comes to the latter, the municipality should “carry out regular checks and aim to, among other things, “prevent littering on public spaces” or “ensure that inadaptables would voluntarily leave the town” if they resided there just temporarily. These provisions – albeit implicitly targeting a particular ethnic group and, thus, being discriminatory – appear to have been put into practice. In January 2014, the Mayor explained to Amnesty International that following the marches, the municipality started to organize regular visits to Romani households, ostensibly for health and safety reasons. The inspections are reportedly carried out by a group consisting of social workers, fire-fighters and representatives of the local construction authorization department.<sup>48</sup>

One of the Romani residents of Duchcov who experienced the inspections told Amnesty International: “Inadaptables are those at the margin [of society] and we are permanently placed there... A lot of injustice has been done on innocent people.”<sup>49</sup>

The anti-Roma marches and demonstrations have left a deep scar on both Roma and non-Romani residents in Duchcov and Czech Republic as a whole. Many fear what will happen in the summer of 2014. Some families were considering leaving the town or even the country for a few months so that they and their children would not have to relive the 2013 experience. In January 2014, as the sun was setting on a sleepy town in north-western Bohemia, its fading rays fell on a large sign painted on the access road to Duchcov. It read simply: “Out”. A message which casting an ominous shadow over the lives of Štefan, Pavel, Martina, Michal and thousands of other Roma in Czech Republic.

## 4. FRANCE: POLICE HARASSMENT, VIOLENCE AND IMPUNITY

Most of France's 20,000 Roma live in extreme poverty, living in informal settlements with little or no access to basic services, such as water and sanitation and at constant risk of forced evictions.<sup>50</sup>

Public attitudes towards Roma show that negative stereotypes remain firmly entrenched. Although they make up only a tiny fraction of France's 65 million population, Roma are frequently portrayed as an unwelcome and alien invasion. According to a survey carried out by CSA, around 35% of the French population overestimates the number of Roma migrants in the country. Moreover, 77% of those interviewed said that they saw Roma as a separate group and not part of French society.<sup>51</sup>

French politicians and governmental representatives often voice discriminatory and stereotypical views of Roma; according to them, Roma live a "peculiar lifestyle" and are "unwilling to integrate". For example, in September 2013, in an interview with Radio France International, Manuel Valls, the Minister of Interior said: *"Those people [Roma migrants] have lifestyles that are extremely different from ours. For this reason, they should return to Romania or Bulgaria"*.<sup>52</sup>

In recent years, several cases of harassment and violence perpetrated against Roma migrants by the police and non-state actors have been reported by the media and civil society organizations. Besides the cases in Marseille, Paris and Hellemmes (Lille), researched by Amnesty International for this report, in 2013 Roma migrants were subjected to violence and harassment in other cities including Antibes (Provence-Alpes-Côte D'Azur, March 2013), St Denis (Ile-de-France, July 2013) and Villeneuve D'Ascq (Nord-pas-de-Calais, August 2013).

### POLICE HARASSMENT DURING FORCED EVICTIONS IN MARSEILLE

Thousands of Roma migrants have been forcibly evicted in 2013.<sup>53</sup> Forced eviction is the permanent or temporary removal of individuals, families or communities from their homes or from land that they occupy, against their will, without the provision of, or access to, appropriate forms of legal or other protection.

Amnesty International's research has shown that the lack of specific safeguards against forced evictions in French law<sup>54</sup> results in violations of international human rights standards on forced evictions and the right to housing.<sup>55</sup>

Hundreds of Roma migrants were forcibly evicted in Marseille in 2013.<sup>56</sup> Some families were given alternative accommodation following the most recent evictions, but many of those evicted in 2013 were not. For example, on 3 December 2013, 200 people were evicted from a settlement around the area of Frais Vallon (12<sup>th</sup> arrondissement). According to Rencontres Tsiganes, only one family was given alternative housing.

At the end of February 2014, evictions of several settlements, including la Parette (300 people) and Avenue de Roquefavour (60 people), were pending. In December 2013, the Prefect of Marseille (*Préfet*), who is responsible for implementing court eviction orders, decided to suspend evictions of informal settlements until 15 March 2014.<sup>57</sup> However, municipal officials are now pushing for the evictions to be carried out.

## **POLICE VIOLENCE AGAINST R.**

Steluța moved to Marseille from Mureș, Romania, with her husband, R., and their four children in 2007. They have lived in several informal settlements and been forcibly evicted many times. In November 2011, they were living in the grounds of the church of St. Martin d'Arenc, together with 10 other Romani families. Steluța told Amnesty International: "We slept in a tent next to the church. In the evening I was tired after having worked the whole day and I just wanted to have a rest. The police used to come every week to check our documents... they told us to move away; four of them were particularly bad, they used to destroy our tents and other personal belongings".

On the evening of 22 November 2011, the police went to the informal settlement with the aim of evicting all its inhabitants. They allegedly sprayed tear gas inside the tents where children were sleeping and then destroyed the tents and other personal belongings.

*"I was so scared. They sprayed my face and I couldn't see anything, we just wanted to take the buggies with us but they destroyed everything".*

R. said he asked the police: "Why are you treating us as thieves, we didn't do anything wrong, why were you doing this to us?" In response, R. said that the police sprayed tear gas on his face. "I wanted to run away but I couldn't see anything, I just saw a gate in front of me, I tried to reach out to it but as soon as I approached it, I just had the feeling that my leg broke and then I don't remember anything else". R. lost consciousness and woke up several hours later in hospital. Steluța explained: "I saw everything... when he touched the gate, one police officer kicked him violently, then he fell down. The police immediately left. The ambulance was called by some neighbours". R. underwent surgery for a fractured thighbone and spent six months in a rehabilitation centre.

In January 2012, Médecins du Monde (MdM) informed the Prosecutor of Marseille about this violent attack. A criminal investigation into the actions of four police officers was subsequently opened; at the time of writing, the investigation was still pending. An internal police investigation, was also carried out. In February 2014, the Prefect informed Amnesty International that the internal investigation had found that the police officers had not used force disproportionately.

Steluța and R. have moved into an apartment in a northern district of Marseille. They are hopeful that the grim years are behind them and are confident that their situation will improve: "We like living here, we get along well with the neighbors. We just would like to find a job, improve our French and make a bit of money for us and our children".<sup>58</sup>

According to civil society organizations who are in contact with Romani communities in Marseille on a daily basis, police harassment against Roma migrants living in informal settlements is widespread. Since 2011, organizations such as Médecins du Monde (MdM) and Rencontres Tsiganes have collected dozens of cases of police harassment and intimidation against Roma. Cendrine Labaume of MdM told Amnesty International in



February 2014: “Ninety-four per cent of our beneficiaries are migrants but they never reported having experienced violence and harassment on the French territory to the same extent to which Roma migrants have”.<sup>59</sup>

Police harassment also includes in some instances the seizure of personal belongings or the destruction of the tents. On 26 February 2014, Amnesty International talked to the Roma families living in tents on the pavement of Avenue de la Madrague-Ville, in the third district (3<sup>rd</sup> arrondissement). Dorina, a Romani woman, living with her husband and her three children in a tent said: “My mother is sick and she sleeps a tent. I sleep with my husband and our three children in another tent. The police come here often and tell us to move away. When they realize that we want to stay, they cut our tents. They also seize all the stuff we try to sell on the flea market nearby. They tell us that we cannot sell it. They throw everything away”. Cosmin, her husband, said “I bought a damaged car for 50 euros just so that we can use it as a shelter, the police came and took it away”.

## VIOLENT ATTACKS AND IMPUNITY

Under the French Criminal Code, perpetrating a crime or an offence on the basis of the real or perceived race, ethnicity, nationality, religion, sexual orientation or gender identity of the victims constitutes an aggravating circumstance (Articles 132-76 and 132-77). Moreover, the Criminal Code foresees specific penalty enhancements for some crimes, such as murder, torture, rape, violence and threats of violence, when they are perpetrated on the basis of the grounds mentioned above.

The French authorities collect some disaggregated data on hate crime. According to the data of the Minister of Interior, 1,539 crimes with a racist, anti-Semitic or anti-Muslim bias were perpetrated in 2012.<sup>60</sup> Contrary to data on anti-Semitic and anti-Muslim hate crimes, no official disaggregated data is available on hate crimes against Roma.

### MARSEILLE

On 27 September 2012, about 40-50 people attacked a group of some 50 Roma who had moved to Les Créneaux, in the northern part of the city. The group reportedly threatened to set fire to their personal belongings and some of the attackers were said to have been carrying guns. The police was called by one of the Roma and went to the site. However, it failed to put an immediate end to the threats or prevent the mob from forcing them to leave or protecting the belongings they left behind. .

M. a Romani woman who was at the site said: *“They said they would have killed us if we stayed. Women and children were terrified and started crying. I called the police, they came after a few minutes and they told us we had to leave immediately. We just took some of our stuff and then we rushed away. They immediately set alight the rest of our stuff”*.<sup>61</sup>

Three of the Roma who were threatened filed a complaint and the investigation is still ongoing. Astonishingly, the police told Amnesty International that the investigation did not identify any suspects for the arson attack because the police had already left the site when the personal belongings were set alight. The police also said that the investigation could not prove that the Roma were threatened with violence.<sup>62</sup> Some of the neighbors declared to the media that they wanted the Roma to leave the area because they had engaged in criminal activities but denied having threatened them.

Attacks and harassment of this kind against Roma by non-state actors (private individuals or groups) continued unabated in the city in 2013. In March for instance, ten Roma people living in a squat in the area of St. Louis, were allegedly attacked with tear gas by a group of people who wanted them to move away. One Romani woman had to be taken to the hospital. They did not report the attack to the police because they feared retaliation as the perpetrators lived in the same area. In June 2013, Elena, another Romani woman, was looking for useful remains in the dustbins around the informal settlement where she lived. She was accompanied by one of her children. A man, allegedly a neighbor, shot her in the head with a pellet-gun. A pellet was removed from her scalp after 10 days; the medical record, seen by Amnesty International, certified that the injuries she was treated for were compatible with her account of the events. The attack was reported to the police and an investigation was opened. The police told Amnesty International that Elena did not remember where the attack took place and that suspects, for that reason, could not be identified. According to Rencontres Tsiganes, who supported Elena in the aftermath of the attack, she had mentioned to the police where the attack had occurred when she reported the case.

Reports from NGOs suggest that many such incidents are not reported to the authorities. The reasons for this are varied, but lack of trust in the police and a fear of further victimization are key factors deterring people from reporting.

*"Roma people are really scared of the police; I usually take kids to the hospital for medical treatments and they are afraid whenever they see the police on our way".*

S., a Roma man who lived in an informal settlement and is now employed as a social worker with a civil society organization

The Prefect (Préfet de Police) of Marseille told Amnesty International that it was hard to establish whether violence against Roma migrants was motivated by their ethnicity or nationality. He said verbal abuse was not a characteristic of attacks on Roma, in contrast to attacks on other groups, and that hostility appeared to be motivated by the way in which the targeted Roma lived more than by their identity.<sup>63</sup> Yet, the climate of hostility against Roma suggests that they are at serious risk of being targeted, in whole or in part, because of their nationality, migrant status, socio-economic status or ethnicity. It is a duty of French authorities to do the utmost to uncover these potential motives. However, despite these evident risks, police have not put in place any specific mechanism, or any internal guidelines, designed to surface any discriminatory motives that may lie behind attacks.

#### PARIS

On 16 January 2013, a Romani couple sleeping near the Place de la République, in the heart of Paris were the victims of an alleged acid attack. Léo Larbi from the NGO Autremonde who was working in the area that night described what happened:

*"We arrived just in front of the shop Rayon D'Or on rue du Temple at about 10pm. There were five people lying on two mattresses just in front of the shop. A man was roaming around the mattresses; we thought he was a thief. We noticed that he had a bottle under his arm. When we approached the mattresses, he left. We noticed that a black liquid was corroding the mattress on which a couple was resting. My colleague touched the liquid with one finger and she got burnt."*

Lucien, who slept with his family next to the couple who was attacked on the same night, said *"It was not the first time that the man attempted to attack us. He attacked another woman last summer. She approached him when she saw that he was sprinkling the personal belonging she had left in a phone booth with a liquid; he attacked her with the liquid and burnt her arm."*

Following a police investigation a suspect was reportedly charged with premeditated violence (Article 222-13 of the Criminal Code). The suspect denied any discriminatory motive and also said that all he had used was a mixture of bleach and water. The police told Amnesty International that the investigation was prompt and resulted in the identification of a suspect. The police explained that they could confirm neither if any alleged hate motive was investigated, as this goes beyond the remit of the police and lies with the judicial authorities, nor if the suspect was indicted for other similar attacks.<sup>64</sup> Amnesty International wrote to the Prosecutor of Paris on 22 February seeking information about investigation into the alleged discriminatory motive. At the time of finalizing this report (end of March 2014) no response had been received.

Many homeless Roma migrants are reluctant to report attacks to the police since they are often harassed by the police who want them to move away from central Paris. Gheorghe, a Romani man who sleeps on Place de la République with his wife and three children, told Amnesty International: "A police officer comes weekly on the square and throw our stuff away....our blankets, mattresses and clothes...." Lucien, another Romani man, added: "There's a park nearby here, the families who slept on the square last summer used to gather there. The police regularly chased us away, they wanted us to leave the park....they systematically bin our stuff.....they said we were messing up the park but that's not true".<sup>65</sup>

#### HELLEMMES (LILLE)

In December 2012, and with the consent of the local authorities, five Romani families moved into caravans sited in a public park in Hellemmes, Lille. The families had been forcibly evicted in August 2012 and the move to Hellemmes was part of an "integration project" supported by the municipality. The families were the target of repeated threats and violent attacks to try and force them to leave. Aude Bartholomeus, who lives in Hellemmes and contributed to starting a campaign to support the Romani families, described the atmosphere in the neighborhood.

*"We used to receive leaflets in our mail boxes opposing the presence of the Roma families and using in some instances racist and discriminatory language. We decided that we had to react as this level of intolerance was unbearable."*<sup>66</sup>

In October 2012, a demonstration against the settlement of these families in the municipality was organized and attended by 150-200 people. In May 2013, bricks were thrown at the caravans during the night. The families were scared and called Marie Noëlle Briand of Ateliers Solidaires, an NGO that supports Roma in Lille. She told Amnesty International: "I went there and we immediately called the police. They arrived after an hour. They said that they were given the wrong address".<sup>67</sup>

A few weeks later, on the night of 8 June 2013, unknown attackers threw several Molotov cocktails at the Roma caravans. Marie Noëlle Briand helped the families report the attack to the police. She told Amnesty International: "We filed a complaint with the police of

Hellemmes. The families were not really confident that they would identify the perpetrators, especially as they came very late when called a few weeks before. We insisted on the fact that this was a racist attack. We have not heard anything from the police since." Aude Bartholomeus said that the families were very scared after this attack "A couple of them spent a few nights elsewhere because they were scared. They also moved the caravans, they left a caravan in front but no one used to sleep there for a while."

The families and local activists told Amnesty International that things have improved significantly in Hellemmes in recent months. The Romani families were rehoused and local people have worked with them to turn the tide and start to erode the initial hostility. In February 2014, F. a Romani woman living in Hellemmes, told Amnesty International: "There were so many problems before....people were hostile...sometimes they asked me why I did not send my kids to school....although they have always attended school. Once I was asked this question on a Wednesday, although everyone knows that children in France do not go to school on Wednesday afternoon. Now things are better, there are still some people who do not like us, but it's ok. We're going to move to new (prefabricated) houses in a few days, that's good."

When asked about the investigation into the attack, the police told Amnesty International that this was the responsibility of the judicial authorities.<sup>68</sup> On 25 February 2014, Amnesty International wrote to the Prosecutor of Lille to ask whether the reports of the racist motivation for the attacks were under investigation. At the time of completing this report (end March 2014), no response had been received.

## 5. GREECE: VIOLENT ATTACKS, POLICE RAIDS AND IMPUNITY

Greece is home to between 250,000 and 350,000 Roma.<sup>69</sup> Many live in informal settlements in poor conditions. Forced evictions are frequent, and those affected are often not provided with alternative housing or are resettled in isolated and inadequate housing.<sup>70</sup> Entrenched discrimination affects all aspects of Roma life in Greece. In the last four years the European Court of Human Rights has issued three judgments ordering the end of segregation Roma-only in schools of Aspropyrgos and Sofades.<sup>71</sup>

In October 2013, the treatment of Greece's Roma hit the headlines following the arrest of a Romani couple in Farsala for abduction during a police raid in their settlement, which led to suspicions about the identity of the child living with them, as – according to the police's statement – she had "white skin complexion, blond hair and green eyes, features completely different to [those]... who acted as her parents".<sup>72</sup> Subsequent DNA testing showed that Maria was the biological daughter of a Romani family living in Bulgaria. The media coverage of the case largely presumed the couple abducted the "blonde angel" and lost interest once Maria was found to be Roma herself, exposing the degree of hostility and stigma faced by an already marginalized community.

Roma are often targeted with violence in Greece. According to a 2008 survey undertaken by the European Union Agency for Fundamental Rights (FRA), 54% of the Roma respondents in Greece had been victim of a crime. Twenty-six per cent of them thought that they had been targeted because of their ethnicity.<sup>73</sup>

At a time when Greece has seen a steep increase in racially motivated attacks and xenophobia, Amnesty International has serious concerns about the inadequate response of the law enforcement authorities towards hate crime.<sup>74</sup> This includes failing to intervene to stop racially motivated attacks when they were present on the scene; arresting victims with irregular status rather than the perpetrators of hate crimes; failing to protect people from attacks by far-right groups; discouraging victims from filing complaints; and failing to investigate or to investigate effectively those complaints that are lodged including by unearthing the possible hate motive.<sup>75</sup> In many cases police officers themselves are perpetrators of hate crime.<sup>76</sup>

For example, in September 2013, the shocking image of a Greek female shop worker kicking a young Romani girl playing the accordion in the street near the Acropolis was published in the national and international media.<sup>77</sup> However, the police did not start an investigation into the incident until the NGO Greek Helsinki Monitor filed a criminal complaint.<sup>78</sup>

The result of such a catalogue of failures by the police has helped entrench impunity for those responsible for these crimes. The ineffectiveness of existing legislation on hate crime has also contributed to such impunity. Under Article 79 of the Criminal Code, motives for a crime linked to the victim's race and ethnic origins (among other factors) can be considered as an aggravating factor during sentencing.<sup>79</sup> However, it does not apply to the investigation

and prosecution phase. Cases of alleged hate crimes very rarely reach the courts and, even if they do, the hate motive is very rarely taken into account at the trial.<sup>80</sup>

In response to international criticism, the Greek police have created a mechanism for collecting statistics on hate crimes, which are available on request, but not published.<sup>81</sup> Hate crimes are often not recorded, both due to police failure to record possible hate motive and victims’ lack of trust in the police, leading victims to not report the hate crime. According to data provided by the Greek police to the Ombudsman about investigations, 84 incidents of possible racial motive were recorded in 2012, one of which involved a Roma victim and 22 of which involved allegations against police officers. During the same period, the Ombudsman had recorded 253 such cases, three times those recorded by the police, including four involving Roma victims.<sup>82</sup> According to information provided to Amnesty International by the Greek Police, 109 incidents with a potential racist motive were recorded in 2013, two of which involved Roma victims. Of these cases, 93 have been referred to the relevant prosecution authorities and 37 involved police as alleged perpetrators.<sup>83</sup>

## POLICE RAIDS AND ARBITRARY DETENTION

*“The police come every one to two months... they find nothing... I have four sons who have been taken to the police station many times and then let go... They come at six o’clock in the morning and knock our door... the children are scared when they see them [the police officers] with guns”*

Dimitra, resident of Roma settlement in Halandri, Athens, Amnesty International interview, 17 January 2014

In 2013 the police conducted frequent raids on Romani settlements around the country, claiming that this was part of a crime prevention strategy.

According to statistics issued by the Greek police, during the first nine months of 2013, there were 1,131 police operations in Romani settlements across the country. During those operations, 52,431 people were checked and 19,067 people taken to police stations. Out of those, 1,305 were arrested, and 4,651 violations of Greek criminal and traffic laws were identified.<sup>84</sup> The statistics of those checked by the police will doubtless include many who have been checked on multiple occasions, but even allowing for this, the ratio of checks to Roma living in Greece gives an indication of the scale on which such raids are occurring. These raids and checks are discriminatory and result in arbitrary arrests and deprivations of liberty.

Following its visit to Greece, the UN Working Group on Arbitrary Detention expressed its concern over the rounding up of members of the Romani community who were released soon after without charge. It stated “that any detention on discriminatory grounds constitutes arbitrary detention and furthermore, that detention without any legal basis also renders the detention arbitrary.”<sup>85</sup>

The statistics provided by the Greek police show not only that relatively few recorded incidents of criminal offences are generated by such raids but also that many Roma were arrested during these operations for offences linked to their marginalization.<sup>86</sup> During the first nine months of 2013, 230 Roma were arrested for electricity theft. Many Romani settlements have no electricity as a result of the refusal of the Public Electricity Service to connect them on the basis that their settlements and houses are illegal.<sup>87</sup> Acknowledging this

reality, on 10 October 2013, the First Misdemeanours Court in Athens acquitted 16 Roma charged with electricity theft. The court reportedly accepted the argument of the Roma that the lack of electricity posed a danger to their health, education of their children, life and property and the theft of the electricity was a result of a situation of emergency.<sup>88</sup>

## RACIST VIOLENCE AND IMPUNITY

*“Since the attack I’m afraid to go into town for a coffee alone. I’m afraid when I’m at the shop where I work. I always go into town with someone else, even when I go to work. When I see in town those who attacked me I shake with fear.”*

Dimitris, young Romani man, Messolonghi, Amnesty International interview on 15 January 2014

Dimitris, then 18 years old, was out with his friends. In the early hours of 3 June 2012. Dimitris described to Amnesty International that they were sitting near a fast-food restaurant in Messolonghi, when a group of 10-15 youths in a nearby bar started shouting racist abuse at them. When Dimitris’ friend responded, the youths allegedly attacked them. When the Romani boys tried to run away, the youths got into their cars and chased them. They caught up with Dimitris and started beating him. When one of the attackers bashed Dimitris’ head against a wall, he lost consciousness. He later found out that a local woman who heard the commotion had shouted at the attackers to stop. They then ran away.

According to Dimitris’ father, police officers tried to discourage him when he went to file a complaint at the Messolonghi police station, but that did not deter him. More than 18 months after the attack, the investigation appears to have stalled and no one has been prosecuted. But Dimitris still wants justice: *“I want the trial to happen and them [my attackers] to be punished for the scare that they gave me.”*

## ANTI-ROMA VIOLENCE AND POLICE INACTION

*“I couldn’t believe it. That night we saw loads of people coming towards our homes, carrying fire and shouting that they will kill us. We got very scared. We are talking about real fear. The children went to hide inside the house; under the bed, in the wardrobe.”*

Paraskevi, a 36-year-old mother of seven, describing an anti-Roma march in Etoliko on 3 August 2012. Amnesty International interview on 11 February 2014

On the evening of 3 August 2012, following a row between Roma and non-Roma in the village of Etoliko, hundreds of local residents, gathered in the main square to protest. According to the Vice Mayor of the Municipality of Messolonghi, where the village of Etoliko belongs “the events that occurred... were due to an increased delinquency on the side of the Roma, which led to citizens to take the law into their hands, due to lack of severe policing; of course, with the instigation of some local politicians who sympathize mostly with the Golden Dawn... and took advantage of these events for political reasons.”<sup>89</sup>

Romani residents said that some of those who joined the protest were not residents of Etoliko, but people from surrounding villages also mobilized by local Golden Dawn politicians. They told Amnesty International that there was a significant police presence in the main square when people gathered shouting and chanting slogans such as: “Gypsies out of Etoliko”. However, the police reportedly did not stop the hostile mob from reaching Roma homes. Allegedly the crowd threw Molotov cocktails towards the Roma homes, which led to gunshots being fired from the Roma side. Four local protesters were reportedly injured.<sup>90</sup>

The police arrested eight Romani men and charged them – among other things – with attempted manslaughter, illegal possession of firearms and disturbance of peace.<sup>91</sup> According to the police, no local non-Roma residents were arrested.<sup>92</sup> The Romani men remained in pre-trial detention for 16 months. In November 2013, five were acquitted and three were given 16-year prison sentences. The three Romani men have appealed the court's decision.

Many Romani families fled in the days following the march, fearing for their lives. On 8 August, a group of 50 locals, some with covered faces, reportedly also including Golden Dawn members, allegedly attacked the Roma neighbourhood again, setting houses alight and breaking cars. The Greek Police informed Amnesty International that the investigation has not led to the identification of suspects.<sup>93</sup> Amnesty International was told by Romani residents of Etoliko that a few days later, without any notice, consultation or due process, the municipal authorities demolished five Roma houses and shacks belonging to the families who had fled, some of which were on municipal land and some on land owned by Roma. A Vice Mayor of Messolonghi, told Amnesty International in February 2014 that the municipality "took the opportunity" of the absence of the Roma and the vacation of the houses to proceed with the demolition in order "to clean the space from these structures". This rendered people homeless, contrary to Greece's obligations under international law. Days or weeks, and in some cases months, later, many Romani families returned to find their homes and possessions had been razed to the ground by bulldozers or destroyed by the mob.

## ATTACK AGAINST PARASKEVI KOKONI

*"I haven't done anything myself for them to beat me. I wasn't able to understand why they beat me."*

Paraskevi Kokoni, a Romani woman living in Etoliko. Amnesty International interview on 11 February 2014

Early in the afternoon on 13 October 2012, Paraskevi Kokoni went into the centre of Etoliko to do some shopping. She was with her then 23-year-old nephew, Kostas, who has a mental disability, and her 11-year-old son. Paraskevi told Amnesty International that as they were passing the main square, a man sitting at a local café pointed at them saying: "this is the sister-in-law of Bekos [the Roma leader of Etoliko]". Then six or seven men ran out of the café towards them and attacked them. Paraskevi said they were kicked, punched and beaten with wooden logs grabbed off a nearby truck. She told Amnesty International:

*"Two of the men went for me and the rest were punching and kicking Kostas. I was calling for help but nobody came to help us... At some point I managed to get away. I grabbed my son and left, but they still had my nephew."*

Paraskevi went to the local police station to ask for help. She told the officer on duty that she had been beaten and that her nephew was probably still in danger. She told Amnesty International the officer said there was nothing he could do, and that he was afraid to go to the scene alone. He called for reinforcements and, when two other officers arrived, they went to the scene, but by then everyone had gone. Police took Paraskevi home. Her husband had found Kostas lying unconscious in the street earlier. Both Paraskevi and Kostas needed hospital treatment for their injuries. According to Paraskevi and her husband, when police brought her to the house they said: "Didn't I tell you to leave the village? It's not safe for you here".

*"The police did not protect us. We left Etoliko and moved to Patra. We left our own home and are now renting. My children don't want to return to the house. They are afraid. This is my home, but I also don't want to come back. I'm scared... why would I come, so that they can kill my child?",* Paraskevi told Amnesty International.



In November 2013, three men were charged with serious bodily harm against Paraskevi and her nephew. However, despite the fact that the attack took place in the context of the previous racist attacks in Etoliko, Amnesty International is concerned that the investigation did not look into the possible racist motive of the attack. To Amnesty International’s knowledge the first court hearing is scheduled for 1 April 2014.

By the end of 2012, most of the Roma who had left in August had returned to Etoliko. But the atmosphere remained tense and hostility towards the Roma had, if anything, increased.

On 4 January 2013, following a fight between non-Roma and Roma in the local market, there was another organized and brutal attack on the Roma neighbourhood by some 70 people.

*“Some had their faces covered and were carrying wooden planks, stones, Molotov cocktails. I got scared. A hooded one approached and picked a big stone from the ground. I was just standing there staring at him; I did not believe he was going to throw it at me... I was holding my baby in my arms... suddenly he ran and threw the stone towards me. It just missed the little one because I moved.”*

Maria, a 21-year-old Romani woman. Amnesty International interview on 10 February 2014

Maria ran towards her uncle’s house where other people were hiding. She said they could hear their attackers shouting: “shitty gypsies, leave Etoliko, otherwise we are going to kill you.” Maria described how the attackers broke the window and threw a tear gas canister inside. “We could not open our eyes and we started coughing. The children were blinded. They were crying, saying: ‘Mum, our eyes, we are scared. They will kill us!’”

Irini, another Romani woman, told Amnesty International what happened in another part of the neighbourhood on 4 January 2013.

*“We didn’t think they were going to burn our houses down. When I saw them coming, I didn’t have time to escape, so I grabbed my children and locked us in the house. I took my children and we hid under the bed. My children were crying, screaming... I was frightened. Looking out of the window I knew most of them, I know them, we grew up together. I didn’t recognise some, because a few were wearing hoods, black clothes, helmets, but I recognized most of them. They threw a glass bottle at the window and set the house on fire. We were there, in the other room, calling for help. My brother-in-law came, just when the house started to catch fire... he took us in his arms and we made it out... through the crowd that were swearing and throwing stones at us.”*

Several Roma told Amnesty International that they felt betrayed by the police. One said: “I could see just two policemen from inside the house... They were just staring and asking people to stop. They did nothing more than this”. Many Roma told Amnesty International that following the August 2012 events police officers had advised them on several occasions to leave the village as they would not be able to protect them.

Nine people, eight of whom were reportedly linked to Golden Dawn,<sup>94</sup> were arrested and charged with arson, disturbance of public and domestic peace, light bodily injury and racial discrimination.<sup>95</sup> They were reportedly released on bail a few days later.<sup>96</sup>

*"I see them [our attackers] in the village, and I recognize them, and they look at me with hatred. I feel the injustice and think to myself, our people... my husband... stayed in [prison] for 16 months and they didn't spend 24 hours in?... We feel injustice. We feel that they support them. They didn't cut their wings so that they do not do it again. My children hadn't slept for a month... they would wake up in the middle of the night and tell me 'mum, let's go, the police will come and kill us' – they thought it was the police. Even today... when they hear a loud sound and start crying."*

Maria, Amnesty International interview on 10 February 2014

A Golden Dawn parliamentarian for the region of Etoloakarnania, Konstantinos Barbaroussis, reportedly arrived at the scene in Etoliko shortly after the attack and told the media that: "Since the Roma do not want to integrate in society and they react, and they want to live like animals, it's their right if their tradition says so, they can live like animals, but not here, in the jungle with Tarzan..."<sup>97</sup> According to media reports, the prosecution file on the case was sent from the Messolonghi Prosecutor's Office to the Athens Appeals Court in connection to the nationwide investigation into hate crimes and other offences attributed by prosecutors to Golden Dawn leaders and supporters.<sup>98</sup> The outcome of the prosecution is not known to Amnesty International.

## **CHRISTOS: BEATEN UP IN ATHENS**

*"I want to know why I was attacked."*

Christos, Amnesty International interview, 12 February 2014

Christos Dimitriou, a 56-year-old Romani man living in the Aghia Varvara area of Athens, has been a street vendor in the city for more than 40 years. On the afternoon of 28 December 2013, he was walking along Panormou Street in central Athens carrying his suitcase of perfumes to sell. Suddenly, a man aged about 30 grabbed his jacket from behind and stopped him. Christos described what happened next to Amnesty International:

*"What do you want, sir?" I asked him. "What's in the suitcase?" he said. "Let me show you. I have perfume." At that moment, while I was showing him, I didn't know his intentions. I was very relaxed and flexible. He suddenly punched me... he showed a very aggressive face and started hitting me. He threw me on the ground and I broke my hip. I couldn't resist him anymore and that's when he started hitting my whole body. The ribs, the head. He first punched me in the face and broke my teeth. Then, while I was on the ground I was covering my face, my groin, my head. I was shouting 'Help' for someone to hear me and come and see what was happening... He was not police. He was not a thief as he did not take the money or the phone I had on me. He had another motive. He wanted to exterminate, to kill me. Who goes around attacking people like this? Maybe this attack was racist. This is what I am guessing. The guy wanted to kill me. In a very central street, he had the nerve to do it. If this was a small street, would I still be alive?"*

Christos told Amnesty International he noticed three other men standing around and believes the three were his attacker's accomplices as they were sending away passers-by who were asking why the man was beating him. Christos was hospitalized for 10 days. His injuries will take years to heal. His broken leg required surgery and he was using crutches when he spoke to Amnesty International in February 2014. He is housebound and can no longer work. Police visited him at the hospital, where he gave his first statement. He told Amnesty International that he had not heard back from them on the investigation and has not been able to go to the police station to follow this up.

*"I want the police to do the investigation and find him. I want to know what his motives were and why I was beaten up."*

## 6. EU LAW – A PROMISE YET TO BE FULFILLED

The European Union (EU) has legislative instruments at its disposal to ensure that discriminatory violence, and discrimination more generally, are addressed. The European Commission is responsible for overseeing the application of EU laws in member states and could theoretically take strong actions in instances where governments fail to implement EU law effectively.

Amnesty International has repeatedly provided evidence to the European Commission that some EU member states are failing to apply EU laws to prevent and punish discrimination against Romani individuals and communities.

In 2000, the EU adopted a directive aimed at combating racial discrimination in all areas of life including employment, access to goods and services or education (Race Equality Directive 2000/43).

In accordance with the Race Equality Directive, states should avoid forcibly evicting Romani communities. Yet, Roma continue to be targeted with forced evictions and resettled to isolated and segregated housing in countries such as France, Greece, Italy and Romania. The Directive also calls on governments to end the segregation of Romani children in schools. Yet, the segregation of Romani children continues to be reported in countries including the Czech Republic, Greece, Hungary and Slovakia.<sup>99</sup> The Directive’s requirement that states provide services without discrimination is also routinely flouted, for example, with regard to certain police functions that should be considered as services, including crime prevention, investigation, law enforcement and the activities associated with them such as identity checks and body searches.<sup>100</sup> Other practices detailed in this briefing also contravene the Race Equality Directive, for example violence and harassment of Roma by the police and the failure to protect Romani communities from intimidation, harassment or violence.

In 2008, a Framework Decision (2008/913/JHA) was adopted with the aim of countering racism and xenophobia with criminal law. Article 4 of the Framework Decision states that member states must ensure “that racist and xenophobic motivation is considered an aggravating circumstance, or, alternatively that such motivation may be taken into consideration by the courts in the determination of the penalties.” However, the transposition of this article in domestic legislation has not always resulted in the thorough investigation of alleged hate motivated crime.

As this briefing shows, EU countries are not ensuring that investigations into crimes perpetrated against Romani communities or individuals seek to uncover potential hate motives that may be associated with those crimes.<sup>101</sup>

The European Commission has to date failed to take clear and decisive action to address discrimination and violence against Roma in member states. Infringement procedures, a legal tool at the disposal of the Commission to challenge failure of member states to implement

EU laws, have not been opened against member states whose policies and practices targeting the Roma do not comply with the Race Equality Directive.

In a report published in January 2014 focusing on implementation of the Directive, the European Commission highlighted that problems persist with regard to the application of EU law and that the Commission's scrutiny should be extended. However, it failed to address how it intended to exercise this scrutiny.<sup>102</sup> The Commission has the power to start an infringement procedure against member states for failing to implement the Directive, however to date it has refrained from doing so.

In a report on the implementation on the Framework Decision, the European Commission failed to highlight problems regarding the implementation of Article 4.<sup>103</sup> More specifically, the Commission did not take the opportunity to point out that although member states may have incorporated the Article in domestic legislation, this has not always led to thorough investigations of alleged hate motives in criminal investigations, as required under human rights law.

Effective implementation of the EU's anti-discrimination legislation could help transform the lives of Roma in many member states. As this briefing shows, the need for the European Commission and member states to show the political will to make the promises in law a reality is growing ever more urgent.

## 7. CONCLUSION AND RECOMMENDATIONS

There has been a marked rise in the frequency of anti-Roma violence in Europe in the last few years, in both the East and in the West. The response to this alarming phenomenon has, for the most part been woefully inadequate. Law enforcement agencies are failing to prevent attacks and ensure that hate motives are properly investigated, while the reality that racist attitudes remain entrenched in many police forces is more often denied than addressed.

While generally condemning the most egregious examples of anti-Roma violence, national authorities have been reluctant to acknowledge the extent of the phenomenon and slow to combat it. More often than not, they have pandered to the prejudices fuelling anti-Roma violence by branding Roma as anti-social and unwelcome. For its part, the European Union has been reluctant to challenge member States on the systemic discrimination of Roma that is all too evident.

National governments and the European Union must commit, visibly and wholeheartedly, to eradicating the scourge of anti-Roma violence.

In particular, Amnesty International calls on national governments to:

- Ensure that authorities effectively and promptly investigate any crimes against the individuals and communities whose cases feature in this report, including by investigating the alleged discriminatory motive behind these attacks;
- Condemn hate crimes when they occur and make clear that crimes targeting people for discriminatory reasons will not be tolerated;
- Ensure that domestic legislation prohibits crimes perpetrated with any form of discriminatory motive, including migrant status or socio-economic status, and that suspected hate crimes are promptly, impartially and thoroughly investigated;
- Ensure that authorities are required to investigate any discriminatory motive when it is alleged by victims or on their own initiative when there is reason to believe discrimination may have played a role. This should be achieved by legislative measures and/or other non-legal policy measures including the adoption of guidelines/protocols for law enforcement agents;
- Ensure that the police refrain from using force unnecessarily or disproportionately during police operations in informal settlements;
- Ensure that allegations of harassment or unlawful use of force perpetrated by the

police are thoroughly investigated;

- Ensure that the police protect communities and groups at risk of or threatened with violence and ensure that Roma people can exercise all of their human rights free from intimidation and discrimination;
- Collect data on hate crimes at all levels, including reporting, investigation, prosecution and sentencing. Data should be disaggregated by protected ground, made publicly accessible (taking into account privacy) and regularly reviewed to assist the development of policies to combat hate crimes;
- Ensure that victims of hate crimes are treated in an impartial, respectful and professional manner, that they are provided with thorough and prompt information regarding the status of their case, that they are able to be heard in legal proceedings, including the investigation phase, and that they are provided with necessary legal or psychological support, as appropriate;
- Ensure that all officers, who are likely to come into contact with victims, receive adequate training to increase awareness of the needs of victims and to enable them to deal with victims in professional manner;
- End forced evictions and segregation in education without further delay.

Furthermore, Amnesty International calls on the European Commission to:

- Use all its powers, including the possibility to launch infringement proceedings, to ensure that states do not target Roma with forced evictions and discriminate against them in access to education, housing and other services, including those provided by the police;
- Review the Framework Decision 2008/913/JHA and ensure that any revised instrument prohibits all crimes perpetrated with any discriminatory motive. Such revised instrument should require states to investigate any alleged discriminatory motive associated with a crime.

## ENDNOTES

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<sup>1</sup> Forced eviction is the permanent or temporary removal against their will of individuals, families or communities from their homes or from land that they occupy, without the provision of, or access to, appropriate forms of legal or other protection.

<sup>2</sup> Interview with Adela, Grigny, Ile-de-France, 10 June 2013.

<sup>3</sup> EU Agency for Fundamental Rights, The situation of Roma in 11 EU Member States Survey results at a glance, 2012, [http://fra.europa.eu/sites/default/files/fra\\_uploads/2099-FRA-2012-Roma-at-a-glance\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf)

<sup>4</sup> EU Agency for Fundamental Rights, EU-MIDIS European Union Minorities and Discrimination Survey, Data in Focus: The Roma, 2009 [http://fra.europa.eu/sites/default/files/fra\\_uploads/413-EU-MIDIS\\_ROMA\\_EN.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/413-EU-MIDIS_ROMA_EN.pdf)

<sup>5</sup> SME, “I am a racist” (“Som rasista”), 21 January 2014: <http://komentare.sme.sk/c/7074995/som-rasista.html>

<sup>6</sup> Ethnos, “Racist delirium against Roma by Golden Dawn”, 14 December 2013, including video: [www.ethnos.gr/article.asp?catid=22768&subid=2&pubid=63933903](http://www.ethnos.gr/article.asp?catid=22768&subid=2&pubid=63933903). It took the fatal stabbing of Pavlos Fyssas, a musician and anti-fascist activist by a man reported to be a member of Golden Dawn in September 2013, for a nationwide investigation into hate crimes and other offences attributed by prosecutors to Golden Dawn leaders and supporters to be opened. See more in Amnesty International’s report *A law unto themselves: A culture of abuse and impunity in the Greek police*, AI Index: EUR 25/005/2014, 3 April 2014: <http://www.amnesty.org/en/library/info/EUR25/005/2014/en>

<sup>7</sup> Politics Hu, “Magyar Hírlap fined for Orbán ally’s opinion piece calling Roma ‘animals’”, 9 May 2013 <http://www.politics.hu/20130509/magyar-hirlap-fined-for-orban-allys-opinion-piece-calling-roma-animals/>

<sup>8</sup> The Budapest Times, “Bayer at Bay”, 22 January 2013, <http://budapesttimes.hu/2013/01/22/bayer-at-bay/>

<sup>9</sup> Interview with Euronews, “Reding: freedom of movement ‘not up for negotiation’”, 16 January 2014: <http://www.euronews.com/2014/01/16/european-commission-s-viviane-reding-says-freedom-of-movement-not-up-for-/>

<sup>10</sup> Interview with Maria, Etoliko, Greece, 10 February 2014

<sup>11</sup> According to the OSCE/ODHIR, 11 out of 28 EU member states collect data on hate crimes against Roma. However, only two countries, the Czech Republic and Sweden, provide the OSCE with data on hate crimes perpetrated against Roma in 2012 in OSCE/ODHIR, Hate crimes in the OSCE region: incidents and responses, Annual report for 2012, November 2013 [http://tandis.odHIR.pl/hcr2012/pdf/Hate\\_Crime\\_Report\\_full\\_version.pdf](http://tandis.odHIR.pl/hcr2012/pdf/Hate_Crime_Report_full_version.pdf)

<sup>12</sup> Discrimination is “any distinction, exclusion, restriction or preference which is based on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.” Human Rights Committee, General Comment no. 18: non-discrimination, para. 7.



<sup>13</sup> For instance Article 2 (1d) of the International Covenant on the Elimination of All Forms of Racial Discrimination (ICERD) states that “Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization.”

<sup>14</sup> See, for example, the European Commission against Racism and Intolerance (ECRI), General Policy Recommendation No. 11 on Combating Racism and Racial Discrimination in Policing, paragraphs 11-14.

<sup>15</sup> International Convention on the Elimination of All Forms of Racial Discrimination, Art. 4.

<sup>16</sup> See the case-law of the European Court of Human Rights : *Nachova and Others v Bulgaria*, Applications nos. 43577/98 and 43579/98, 6 July 2005, *Stoica v Romania*, Application no.42722/02, 4 March 2008, *Šečić v Croatia*, Application no. 40116/02, 31 May 2007, *Abdu v Bulgaria*, Application no. 26827/08, 11 March 2014.

<sup>17</sup> European Court of Human Rights, *Vona v. Hungary*, Judgment 9 July 2013, Application no. 35943/10, para. 66

<sup>18</sup> According to the United States Department of State, the Czech police recorded 21 anti-Roma marches from January to the end of August 2013. United States Department of State. Czech Republic 2013 Human Rights Report.

<sup>19</sup> Summary of the organized and planned demonstrations and marches is available on files of Amnesty International.

<sup>20</sup> In 2008 and 2009 there were anti-Roma demonstrations and marches organized in the towns of Litvinov and Přešov. In autumn 2011 several anti-Roma protests were staged in several towns of northern Bohemia.

<sup>21</sup> Romea, 24 August 2013, “Na nenávislné protiromské pochody v osmi městech přišlo asi 1500 lidí”. Available at: <http://www.romea.cz/cz/zpravodajstvi/domaci/na-nenavistne-protiromske-pochody-v-osmi-mestech-prisla-asi-tisicovka-lidi>

<sup>22</sup> In the eve of 24 August 2013, the then-Minister of Interior said that the police and the local authorities are trying to stop the marches but he refused to comment on them. See: <http://www.ceskatelevize.cz/ct24/domaci/239152-cesti-politici-strkaji-pred-zitrejsimi-rasovymi-pochody-hlavu-do-pisku/>

<sup>23</sup> The party obtained 6.88% of votes in the 2013 Parliamentary elections. It is represented in the Czech Chamber of Deputies by 14 MPs.

<sup>24</sup> Meeting with Romea, Prague, 28 January 2014

<sup>25</sup> Czech Radio, 10 September 2013. “Politici musí vystupovat proti antiromským náladám, vybízí Šimůnková.” Available here: <http://www.rozhlas.cz/zpravy/politika/ zprava/politici-musi-vystupovat-proti-antiromskym-naladam-vybizi-simunkova--1255804>

<sup>26</sup> Ministry of Interior of the Czech Republic, *Report on extremism on the territory of the Czech Republic* in 2012, <http://www.mvcr.cz/mvcren/article/documents-on-the-fight-against-extremism.aspx>. According to the report, 224 individuals were prosecuted for racist hate crimes in 2012.

<sup>27</sup> Meeting with In-Iustitia, Prague, 28 January 2014.

<sup>28</sup> Email interview with the spokesman of the Regional Directorate of the Police, 19 February 2013

<sup>29</sup> As documented here: <http://www.youtube.com/watch?v=GKM1YCndUOg>

<sup>30</sup> Police press release from 1 July 2013. Available at: <http://www.policie.cz/clanek/sobotni-opatreni-v-ceskych-budejovicich.aspx>

<sup>31</sup> See: <http://www.youtube.com/watch?v=FJoaDqWrFR8>

<sup>32</sup> See the police press statement: <http://www.policie.cz/clanek/sobotni-opatreni-v-ceskych-budejovicich.aspx>

<sup>33</sup> The press release of the police from 10 July 2013. Available here: <http://www.policie.cz/clanek/sobotni-opatreni-v-krajskem-meste.aspx>

<sup>34</sup> Romea, 13 July 2013. "Budějovice: Na protiromskou demonstraci na náměstí přišla hrstka lidí, u multikína zasahovala policie, zadrženo až 60 lidí". Available here: <http://www.romea.cz/cz/zpravodajstvi/domaci/c-budejovice-dnes-zaziji-dalsi-demonstrace-a-protesty>

<sup>35</sup> Police press release, 26 August 2013. Available here: <http://www.policie.cz/docDetail.aspx?docid=21908165&docType=ART>

<sup>36</sup> Phone interview with Amnesty International on 17 March 2014.

<sup>37</sup> Police press release, 6 August 2013 <http://www.policie.cz/clanek/v-kauze-detske-hriste-na-maji-padla-obvineni.aspx>

<sup>38</sup> Interview with Amnesty International on 30 January 2014

<sup>39</sup> 5Plus2, 10 December 2010. "Muž zapaloval dům s Romy. Rasový motiv v tom však podle soudu nebyl" Available: [http://jihocesky-kraj.5plus2.cz/muz-zapaloval-dum-s-romskymi-detmi-dt8-/ceske-budejovice.aspx?c=A131209\\_142622\\_ppd-ceske-budejovice\\_54711](http://jihocesky-kraj.5plus2.cz/muz-zapaloval-dum-s-romskymi-detmi-dt8-/ceske-budejovice.aspx?c=A131209_142622_ppd-ceske-budejovice_54711)

<sup>40</sup> A news report from the court hearing is available here: [http://jihocesky-kraj.5plus2.cz/soud-se-zharem-v-budejovicich-djx-/ceske-budejovice.aspx?c=A140210\\_144947\\_ppd-ceske-budejovice\\_p2roj](http://jihocesky-kraj.5plus2.cz/soud-se-zharem-v-budejovicich-djx-/ceske-budejovice.aspx?c=A140210_144947_ppd-ceske-budejovice_p2roj)

<sup>41</sup> Romea, 17 July 2013. "V Českých Budějovicích došlo k dalšímu žhářskému útoku na Romy. Policie to opět zlehčuje." Available: <http://www.romea.cz/cz/zpravodajstvi/domaci/v-ceskych-budejovicich-doslo-k-dalsimu-zharskemu-utoku-na-romy-policie-to-opet-zlehcuje>

<sup>42</sup> Interview with Amnesty International, 29 January 2014.

<sup>43</sup> As quoted in Idnes news-server: [http://zpravy.idnes.cz/demonstrace-v-duchcove-07i-domaci.aspx?c=A130529\\_155058\\_usti-zpravy\\_jj](http://zpravy.idnes.cz/demonstrace-v-duchcove-07i-domaci.aspx?c=A130529_155058_usti-zpravy_jj). The print screen of the Facebook status of the organizer is available here: <http://www.romea.cz/cz/video/demonstrace/demonstraci-v-duchcove-svolavaji-neonaciste>

<sup>44</sup> Not his real name.

<sup>45</sup> The predecessor of the DSSS was dissolved in 2010 by the Supreme Court on the grounds that the party was inciting racial hatred.

<sup>46</sup> See the video-footage from the assembly: [http://zpravy.idnes.cz/demonstrace-v-duchcove-07i-domaci.aspx?c=A130529\\_155058\\_usti-zpravy\\_jj](http://zpravy.idnes.cz/demonstrace-v-duchcove-07i-domaci.aspx?c=A130529_155058_usti-zpravy_jj)

<sup>47</sup> The document is on files of Amnesty International.

<sup>48</sup> Interviews with Romani residents of Duchcov, 31 January 2013.

<sup>49</sup> Interview with Amnesty International, 31 January 2013.

<sup>50</sup> 19,209 Roma migrants lived in 429 informal settlements as of January 2014. Mission relative à l’anticipation et à l’accompagnement des opérations d’évacuation des campements illicites. Etat de lieux national des campements illicites. January 2014

<sup>51</sup> 47 per cent of those interviewed said they did not know how many Roma migrants lived in France, Commission Nationale Consultative des Droits de l’Homme. Rapport 2012, p. 15, [http://www.cncdh.fr/sites/default/files/cncdh\\_racisme\\_02\\_basse\\_def.pdf](http://www.cncdh.fr/sites/default/files/cncdh_racisme_02_basse_def.pdf)

<sup>52</sup> In French “Ces gens ont un mode de vie extrêmement différent que le nôtre. Pour cela, ils ont vocation à revenir en Roumanie ou Bulgarie”, France Inter, “*La question Rom dans le débat politique*”, September 2013 (audio), <http://www.franceinter.fr/emission-le-79-la-question-rom-dans-le-debat-politique>

<sup>53</sup> According to the Human Rights League, more than 21,000 Roma migrants were forcibly evicted in France in 2013. Recensement des évacuations forcées des lieux de vie occupés par des roms étrangers en France. 5 January 2014, [http://www.idh-france.org/IMG/pdf/evacuations\\_forcees\\_2013.pdf](http://www.idh-france.org/IMG/pdf/evacuations_forcees_2013.pdf)

<sup>54</sup> See the latest Amnesty International report on forced evictions in France, *Condamnés à l’errance. Les expulsions forcées de Roms en France*. Index: EUR 21/007/2013, [http://www.amnesty.fr/sites/default/files/Rapport\\_Expulsions\\_forc%C3%A9es\\_de\\_roms\\_en\\_France\\_260913.pdf](http://www.amnesty.fr/sites/default/files/Rapport_Expulsions_forc%C3%A9es_de_roms_en_France_260913.pdf)

<sup>55</sup> For an eviction to be lawful, international human rights law requires, among other safeguards, adequate notice, consultation, due process and assurance of adequate alternative accommodation. Forced eviction has been recognised as a gross violation of a range of human rights, including the right to adequate housing. It is also often associated with other human rights violations including abuses of physical and mental integrity in the process of eviction and denial of the right to education as a result of eviction.

<sup>56</sup> According to the Human Rights League almost 1,400 Roma people were forcibly evicted in Marseille in 2013. According to the Prefect, 824 people were evicted from 12 informal settlements from February 2013 to February 2014. Campements de roms: Le Préfet apporte des précisions, 14 February 2014, <https://docs.google.com/file/d/0B5iU2ChIsmSMzVwaiNaVG9PUVoxS3dKSzIqNVA0WmRIOFg4/edit?pli=1>

<sup>57</sup> Under French Law, evictions must not take place between 1 November and 15 March of the following year unless those concerned are provided with adequate housing, Article L412-6 Code des procédures civiles d’exécution.

<sup>58</sup> Interview with Steluța and R., Marseille, 27 February 2014.

<sup>59</sup> Interview with Cendrine Labaume, Marseille, 26 February 2014.

<sup>60</sup> Data from the Ministry of Interior and published by the Advisory Committee on Human Rights (CNCDH). [http://www.cncdh.fr/sites/default/files/cncdh\\_racisme\\_02\\_basse\\_def.pdf](http://www.cncdh.fr/sites/default/files/cncdh_racisme_02_basse_def.pdf)

<sup>61</sup> Interview with M. carried out by the organization Rencontres Tsiganes on 29 October 2012

<sup>62</sup> Meeting with Jean-Paul Bonnetain, Préfet de Police, and Sandrine Souilleux, Commandant de Police, 27 February 2014

<sup>63</sup> *Ibid.* 54

<sup>64</sup> Phone conversation and email exchange with the office of the Prefect of Paris (Préfet de Police), 14 February 2014.

<sup>65</sup> Interviews with Lucien and Georghe, Paris, 13 February 2014

<sup>66</sup> Interview with Aude Bartholomeus, Hellemmes, 25 February 2014

<sup>67</sup> Phone interview with Marie Noëlle Briand, 24 February 2014

<sup>68</sup> Phone conversation with the police of Hellemmes, 25 February 2014.

<sup>69</sup> In 2009, the Greek authorities estimated the Roma population in Greece to 250.000-300.000. NGOs such as Minority Rights Group-Greece estimate the Roma population to 300,000-350.000. See Greek Helsinki Monitor, Minority Rights Group-Greece and Coordinated organizations and communities for Roma Human Rights in Greece, *Activities to improve the impact of policies, programmes and projects aimed at the social inclusion and non-discrimination of Roma people in Europe, Country Report Greece*, May 2010, [cm.greekhelsinki.gr](http://cm.greekhelsinki.gr).

<sup>70</sup> On forced evictions of Roma in Atalanti, Lamia, Aharnai/Menidi, Koropi, Rhodes, Iraklion and threat of forced eviction in Halandri see GHM, MRG-Greece and SOKADRE *Submission to the European Commission against Racism and Intolerance (ECRI) on Greece*, 13 January 2014, <http://cm.greekhelsinki.gr/index.php?sec=194&cid=3834>; also Amnesty International, *End Forced Evictions of Roma in Europe*, 15 April 2013, <http://www.amnesty.org/en/library/info/EUR01/004/2013/en>

<sup>71</sup> See Amnesty International, *European Court again chides Greece over discrimination of Roma schoolchildren*, 30 May 2013, <http://www.amnesty.org/en/for-media/press-releases/european-court-again-chides-greece-over-discrimination-against-roma-school>

<sup>72</sup> Statement by Greek police as it appeared in [iefimerida.gr](http://iefimerida.gr) on 18 October 2013, : <http://tinyurl.com/oxo9dqs> and video of police statement here: <http://www.ethnos.gr/article.asp?catid=22768&subid=2&pubid=63905256>

<sup>73</sup> EU Agency for Fundamental Rights, EU-MIDIS European Union Minorities and Discrimination Survey, Data in Focus: The Roma

<sup>74</sup> Some steps to tackle the sharp rise of hate crime were taken at the end of 2012 when the Greek authorities established a Special Prosecutor to deal with hate crimes in the region of Athens. Special Police Departments (one in Attika and one in Thessaloniki) and Offices (68 around Greece) tasked to tackle hate crimes were also established on the basis of a Presidential Decree adopted in December 2012. The mandate of the Special Departments and Offices is to prevent and investigate offences committed against individuals on the grounds of their race, ethnicity and religion.

<sup>75</sup> See Amnesty International, *Police Violence in Greece: Not just 'Isolated Incidents'*, 3 July 2012, pp. 20-23, <http://www.amnesty.org/en/library/info/EUR25/005/2012>

<sup>76</sup> See Amnesty International report *A law unto themselves: A culture of abuse and impunity in the Greek police*; Greek Ombudsman, *Racist Violence in Greece and How it is Combated*, 25 September 2013, pp. 5, 14: <http://www.synigoros.gr/resources/docs/eidikiekthesiratsistikivia.pdf>; [According to data provided by the Greek Police to Amnesty International in a letter on](http://www.greekreporter.com/2013/09/17/woman-kicking-girl-pic-goes-viral/) 11 February 2014, police are involved in 37 recorded incidents with possible racist motive, 13 of which are being investigated by the Internal Affairs Directorate of the Police.

<sup>77</sup> See Greek Reporter, *"Greek Woman Kicking Roma Girl in Athens – Pic Goes Viral"*, 17 September 2013 <http://greece.greekreporter.com/2013/09/17/woman-kicking-girl-pic-goes-viral/>

<sup>78</sup> Amnesty International also understands that the official response of the Minister of Public Order and Citizens' Protection to a parliamentary question was that, following the investigation, a case file was

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submitted by the police to the competent prosecutor. However, the Minister of Justice, Transparency and Human Rights replied that there is no pending case file of the incident before the competent prosecutor's office in Athens. As a result, a new parliamentary question was posed by MP Maria Yannakaki as to the fate of the investigation. [See mariayannakaki.gr/index.php/vouli/655-parapese-dikografia-paidiou-roma-akropoli](http://mariayannakaki.gr/index.php/vouli/655-parapese-dikografia-paidiou-roma-akropoli).

<sup>79</sup> Amendment introduced by Law 4139/2013. This law also introduced an amendment to Article 79 para. 3 according to which prison sentence imposed for a hate crime would not be subject to suspension.

<sup>80</sup> See Amnesty International report *A law unto themselves: A culture of abuse and impunity in the Greek police*

<sup>81</sup> *Ibid.*

<sup>82</sup> Greek Ombudsman, *Racist Violence in Greece and How it is Combated*, 25 September 2013, p. 16, <http://www.synigoros.gr/resources/docs/eidikiekthesiratsistikivia.pdf>

<sup>83</sup> Greek Police Headquarters letters of 11 February 2014 and 13 March 2013 in response to request by Amnesty International.

<sup>84</sup> See Reply of the Ministry of Public Order and Citizens' Protection to the question of MP Maria Yannakaki, 23 November 2013; See "At least 20.000 transfers from Roma settlements", article by Elli Zotou, 22 October 2013, <http://www.avgi.gr/article/1178463/sxedon-20-000-prosagoges-apo-kataulismous-roma>

<sup>85</sup> UN Working Group on Arbitrary Detention statement upon the conclusion of its mission to Greece (21-31 January 2013), [www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12962&LangID=E](http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12962&LangID=E).

<sup>86</sup> Correspondence with Panayote Dimitras, Spokesperson of the GHM

<sup>87</sup> For example, on 19 November 2013, the police conducted a police operation at a Roma settlement in Aspropyrgos. Out of the 120 individuals checked, 65 were transferred to police stations. Out of those, nine were arrested. Out of those arrested, eight were charged for theft of electricity. See [www.skai.gr/news/greece/article/246260/ennea-sullipseis-se-epiheirisi-se-kataulismo-roma-ston-aspropurgo/#ixzz2leisyVQ6](http://www.skai.gr/news/greece/article/246260/ennea-sullipseis-se-epiheirisi-se-kataulismo-roma-ston-aspropurgo/#ixzz2leisyVQ6).

<sup>88</sup> Interview with Electra Koutra, President of the Hellenic Action for Human Rights and lawyer representing the 16 Roma at court

<sup>89</sup> Amnesty International interview, 10 February 2014.

<sup>90</sup> The official police statement as reported by agrinionews.gr on 5 August 2012 is available here: <http://tinyurl.com/o5jjm5u>

<sup>91</sup> The official police statement as reported by agrinionews.gr on 5 August 2012 is available here: <http://tinyurl.com/o5jjm5u>

<sup>92</sup> Letter by the Greek Police Headquarters of 13 March 2014 in response to Amnesty International's request for information about investigations into the incident.

<sup>93</sup> *Ibid.*

<sup>94</sup> Ethnos, "New case files 'burn' Golden Dawn" (*Νέες δικογραφίες «καίνε» τη Χρυσή Αυγή*), 25 October 2013: <http://www.ethnos.gr/article.asp?catid=22768&subid=2&pubid=63908709>

<sup>95</sup> Letter of 13 March 2014 by Greek Police Headquarters in response to Amnesty International's request for information.

<sup>96</sup> See media reports at: <http://www.newsbeast.gr/society/arthro/469220/eleutheroi-gia-ta-epeisodia-sto->

[aitoliko-me-roma/](#) and  
[http://www.agriniopress.gr/oldsite/index.php?option=com\\_content&view=article&id=17221:aitoliko-  
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<sup>97</sup> As seen on footage from Aixmi TV.

<sup>98</sup> See media reports at <http://www.ethnos.gr/article.asp?catid=22768&subid=2&pubid=63908709> and  
[http://www.kathimerini.gr/55623/article/epikairothta/ellada/ta-erga-kai-oi-hmeres-toy-mparmparoys-sh-sto-  
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<sup>99</sup> Amnesty International, Submission to the European Commission on the implementation of the  
Equality Directives (Index : IOR 61/002/2013),  
[http://www.amnesty.org/en/library/asset/IO61/002/2013/en/bbf813ce-2ebf-471f-8fa8-  
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Amnesty International, Human Rights Here, Roma Rights Now. A wake-up call to the European Union  
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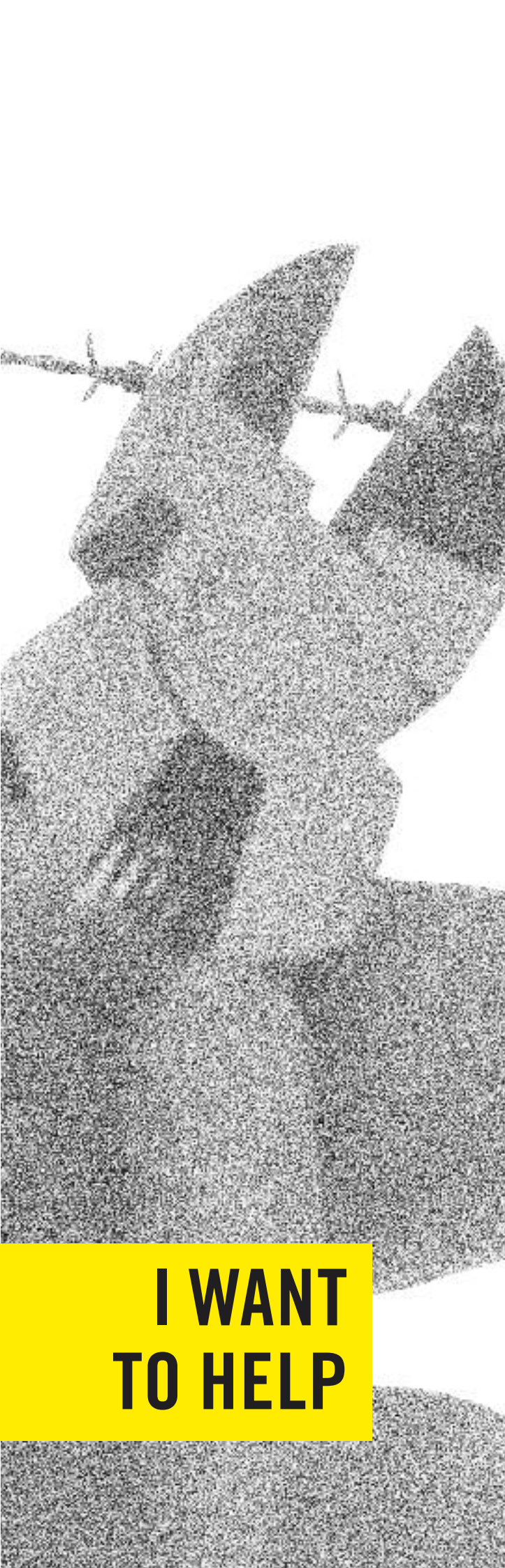
<sup>100</sup> Amnesty International, Submission to the European Commission on the implementation of the  
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updates/report/submission-european-commission-implementation-equality-directives-2013-04-02](http://www.amnesty.org/en/news-and-<br/>updates/report/submission-european-commission-implementation-equality-directives-2013-04-02)

<sup>101</sup> For a comprehensive overview of the problems concerning the implementation of the Framework  
Decision and further information on Hungary see Amnesty International, Submission to the European  
Commission and the Council of the European Union on the Framework Decision on Racism and  
Xenophobia (IOR 51/001/2013), see Amnesty International, Amnesty International submission to the  
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<sup>102</sup> European Commission Joint Report on the application of Council Directive 2000/43/EC of 29 June  
2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic  
origin ('Racial Equality Directive') and of Council Directive 2000/78/EC of 27 November 2000  
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<sup>103</sup> European Commission, Report on the implementation of Council Framework Decision  
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## **“WE ASK FOR JUSTICE”**

### **EUROPE'S FAILURE TO PROTECT ROMA FROM RACIST VIOLENCE**

Many of Europe's 10-12 million Roma are at increased risk of racist violence and discrimination. Excluded from access to essential services and unable to get redress for human rights violations because of the indifference or outright hostility of the police and other state institutions, many Roma feel abandoned.

The conditions in which many Roma are forced to live are a damning indictment of years of official neglect and discrimination. However, far from acknowledging that this situation is a result of their failure to ensure the human rights of Roma, local, national and European Union (EU) officials are fuelling prejudice and intolerance by blaming Roma for their marginalization.

State authorities, especially the police, are failing to protect Roma and to ensure that crimes against them are thoroughly investigated in order to reveal underlying racist or discriminatory motives. Some police officers are also directly responsible for racist violence, for harassing Roma communities and using excessive force against them, including while carrying out forced evictions.

This briefing examines hate motivated violence and harassment perpetrated against Roma through emblematic cases in three countries – the Czech Republic, France and Greece. It ends with a series of recommendations calling on national governments and EU institutions to take urgent steps to stop discrimination, violence and harassment against Roma.

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